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**EXECUTIVE COUNCIL**

**Thirty-Sixth Ordinary Session**

**06 - 07 February 2020**

**Addis Ababa, Ethiopia**

**EX.CL/1220(XXXVI)iii**

Original : English

**DRAFT RULES OF PROCEDURE OF THE AFRICAN PEER REVIEW  
COMMITTEE OF FOCAL POINTS**



# **DRAFT RULES OF PROCEDURE OF THE AFRICAN PEER REVIEW COMMITTEE OF FOCAL POINTS**

## SECTION I: GENERAL PROVISIONS

### Preamble

The Executive Council,

**HAVING REGARD** to the Constitutive Act of the AU, and in particular Articles 3 and 4 on the objectives and principles of the African Union;

**RECALLING** Articles 10, 11, 12, 13 and 14 of the Statute of the APRM establishing its governance structures;

RECALLING, the Assembly Decision, Assembly/AU/Dec.198 (XI) and Assembly Decision/AU/Dec.527 (XXIII) on the integration of the APRM into the African Union

FURTHER RECALLING the Executive Council Decision, EX.CL.Dec. 1063 (XXXV) on the review of the Rules of Procedure of the APRM;

### RULE 1 Definitions

In these Rules:

“**APRM**” means the African Peer Review Mechanism;

“**APR Forum**” means the Committee of Heads of State and Government of Participating States of the African Peer Review Mechanism;

“**APSA**” means the African Peace and Security Architecture;

“**APRM Focal Points Committee**” means the Ministerial body comprising of the Personal Representatives of the Heads of State and Government of APRM Participating States of the African Peer Review Mechanism;

“**APRM Focal Point**” means the National Focal Point for the African Peer Review Mechanism in each Participating State;

“**APRM Panel**” means the Panel of Eminent Persons of the African Peer Review Mechanism;

“**APRM Secretariat**” means the Continental Secretariat of the African Peer Review Mechanism;

“**Assembly**” means the Assembly of Heads of State and Government of the African Union;

“**AU**” means the African Union;

“**AUDA-NEPAD**” means the African Union Development Agency-New Partnership for Africa’s Development;

“**CEO**” means Chief Executive Officer of the Secretariat of the African Peer Review Mechanism;

“**Commission**” means the Commission of the African Union;

“**Constitutive Act**” means the Constitutive Act of the African Union;  
“**ECOSOCC**” means the Economic, Social and Cultural Council of the African Union;  
“**Executive Council**” means the Executive Council of the African Union;  
“**Member States**” means Member States of the African Union;  
“**NGC**” means the National APRM Governing Council;  
“**Participating States**” means Member States that have voluntarily acceded to the African Peer Review Mechanism;  
“**PRC**” means the Permanent Representatives’ Committee of the African Union;  
“**RECs**” means the Regional Economic Communities;  
“**Statute**” means the statute of the African Peer Review Mechanism.  
“**Steering Committee**” means the Sub-Committee of the APR Focal Points elected for a period of two (2) years and composed of of a total of eight members comprised of three (3) Focal Points forming the Troika and five (5) elected Focal Points representing each of the five (5) regions of the AU.

## **RULE 2**

### **Status**

1. The Focal Points Committee is an intermediary body to interface between the APR Forum and APRM Secretariat.
2. The Focal Points Committee shall be accountable to the APR Forum.

## **RULE 3**

### **Composition**

1. The Focal Points Committee shall be composed of the personal representatives of the Heads of States and Government of the Participating States.

## **RULE 4**

### **Powers and Functions**

1. The Focal Points Committee shall:
  - a) prepare for the sessions of the APR Forum including the draft agenda and draft decisions;
  - b) consider strategies to support the efforts of the APRM Secretariat to engage partners and mobilize resources both domestic and external for the implementation of the mandate of APRM;
  - c) establish a Steering Committee to carry out the work of the full Committee between meetings of the Focal Points Committee. The Steering Committee shall have eight (8) members composed of three (3) Focal Points forming the

Troika and five (5) Focal Points representing each of the five (5) regions of the AU.

- d) monitor the implementation of policies adopted by the APR Forum and the Assembly decisions on the APRM;
- e) examine and recommend necessary actions on the programmes and projects of the APRM;
- f) authorize the APRM Secretariat to provide the PRC with the relevant updates, reports and information on progress in the implementation of the mandate of APRM and decisions of the Assembly;
- g) establish any technical working groups and/or task forces, as it may deem necessary;
- h) take appropriate action on issues referred to it by the APR Forum;
- i) examine the annual work plans and budget proposals of APRM for consideration and approval by the appropriate Policy Organs of the AU;
- j) promote cooperation and coordination with the RECs, other African institutions and partners on the APRM mandate in coordination with the APRM Secretariat;
- k) ensure that all activities and initiatives of APRM are in line with the vision and core objectives of the AU Agenda 2063 and any subsequent development frameworks of the AU;
- l) consider the reports submitted by the Secretariat and make recommendations on relevant reports for the attention of the APR Forum;
- m) consider the structures, functions and strategic plans of the Secretariat and make recommendations to the Policy Organs of the AU;
- n) decide on the dates and venues of its sessions on the basis of criteria adopted by APR Forum;
- o) engage in dialogue with development partner so as to promote and consolidate the work and activities undertaken by the APRM;
- p) oversee the work of the Secretariat.
- q) examine and analyses all the documents and guarantee its quality;
- r) consider the strategic documents of the APRM;
- s) recommend the appointments and removals of the Member of the Panel to the Forum; and

- t) consider the offer of Participating States to host the meetings of the APRM in line with the rules and procedures of the AU.

## **SECTION II: SESSIONS OF THE FOCAL POINTS COMMITTEE**

### **RULE 5 Ordinary Sessions**

The Focal Points Committee shall meet in ordinary session twice a year.

### **RULE 6 Venue**

1. The meetings of the Focal Points Committee shall be held at the Headquarters of APRM. A Participating State may also invite the Focal Points Committee to hold a meeting in its country.
2. In the event that a Participating State invites the Focal Points Committee to hold a meeting in its country, the host country shall be responsible for all extra expenses incurred by APRM as a result of the meeting being held outside the headquarters of APRM.
3. Participating States offering to host meetings of the Focal Points Committee shall not be under AU sanctions and shall be required to meet pre-determined criteria of the AU for hosting, including adequate logistical facilities and a conducive political atmosphere.
4. Where a Participating State that had offered to host a meeting of the Focal Points Committee is unable to do so, the meeting shall be held at the Headquarters of the APRM, unless a new offer to host the meeting is received and accepted by the Members.
5. Where two (2) or more Participating States offer to host a session, the Focal Points Committee shall decide on the venue by consensus or failing that, by a simple majority.

### **RULE 7 Attendance and Participation**

In addition to the duly accredited representatives of the Members of the APR Forum, the following may be invited to attend the meetings of the Focal Points Committee:

- a) CEOs of the RECs recognized by the AU and the Representatives of the relevant PRC Sub-Committees; and
- b) The high dignitaries, multilateral development institutions and/or partners, subject to the nature of the issues on the agenda.

**RULE 8**  
**Provisional Agenda for Ordinary Session**

1. The Focal Points Committee shall adopt its agenda at the opening of each session.
2. The provisional agenda of an ordinary session shall be drawn up by the CEO, in consultation with the Chairperson of the Focal Points.
3. The CEO shall communicate the provisional agenda to the Members of the Focal Points Committee at least thirty (30) days working days before the opening of the meeting. The agenda may comprise of the following:
  - a) progress reports on implementation of the mandate of the APRM;
  - b) items referred by the APR Forum;
  - c) items which the Focal Points Committee decided at a preceding meeting to place on its agenda;
  - d) draft budget, work plans and programmes of APRM;
  - e) items proposed by a Participating State provided that the proposal is submitted thirty (30) days before the opening of the session together with the supporting document(s) and a draft conclusion(s);
  - f) issues arising out of mobilization of stakeholders or engagement of external partners relating to the implementation of the mandate of the APRM, requiring the knowledge and guidance of the Focal Points Committee; and
  - g) other issues arising out of the programmatic activities of APRM requiring the guidance of the Focal Points.

**RULE 9**  
**Extraordinary Sessions**

1. The Focal Points Committee shall meet in an Extraordinary Session at the request of the Chairperson of the Focal Points Committee or any Participating State. The Extraordinary session shall be held upon approval by a two-thirds majority of the Participating States.
2. The CEO, in consultation with the Chairperson of the Focal Points Committee, shall notify all Participating States within seven (7) working days of the receipt of such request and advise them to communicate, in writing, their response within seven (7) working days.
3. If the specified period in Paragraph 2 of this rule has elapsed and the two-thirds majority required has not been attained, the CEO, in consultation with

the Chairperson of the Focal Points Committee, shall notify all Participating States that the extraordinary session shall not take place.

4. The Extraordinary Sessions of the Focal Points Committee shall be held at the Headquarters of the APRM unless a Participating State invites the Focal Points Committee to hold the session in its country.

#### **RULE 10**

##### **Provisional Agenda for Extraordinary Sessions**

1. The CEO, in consultation with the Chairperson of the Focal Points Committee, shall communicate the provisional agenda of an extraordinary session to the Members at least fifteen (15) working days before the opening of the session.
2. The agenda of an Extraordinary Session shall comprise only of the item(s) submitted for consideration in the request for convening the session.
3. The Focal Points Committee shall adopt the agenda of the extra ordinary session at the opening of the session.

#### **Rule 11**

##### **Other agenda Items**

Any additional Agenda items, which a Member of the Focal Points Committee wishes to raise at the session shall only be considered under the Agenda item "Any other Business", and shall be for information purposes only and not subject to debate or decision.

#### **RULE 12**

##### **Quorum**

The quorum for any meeting of the Focal Points Committee shall be two-thirds majority of the Participating States.

### **SECTION III: POWERS AND DUTIES**

#### **RULE 13**

##### **Chairperson**

1. The Focal Points Committee shall be chaired by the representative of the Participating State Chairing the APR Forum.
2. The tenure of the Chairperson of the Focal Points Committee shall be two (2) years non-renewable.

#### **RULE 14**

##### **Duties of the Chairperson**

1. The Chairperson shall:
  - a) convene the meetings of the Focal Points Committee;



- b) open and close the meetings;
  - c) submit for approvals the records of meetings after consultation with the APRM CEO;
  - d) guide the proceedings; and
  - e) rule on points of order.
2. The Chairperson shall ensure order and decorum of the proceedings of the Focal Points Committee.
  3. In the absence of the Chairperson or in case of a vacancy, the Incoming Chairperson of the APR Forum shall act as the Interim Chairperson of the Focal Points Committee.

#### **SECTION IV: DECISION MAKING PROCESS**

##### **RULE 15 Majority Required**

1. The Focal Points Committee shall take all its decisions by consensus or failing which, by two thirds majority of Members eligible to vote.
2. Decisions on questions of procedure shall be taken by a simple majority of Members, eligible to vote.
3. Decisions on whether or not a question is one of procedure shall also be determined by a simple majority of Members, eligible to vote.

##### **RULE 16 Voting Rights and Methods of Voting**

1. Each Participating State represented in the Focal Points Committee shall be eligible to vote in accordance with the AU Rules and Regulations.
2. Voting shall be taken by secret ballot or any other method as may be determined by the Focal Points Committee.
3. The method of voting shall be in accordance with the AU practice and procedures.

##### **RULE 17 Point of Order**

1. During deliberations on any item, a Member may raise a point of order. The Chairperson, in accordance with these Rules, shall immediately decide on the point of order.

2. The Member concerned may appeal against the ruling of the Chairperson. The ruling shall immediately be put to vote and decided upon by simple majority.
3. In raising a point of order, the Member concerned shall not speak on the substance of the issue under discussion.

### **RULE 18**

#### **List of Speakers and Use of Floor**

1. The Chairperson shall, during debates, give the floor in the order in which speakers indicate their intention. Precedence shall be given to duly accredited representatives of members of the Steering Committee.
2. A delegation shall not have the floor without the approval of the Chairperson.
3. The Chairperson may, during the debate:
  - a) read out the list of speakers and the declare the list closed;
  - b) call to order any speaker whose statement deviates from the issue under discussion;
  - c) accord the right of reply to any delegation where, in his/her opinion a statement made after the list is closed justifies the right of reply;
  - d) limit the time allowed to each delegation on the issue under discussion;
  - e) obtain consensus on issues under deliberation;
  - f) close, after proposal by a Member and consultations with Members of the Focal Points Committee, the debate on an issue that has been exhaustively deliberated or suspend further deliberations on an issue.

## **SECTION V: FINAL PROVISIONS**

### **RULE 19**

#### **Working Languages**

The working languages of the Focal Points Committee shall be those of the AU.

### **RULE 20**

#### **Recommendations and Decisions**

The conclusions and recommendations of the Focal Points Committee shall be submitted to the APR Forum for its consideration.

**RULE 21**  
**Implementation**

The Focal Points Committee may lay down guidelines and supplementary measures to give effect to these Rules.

**RULE 22**  
**Amendments**

1. The Focal Points Committee may propose the amendment of these Rules which shall be submitted to the Executive Council for consideration in accordance with the AU Rules and Procedure.
2. The Executive Council shall adopt the amendments by a two-thirds majority.

**RULE 23**  
**Authentic Texts**

These Rules of Procedure are drawn up in four (4) original texts, in Arabic, English, French and Portuguese languages, all four (4) texts being equally authentic.

**RULE 24**  
**Entry into Force**

These Rules shall enter into force upon their adoption by the Executive Council.

***Adopted by the Executive Council of the African Union***

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