

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

Addis Ababa, Ethiopia P. O. Box 3243 Tel ; 5517 700 Fax : 5511299
Website : www.africa-union.org

EXECUTIVE COUNCIL

Thirty-Second Ordinary Session

22 - 26 January 2018

Addis Ababa, ETHIOPIA

EX.CL/1066(XXXII)

Original: French

**REPORT OF THE MINISTERIAL COMMITTEE ON AFRICAN
CANDIDATURES WITHIN THE INTERNATIONAL SYSTEM**

REPORT OF THE MINISTERIAL COMMITTEE ON AFRICAN CANDIDATURES WITHIN THE INTERNATIONAL SYSTEM

I. INTRODUCTION

1. The Ministerial Committee on African Candidatures within the International System met in its Thirty-Second Ordinary Session on 25 and 26 January 2018, in Addis Ababa, Ethiopia, chaired by **H.E Tête Antonio, Secretary of State for Foreign Affairs of the Republic of Angola, and subsequently by H.E Kaifala Marah, Minister of Foreign Affairs and International Cooperation of the Republic of Sierra Leone.**

2. After opening the session and observing the usual protocols, the Chairperson presented the Agenda of the session for adoption by members of the Committee.

II. ATTENDANCE

3. The following Members of the Committee were in attendance: Angola, Burkina Faso, Congo, Eritrea, Egypt, Equatorial Guinea, Gabon, Lesotho, Libya, Malawi, Nigeria, Rwanda, Sierra Leone, Tanzania and Togo.

III. ADOPTION OF THE AGENDA

4. The Committee adopted the following Agenda:

- i) Status of Implementation of Decisions **EX.CL/Dec.958(XXX) and EX.CL/Dec.984 (XXXI)**;
- ii) Consideration of African Candidatures for Posts within the International System;
- iii) Any Other Business.

IV. STATUS OF IMPLEMENTATION OF DECISIONS EX.CL/Dec.958 (XXX) AND EX.CL/Dec.984 (XXXI)

5. The Commission presented the Report on the Status of Implementation of Decisions **EX.CL/Dec.958 (XXX) and EX.CL/Dec.984 (XXXI)** on the candidatures endorsed by the Executive Council at previous sessions.

6. The Committee took note of the status of implementation of the above-mentioned Decisions on African Candidatures endorsed at the 30th and 31st Sessions held in January and June 2017, respectively, in Addis Ababa, Ethiopia. It expressed satisfaction on the success of candidatures endorsed by the Executive Council at previous sessions. It requested the Secretariat to continue with efforts to provide appropriate support for the candidates endorsed for forthcoming elections.

7. The Committee however, deplored cases of non-compliance by some Member States with the decisions of the Executive Council on candidatures:

- (i) The first case mentioned concerned inadequate support by AU Member States at the UNESCO Executive Board for the African candidature of **Dr Moushira Khattab**, to the post of Director-General of UNESCO. The Committee deplored the unfortunate situation arising due to the failure of African unity and solidarity for the sole candidate endorsed by the African Union, Dr. Moushira Khattab. The Committee was of the opinion that that case of non-compliance with the decisions of the African Union should be referred to the Executive Council so that a decision could be taken in order to avoid such situations in the future. While expressing disappointment at the situation, the Representative of Egypt took the floor to thank the Chairperson of the African Union, **H.E. Alpha Condé**, and the Chairperson of the African Union Commission, **H.E. Moussa Faki Mahamat**, for their efforts and support for the candidature of **Dr Moushira Khattab**, for the post of Director-General of UNESCO;
- (ii) The second case raised was that of the submission by the Republic of Ghana, of an unendorsed candidature, that of **Professor Henrietta J.A.N Mensa-Bonsu**, for the post of Judge at the International Criminal Court, Under Category A. the Committee discussed the case at length and observed that the submission by Ghana and its refusal to withdraw the candidature, which moreover conflicted with the candidatures of Lesotho and Uganda endorsed by the Executive Council, , was a violation of the Rules of Procedure of the Ministerial Committee on African Candidatures for Posts within the International System as well as Decision **EX.CL/Dec.958(XXX)** of the Executive Council adopted at its 30th Ordinary Session, held from 25 to 27 January 2017, in Addis Ababa, which provides that: **«Concerning cases of non-compliance by Member States with Executive Council Decisionsas well as the Revised Rules of Procedure, the Committee, ... also decides to inform Member States that such shortcomings would no longer be excused in the future and urged them all to cooperate in strengthening our mechanisms and to optimize the chances for Africa to hold positions within the international system»**. The Committee suggested that the Executive Council apply Article 16 of the Revised Rules of Procedure on African Candidatures for Posts within the International System, as follows:
 - ✓ That Ghana apologize to Lesotho, a victim of the submission by Ghana, as well as to the African Union;
 - ✓ That the Executive Council impose a two to three year sanction on Ghana, in line with Article 16 of the Rules of Procedure which provides that: **«In addition to the sanctions provided for in Article 23 of the Constitutive Act of the African Union, Member States which do**

not comply with the Decisions of the Executive Council on the Candidatures for elective positions within the International System can also see their candidatures suspended for a period of five (5) years» ;

- ✓ That the Executive Council issue a stern warning to Ghana to respect the decisions and mechanisms established on African candidatures within the international system.

8. The Committee requested that the Commission take all the necessary steps to ensure substantial and multifaceted support for the election of the candidates endorsed, and speed up the establishment of sub-committees on candidatures within the African Groups that do not yet have one.

9. The Committee also requested the Sub-Committee of the Permanent Representatives' Committee (PRC) in charge of budget matters, to allocate an appropriate budget for the activities of the Ministerial Committee on African Candidatures within the International System, and the Sub-Committee responsible for the implementation of decisions on candidatures, the establishment of which had been decided upon by the Executive Council.

10. The Committee, considering the need to review the Rules of Procedure of the Ministerial Committee on African Candidatures within the International System in order to take into account the specific features of certain candidatures, requested the Office of the Legal Counsel, in consultation with the Department of Political Affairs, to prepare a draft proposal, including the establishment of a follow-up mechanism for the candidatures of Member States, in order to ensure that Africa constantly speaks with a single voice concerning elections within the international system.

11. The Committee recommended that the Executive Council take note of the candidates who had been elected and those who had not been elected (See Report).

V. CONSIDERATION OF AFRICAN CANDIDATURES FOR POSTS WITHIN THE INTERNATIONAL SYSTEM

12. The Commission presented the candidatures submitted for approval by the Executive Council at its 32nd Ordinary Session.

13. After discussions, the Committee recommended that the Executive Council endorse the following candidatures for election or re-election:

- (i) ***Member of the Committee of Experts of the United Nations Convention on the Rights of Persons with Disabilities***, during elections scheduled for June 2018, at the 11th Conference of States Parties, the candidatures of:
 - ***Mrs Gertrude Oforiwa Fefoame, of the Republic of Ghana;***
 - ***Dr. Heba Hagra, MP, of the Arab Republic of Egypt;***

- (ii) **Member of the United Nations Human Rights Committee on the International Covenant on Civil and Political Rights**, for the period 2019-2022, during elections scheduled for 14 June 2018 in New York at the 36th Meeting of States Parties to the International Covenant on Civil and Political Rights, the candidature of:
- **Professor Yadh Ben Achour of the Republic of Tunisia;**
- (iii) **Member of the United Nations Committee on the Elimination of Discrimination against Women**, for the period 2019-2022 during elections scheduled for June 2018 in New York, the candidature of:
- **Ambassador Naela Gabr of the Arab Republic of Egypt;**
- (iv) **Member of the United Nations Committee on the Rights of the Child**, for the period 2019-2022, during elections scheduled for June 2018 at the United Nations Headquarters in New York, the candidature of:
- **Ambassador Gehad Mady of the Arab Republic of Egypt;**
- (v) **Member of the International Law Commission (ILC)** for the period 2022-2026, during elections scheduled for November 2018, the candidature of:
- **Mr Louis Savadogo, of Burkina Faso;**
- (vi) **Chairman of the United Nations International Civil Service Commission** for the period 2019-2022, during elections scheduled for the 73rd Ordinary Session of the United Nations General Assembly in November 2018, in New York, the candidatures of:
- **Mr. Larbi Djacta, of the People's Democratic Republic of Algeria;**
 - **Ambassador El Hassane Zahid, of the Kingdom of Morocco;**
- NB: Having noted that Africa is entitled to the post, the Committee recommended that the Executive council endorse both candidates.**
- (vii) **Member of the Board of Governors of the International Atomic Energy Agency (IAEA)**, for the period 2018-2020, during elections scheduled for September 2018 in Vienna, at the IAEA General Conference, the candidature of:
- **the Arab Republic of Egypt;**
- (viii) **Member of the International Telecommunication Union Council, for the period 2019-2022**, during elections scheduled to hold at the Plenipotentiary Conference in November 2018, in Dubai, United Arab Emirates, the candidatures of:
- **the Arab Republic of Egypt;**
 - **the Republic of Kenya;**
 - **the People's Democratic Republic of Algeria;**

- ***the Republic of South Africa;***
- ***Burkina Faso;***
- ***The Togolese Republic.***

NB: *The Committee decided to endorse these candidatures in addition to that of the Federal Republic of Nigeria endorsed in July 2017, and leave the other five (5) positions to be held by Africa in the Council open.*

(ix) ***Member of the Radio Regulations Board of the International Telecommunication Union,*** during elections scheduled to hold at the Plenipotentiary Conference in November 2018, in Dubai, United Arab Emirates, the candidatures of:

- ***the Arab Republic of Egypt (Dr Elsayed Azzoz);***
- ***the Republic of South Africa;***

(x) ***Non-Permanent Member of the United Nations Security Council,*** the candidatures of:

- ***The Republic of South Africa,*** for the period 2019-2020, under Southern Africa (endorsed by the African Group in New York), during elections scheduled for June 2018, at the 72nd Session of the United Nations General Assembly;

(xi) ***Vice President of the 73rd Session of the United Nations General Assembly,*** the candidatures:

- ***the People's Democratic Republic of Algeria;***
- ***Burkina Faso;***
- ***The Democratic Republic of Congo;***
- ***The Republic of The Gambia;***
- ***The Republic of Namibia;***
- ***The Republic of the Sudan;***

(xii) ***Member of the United Nations Economic and Social Council for the period 2019-2021,*** during elections scheduled at the 73rd Session of the United Nations General Assembly, the candidatures of:

- ***The Republic of Angola;***
- ***The Arab Republic of Egypt;***
- ***The Federal Democratic Republic of Ethiopia;***
- ***The Republic of Kenya;***
- ***The Republic of Mali.***

NB: the Republic of Kenya submitted a candidature for that post through the Secretariat of the Ministerial Committee on Candidatures for Posts within the International System. The Committee, having been informed of the existence of a mechanism within the African Group in New York for the

management of candidatures for the post, which had endorsed the above-mentioned candidatures, decided not to endorse the candidature of Kenya.

- (xiii) **President of the Fourth Committee of the United Nations General Assembly, the candidature of H.E. Lewis Brown of the Republic of Liberia;**
- (xiv) **President of the Sixth Committee of the United Nations General Assembly, the candidature of H.E. Necton D. Mhura of the Republic of Malawi;**
- (xv) **Assistant Secretary General for Social, Cultural and Humanitarian Affairs of the Organization of Islamic Cooperation, the candidature of the Arab Republic of Egypt.**

14. The Committee took note of the submission of the candidature of **Mr Tesfa Alem Seyoum of the State of Eritrea; for Membership of the United Nations Advisory Committee on Administrative and Budgetary Questions (ACABQ)**, during elections scheduled for November 2018, at the 73rd Session of the United Nations General Assembly, but decided not to take action on the post since it should be filled by Southern Africa, in accordance with the system of rotation between East and Southern Africa in force for the post. The African Group in New York was requested to hold consultations in order to ensure the nomination of a representative of Southern Africa for the post.

15. The Committee took note of the following candidatures and decided:

- (i) **Not to take action on the candidature of the Republic of Kenya as Non-Permanent Member of the United Nations Security Council**, for the period 2021-2022 in the absence of a consensus by the region on this candidature;
- (ii) **To defer until June 2018 Session, consideration of the candidature of Dr. Maurice Kengne Kamga of the Republic of Cameroon for the post of Judge at the International Tribunal for the Law of the Sea (ITLOS)**, during elections to be held at the 30th Meeting of States Parties in June 2020.

16. With regard to the post of **Director of the Telecommunication Development Bureau**, during elections scheduled for 29 October to 26 November 2018 in Dubai, United Arab Emirates, at the Plenipotentiary Conference, the Committee was informed that the negotiations recommended by the Executive Council at its 31st Ordinary Session in June 2017 were effectively held between the two delegations of Zimbabwe and Nigeria, without reaching a conclusion on the selection of a single candidate between either **Dr. Cosmas Zavazava** of the Republic of Zimbabwe or **Mr. William Ijeh**, of the Federal Republic of Nigeria. The Committee, after lengthy discussions, recommended to the Executive Council as follows:

- (i) ***Referring to the Revised Rules of Procedure of the Ministerial Committee on African Candidatures within the International System***, namely Article 14, was the best way of deciding between the two candidates. Moreover, since both candidates were equally competent, as required in **Paragraph a**, and enjoyed good international reputation as stated under **Paragraph b**, the only remaining criteria was that of equitable geographical representation, as stipulated under **Paragraph c** to decide between the two candidates;
- (ii) The decision endorsing the African candidate to this post should be taken at the January 2018 Summit, in order to avoid continued tension, and above all to give the candidate endorsed time to campaign. This should be done regardless of whether the Executive Council decides to refer to the Revised Rules of Procedure as recommended above or resort to a political solution;
- (iii) Request the two delegations to hold consultations and reach a decision before the Executive Council session, failing which, reference will be made to the criteria defined and the Rules of Procedure to decide between the two candidates.

VI. ANY OTHER BUSINESS

17. Under Any Other Business, the Representative of Burkina Faso took the floor to thank the African Union for endorsing the candidature of Mr. Brahim Sanou for the post of Assistant Secretary General of the International Telecommunications Union and requested the continued support of the Committee for the candidate during his campaign for the position.

18. Having exhausted all the items on the Agenda, the Chairperson adjourned the session.

**DRAFT DECISION ON AFRICAN CANDIDATURES
WITHIN THE INTERNATIONAL SYSTEM**
Doc. EX.CL/1066(XXXII)

The Executive Council,

1. **TAKES NOTE** of the Report of the Ministerial Committee on African Candidatures within the International System;
2. **ENDORSES:**
 - (i) **for Membership of the Committee of Experts of the United Nations Convention on the Rights of Persons with Disabilities**, during elections scheduled for June 2018, at the 11th Conference of States Parties, the candidatures of:
 - **Mrs Gertrude Oforiwa Fefoame**, of the Republic of Ghana;
 - **Dr. Heba Hagraas, MP**, of the Arab Republic of Egypt;
 - (ii) **for Membership of the United Nations Human Rights Committee on the International Covenant on Civil and Political Rights**, for the period 2019-2022, during elections scheduled for 14 June 2018 in New York at the 36th Meeting of States Parties to the International Covenant on Civil and Political Rights, the candidature of:
 - **Professor Yadh Ben Achour** of the Republic of Tunisia;
 - (iii) **for Membership of the United Nations Committee on the Elimination of Discrimination against Women**, for the period 2019-2022 during elections scheduled for June 2018 in New York, the candidature of:
 - **Ambassador Naela Gabr** of the Arab Republic of Egypt;
 - (iv) **for Membership of United Nations Committee on the Rights of the Child**, for the period 2019-2022, during elections scheduled for June 2018 at the United Nations Headquarters in New York, the candidature of:
 - **Ambassador Gehad Mady** of the Arab Republic of Egypt;
 - (v) **for Membership of the International Law Commission (ILC)** for the period 2022-2026, during elections scheduled for November 2018, the candidature of:
 - **Mr Louis Savadogo**, of Burkina Faso;

- (vi) ***For the post of President of the Fourth Committee of the United Nations General Assembly, the candidature of H.E. Lewis Brown of the Republic of Liberia;***
- (vii) ***For the post of President of the Sixth Committee of the United Nations General Assembly, the candidature H.E. Necton D. Mhura of the Republic of Malawi;***
- (viii) ***For the post of Chairman of the United Nations International Civil Service Commission for the period 2019-2022, during elections scheduled for the 73rd Ordinary Session of the United Nations General Assembly in November 2018, in New York, the candidatures of:***
 - ***Mr Larbi Djacta, of the People's Democratic Republic of Algeria;***
 - ***Ambassador El Hassane Zahid, of the Kingdom of Morocco.***

3. ALSO TAKES NOTE of and DECIDES to endorse the following candidatures:

- (i) ***For Membership of the Board of Governors of the International Atomic Energy Agency (IAEA), for the period 2018-2020, during elections scheduled for September 2018 in Vienna, at the IAEA General Conference, the candidature of:***
 - ***The Arab Republic of Egypt***
- (ii) ***For Membership of the Member of the International Telecommunication Union Council, for the period 2019-2022, during elections scheduled to hold at the Plenipotentiary Conference in November 2018, in Dubai, United Arab Emirates, the candidatures of:***
 - ***the Arab Republic of Egypt;***
 - ***the Republic of Kenya;***
 - ***the People's Democratic Republic of Algeria;***
 - ***the Republic of South Africa;***
 - ***Burkina Faso;***
 - ***The Togolese Republic.***

NB: The Committee decided to endorse these candidatures in addition to that of the Federal Republic of Nigeria endorsed in July 2017, and leave the other five (5) positions to be held by Africa in the Council open.

- (iii) ***For Membership of the Radio Regulations Board of the International Telecommunication Union, during elections scheduled to hold at the Plenipotentiary Conference in November 2018, in Dubai, United Arab Emirates, the candidatures of:***

- *the Arab Republic of Egypt (Dr Elsayed Azzoz);*
 - *the Republic of South Africa*
- (iv) *as Non-Permanent Member of the United Nations Security Council*, for the period 2019-2020, during elections scheduled for June 2018, at the 72nd Session of the United Nations General Assembly the candidature of:
- *the Republic of South Africa*
- (v) *for the post of Vice President of the 73rd Session of the United Nations General Assembly*, the candidatures of:
- *the People's Democratic Republic of Algeria;*
 - *Burkina Faso;*
 - *the Democratic Republic of Congo;*
 - *the Republic of The Gambia;*
 - *the Republic of Namibia;*
 - *the Republic of the Sudan;*
- (vi) *for Membership of the United Nations Economic and Social Council for the period 2019-2021*, during elections scheduled at the 73rd Session of the United Nations General Assembly, the candidatures of:
- *the Republic of Angola;*
 - *the Arab Republic of Egypt;*
 - *the Federal Democratic Republic of Ethiopia;*
 - *the Republic of Kenya ;*
 - *the Republic of Mali.*
- (vii) *For the post of Assistant Secretary General for Social, Cultural and Humanitarian Affairs of the Organization of Islamic Cooperation*, the candidature of *the Arab Republic of Egypt.*

4. LASTLY, TAKES NOTE OF AND DECIDES:

- to refer *the candidature of the Republic of Kenya as Non-Permanent Member of the United Nations Security Council*, for the period 2021-2022 for consideration by the region;
- to refer *to the June 2018 Session, the candidature of Dr. Maurice Kengne Kamga of the Republic of Cameroon for the post of Judge at the International Tribunal for the Law of the Sea (ITLOS)*, during elections to be held at the 30th Meeting of States Parties in June 2020;

- Concerning the candidature of ***Mr Tesfa Alem Seyoum of the State of Eritrea; for Membership of the United Nations Advisory Committee on Administrative and Budgetary Questions (ACABQ)***, during elections scheduled for November 2018, at the 73rd Session of the United Nations General Assembly, the Committee decided not to take action on the post since it should be filled by Southern Africa, in accordance with the system of rotation between East and Southern Africa in force for the post, and request the African Group in New York to hold consultations in order to ensure the nomination of a representative of Southern Africa for the post;
 - With regard to the post of ***Director of the Telecommunication Development Bureau***, during elections scheduled for 29 October to 26 November 2018 in Dubai, United Arab Emirates, at the Plenipotentiary Conference, the Committee recommends that the Executive Council:
 - ***Refer to the Revised Rules of Procedure of the Ministerial Committee on African Candidatures within the International System***, namely Article 14, as the best way of deciding between the two candidates. Moreover, since both candidates are equally competent, as required in **Paragraph a**, and enjoy good international reputation as stated under **Paragraph b**, the only remaining criteria is that of equitable geographical representation, as stipulated under **Paragraph c** to decide between the two candidates;
 - The decision endorsing the African candidate to this post should be taken at the January 2018 Summit, in order to avoid continued tension, and above all to give the candidate endorsed time to campaign. This should be done regardless of whether the Executive Council decides to refer to the Revised Rules of Procedure as recommended above or resort to a political solution;
 - Request the two delegations to hold consultations and reach a decision before the Executive Council session, failing which, reference will be made to the criteria defined and the Rules of Procedure to decide between the two candidates.
 - With regard to **the situation of Ghana, Council DECIDES...**
5. **LASTLY DECIDES**, taking into consideration the need to ensure effective follow-up on the candidatures endorsed, reinforce follow-up mechanisms for decisions of the Executive Council on African candidatures within the international system and the adaptation of the Rules of the Procedure of the Ministerial Committee on African Candidatures within the International System, to:

- (i) Request the Commission to take all the necessary steps to ensure substantial and multifaceted support for the election of the candidates endorsed, and speed up the establishment sub-committees on candidatures within the African Groups that do not yet have one;
- (ii) Instruct the PRC Sub-Committee on Budget to allocate an appropriate budget for the activities of the Ministerial Committee on African Candidatures within the International System responsible for the implementation of decisions on candidatures, the establishment of which had been decided upon by the Executive Council;
- (iii) Instruct the Office of the Legal Counsel, in consultation with the Department of Political Affairs, the African Groups, and the PRC to work on a draft revision of the Rules of Procedure of the Ministerial Committee on African Candidatures within the International System. The draft shall take into account the specific features of certain candidatures, as well as the establishment of a mechanism for follow-up on endorsed candidatures and decisions taken by Summits of the African Union and the effectiveness of votes in favour of African candidatures, and ensuring that Africa constantly speaks with a single voice as regards elections within the international system.

AFRICAN UNION UNION AFRICAINE

African Union Common Repository

<http://archives.au.int>

Organs

Council of Ministers & Executive Council Collection

2018-01-26

Report of the Ministerial Committee on African Candidatures Within the International System

African Union

DCMP

<https://archives.au.int/handle/123456789/8417>

Downloaded from African Union Common Repository