

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

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EXECUTIVE COUNCIL
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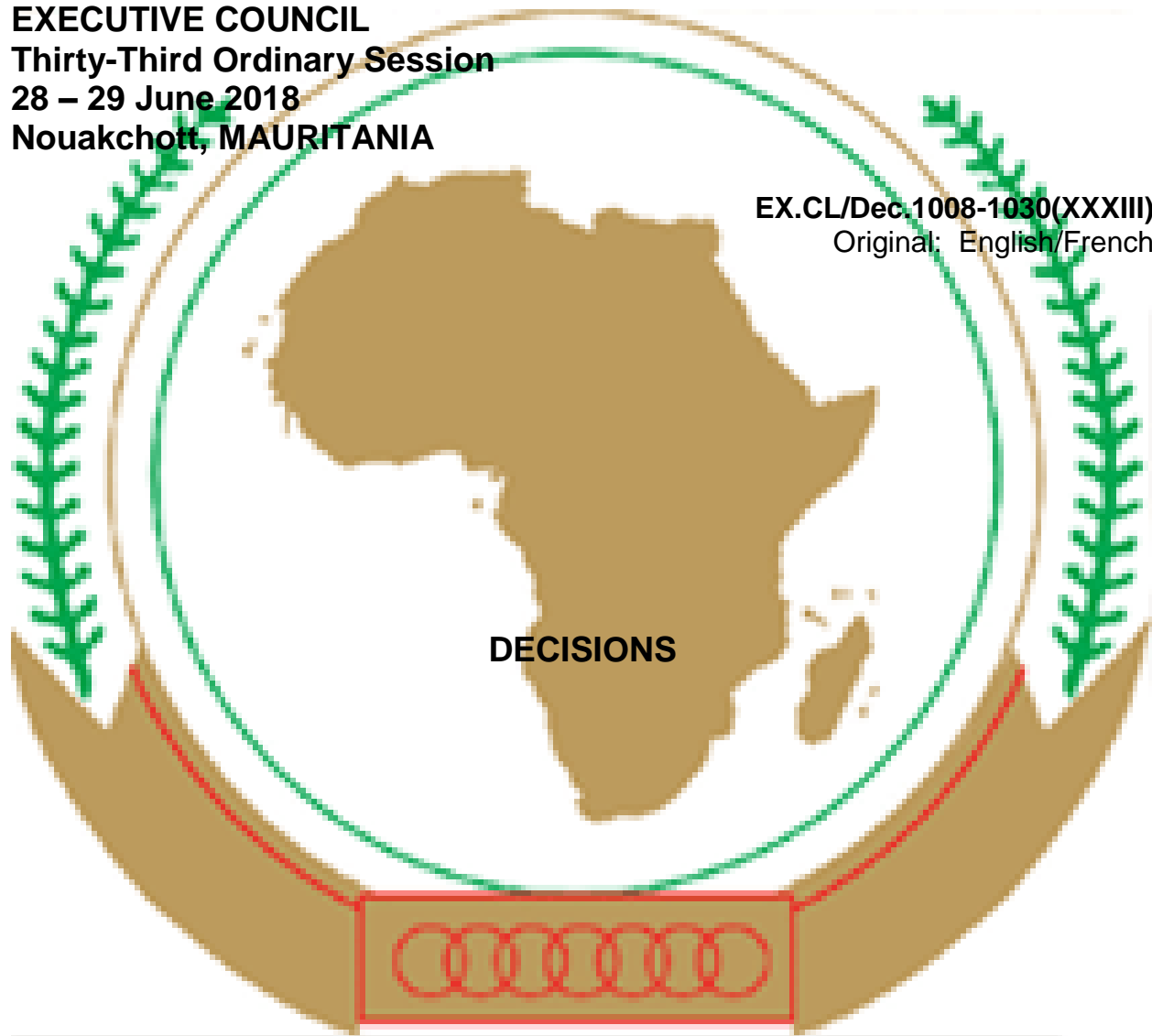


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**DECISION ON THE REPORTS OF THE PERMANENT REPRESENTATIVES'
COMMITTEE (PRC) SUB-COMMITTEES**

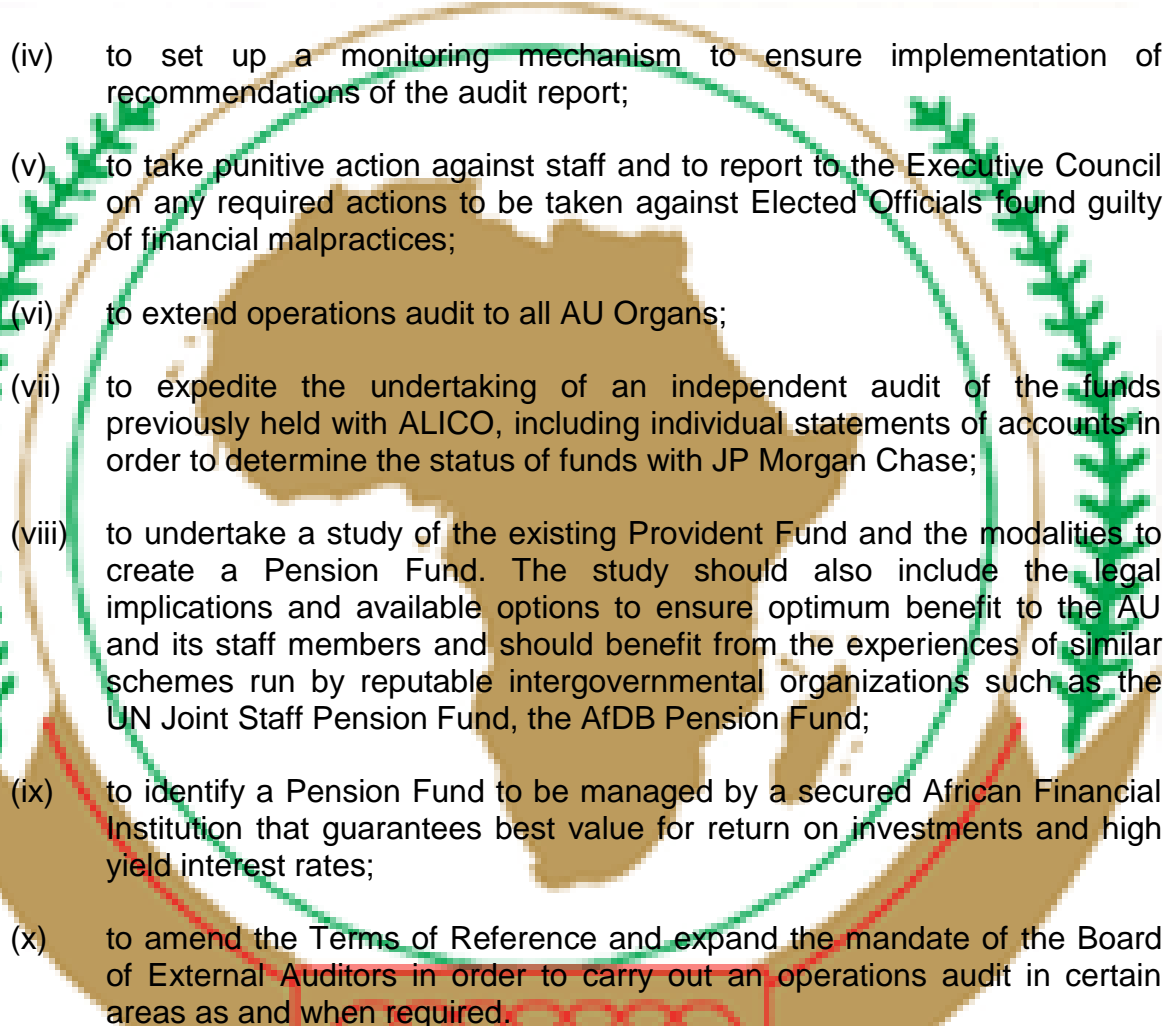
The Executive Council,

1. **TAKES NOTE** of the Reports of the Permanent Representatives' Committee (PRC) Sub-Committees;
 - I. **THE SUB-COMMITTEE ON PROGRAMMES AND CONFERENCES, THE SUB-COMMITTEE ON GENERAL SUPERVISION AND COORDINATION ON BUDGETARY, FINANCIAL AND ADMINISTRATIVE MATTERS AND THE EXPERTS OF F15 - Doc. EX.CL/1077(XXXIII)**
2. **TAKES NOTE** of the submission by the Commission of the Report on the Administration and Human Resources Management and **REQUESTS** the Commission to proceed with a thorough review of its Administration and Human Resources Management matters and come up with recommendations and implementation plan for submission to February 2019 Summit through the relevant PRC Sub-Committees;
3. **DECIDES** as follows:

On African Union Commission Medium-Term Plan (MTP) 2018-2023

 - (i) **ADOPTS** the MTP 2018-2023 as a general framework of programmes and activities of the Commission;
 - (ii) **UNDERTAKE** a mid-term review of the MTP to accommodate occurring changes, including the progress on the Reform process, in accordance with the relevant Assembly Decisions;
 - (iii) **REQUESTS** the Commission to align its budget with the MTP for the period 2018-2023.

II. SUB-COMMITTEE ON AUDIT MATTERS
Doc. EX.CL/1077(XXXIII) ii
4. **RECALLS** the principles of good governance, accountability and transparency enshrined in the relevant legal instruments of the African Union;
5. **EXPRESSES** deep concern on the findings contained in the Report of the Board of External Auditors;
6. **REQUESTS** the Commission:

- 
- (i) to strengthen the mitigation measures of the diagnostic report on the low execution rate;
 - (ii) to clarify the situation regarding the amount due for unused air tickets, and the outstanding amount owed by the Commission;
 - (iii) to establish a coordination mechanism between the Sub-Committees in charge of budget and audit, respectively;
 - (iv) to set up a monitoring mechanism to ensure implementation of recommendations of the audit report;
 - (v) to take punitive action against staff and to report to the Executive Council on any required actions to be taken against Elected Officials found guilty of financial malpractices;
 - (vi) to extend operations audit to all AU Organs;
 - (vii) to expedite the undertaking of an independent audit of the funds previously held with ALICO, including individual statements of accounts in order to determine the status of funds with JP Morgan Chase;
 - (viii) to undertake a study of the existing Provident Fund and the modalities to create a Pension Fund. The study should also include the legal implications and available options to ensure optimum benefit to the AU and its staff members and should benefit from the experiences of similar schemes run by reputable intergovernmental organizations such as the UN Joint Staff Pension Fund, the AfDB Pension Fund;
 - (ix) to identify a Pension Fund to be managed by a secured African Financial Institution that guarantees best value for return on investments and high yield interest rates;
 - (x) to amend the Terms of Reference and expand the mandate of the Board of External Auditors in order to carry out an operations audit in certain areas as and when required.

7. **REQUESTS** the Commission to report on the implementation of para 6 of this decision during the February 2019 Summit.

III. ON THE INVESTIGATION REPORT ON PAN-AFRICAN PARLIAMENT RECRUITMENTS - Doc. EX.CL/1077(XXXIII) ii

8. **RECALLS** Decision EX.CL/Dec.979(XXX) that requested an investigation to be carried out on recent recruitments at the Pan-African Parliament (PAP)

9. **TAKES NOTE** of the investigation report on PAP Recruitments and **ADOPTS** the recommendations contained therein;
10. **EXPRESSES** concern about the irregularities raised in the investigation report on the recruitment process at the PAP;
11. **DIRECTS** the Commission to take the necessary measures to address the irregularities in appointments and recruitments in the PAP that were in violation of the AU Staff Regulations and Rules;
12. **REQUESTS** the Commission and the PAP to implement all other recommendations contained in the investigation report, and report to the AU Summit in February 2019, accordingly;
13. **ALSO REQUESTS** the Commission to carry out audits on Human Resources recruitment processes within the Commission and its Offices, and all AU Organs and report back to the Executive Council at the February 2019 Summit;

IV. ON THE AU AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2017

14. **COMMENDS** the work of the AU Board of External Auditors ;
15. **CALLS UPON** all AU Organs to address the issues raised under their respective Audited Financial Reports for the year ended 31 December 2017 and prior years, and ensure accountability and non-recurrence of these issues;
16. **REQUESTS:**
 - A. **The African Commission on Human and Peoples' Rights (ACHPR)**
to continue working with the AU Commission to find a lasting solution for the recruitment of necessary staff for implementation of the European Union funded project.
 - B. **The African Court on Human and Peoples' Rights (AfCHPR)**
to ensure adequate implementation of all the audit recommendations and consult with the Commission on those recommendations which are outside their control to ensure full implementation.
 - C. **NEPAD Agency**
 - (i) to recover housing allowances from the salaries of the respective staff, if found in violation of the AU Rules and Regulations, and to hold those responsible accountable;

- (ii) to include Member States' voluntary contribution in the proposed budget for approval of the Executive Council, as per requirement of the AU Financial Rules and Regulations.

D. The Pan-African Parliament (PAP)

to enter into framework agreements with hotels and other service providers through a competitive procurement process in order to address the issues of subsequent price changes and cost variations.

E. The African Union Commission

- (i) to take concrete steps to ensure that ALICO's contract is terminated and conclusive actions are taken to fully implement necessary formalities with the new service provider, taking into account best practices of other similar international organizations;
- (ii) to expedite the AU-wide asset valuation and make sure that it is completed before the end of year 2018.

F. The AU Advisory Board on Corruption (AUABC)

to hold any person responsible for violating the AU Financial Rules and Regulations accountable, and to take sanctions, as stipulated in the AU Staff Regulations and Rules, against the sponsorship of the Master's degree outside the AU Staff Regulations and Rules;

17. REQUESTS the Commission to:

- (i) ensure accountability and to address impunity;
- (ii) finalize the write-off policy;
- (iii) organize meetings of the PRC with the Board of External Auditors;
- (iv) present the audit reports prior to the consideration of the budget;
- (v) ensure the harmonization of the asset recognition thresholds between the Commission and other AU Organs.

18. CALLS ON AU bodies, in particular NEPAD and AfCHPR, which receive support from the Host Governments to include such support in their Financial Statements;

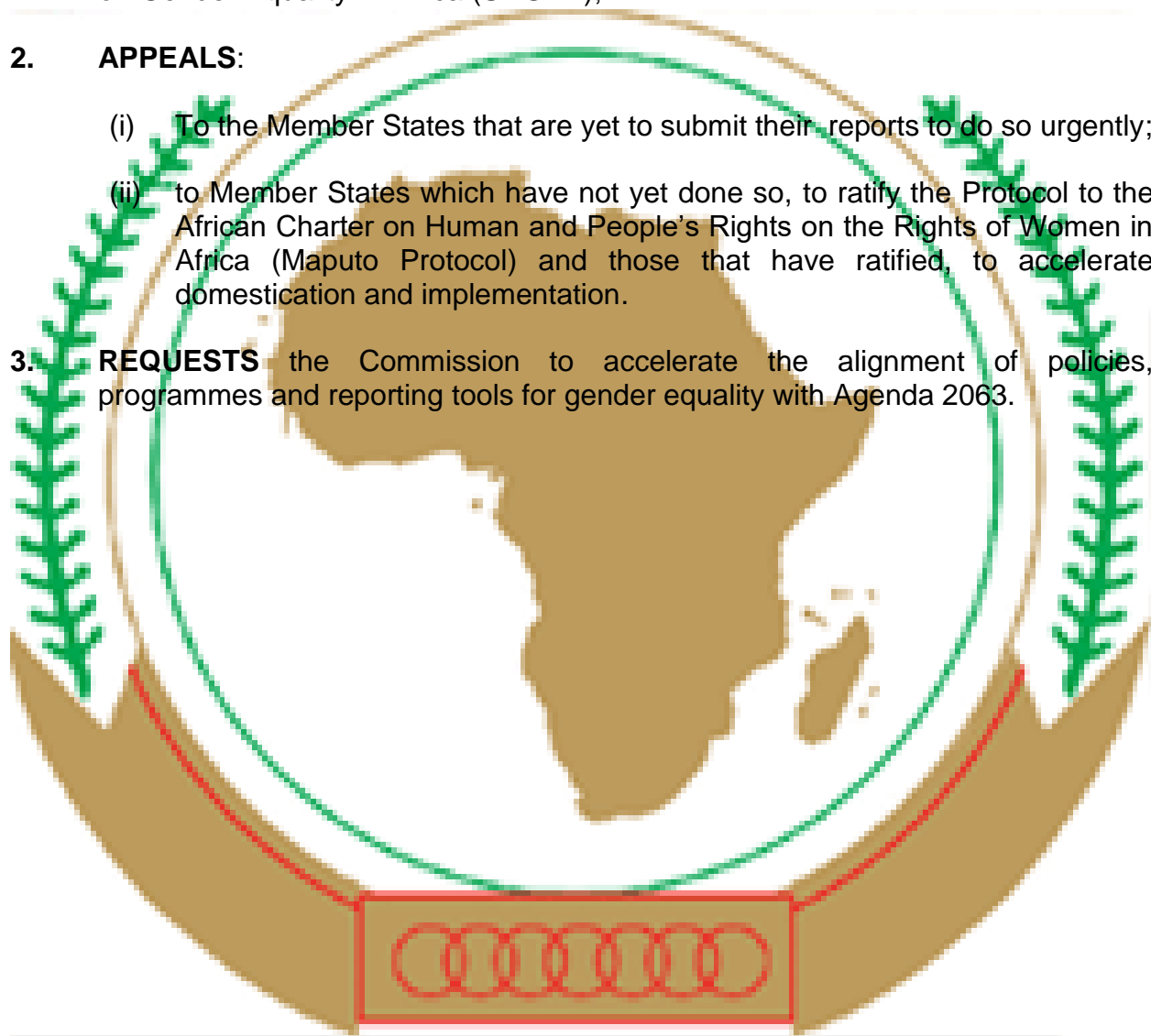
19. **URGES** the PRC to amend the AU Financial Rules and Regulations as well as the AU Staff Regulations and Rules to clearly define and demarcate the roles and responsibilities of the elected officials from those of the Organ's Secretariats;
20. **REQUESTS** the PRC to report to the Executive Council at its meeting of February 2019 on the actions taken, in accordance with the AU financial Rules and Regulations, to address the issues highlighted in the AUABC's report;
21. **INSTRUCTS** the Commission to publish the 2017 Audited Financial Statements of AU organs including consolidated statements on the AU website;
22. **REQUESTS** the Commission to report on the implementation of this decision during the AU Summit of February 2019.



**DECISION ON THE IMPLEMENTATION OF THE SOLEMN DECLARATION
ON GENDER EQUALITY IN AFRICA (SDGEA) 2017
Doc. EX.CL/1078(XXXIII)**

The Executive Council,

1. **ENDORSES** the 2017 reports on the Implementation of the Solemn Declaration on Gender Equality in Africa (SDGEA);
2. **APPEALS:**
 - (i) To the Member States that are yet to submit their reports to do so urgently;
 - (ii) to Member States which have not yet done so, to ratify the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (Maputo Protocol) and those that have ratified, to accelerate domestication and implementation.
3. **REQUESTS** the Commission to accelerate the alignment of policies, programmes and reporting tools for gender equality with Agenda 2063.



**DECISION ON THE RELOCATION OF THE SECRETARIAT OF
THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS
AND WELFARE OF THE CHILD (ACERWC)
Doc. EX.CL/1079(XXXIII)**

The Executive Council,

1. **RECALLS** its Decision EX.CL/Dec.947 (XXX) of January 2017 on the relocation of the Secretariat of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) and Decision EX.CL/Dec.991(XXXII) of January 2018 encouraging the Kingdom of Lesotho and the Republic of The Sudan to continue consultations until a consensus is reached on hosting the ACERWC Secretariat;
2. **COMMENDS** the Commission for facilitating successful consultations on the relocation of the Secretariat of ACERWC;
3. **EXPRESSES SINCERE APPRECIATION** to the Republic of The Sudan for withdrawing its offer to host the Secretariat of ACERWC in favour of the Kingdom of Lesotho;
4. **CONGRATULATES** the Kingdom of Lesotho upon being the host of the Secretariat of ACERWC;
5. **DECIDES** that the Kingdom of Lesotho will host the Secretariat of ACERWC;
6. **REQUESTS:**
 - (i) the Commission to finalize the Host Agreement with the Kingdom of Lesotho, in accordance with the AU Rules and Regulations;
 - (ii) the Commission to revise the structure of the Secretariat of the ACERWC and to prepare a comprehensive report on the financial needs of the Secretariat of the ACERWC through the relevant Sub-Committees and report to the Ordinary Session of the Executive Council scheduled in February 2019;
 - (iii) the Kingdom of Lesotho, as per the Host Agreement, to provide the necessary assistance to the Secretariat of the ACERWC.

DECISION ON THE HUMANITARIAN SITUATION IN AFRICA
Doc. EX.CL/1082(XXXIII)

The Executive Council,

1. **NOTES WITH CONCERN** the seriousness and complexities of the humanitarian situation in Africa which continues to be driven by conflicts, terrorism, political instability and natural disasters, including climate change related issues;
2. **STRESSES** the importance of political, economic and social solutions to humanitarian challenges on the continent and **URGES** Member States to scale up efforts on tangible measures to address the structural root causes of humanitarian crises and forced displacement;
3. **COMMENDS** Member States that continue to host refugees, IDPs and migrants for their solidarity and hospitality in the spirit of Pan-Africanism;
4. **RECOGNIZES** the importance of involving the host communities when providing humanitarian aid to refugees as they share the same fragile infrastructure;
5. **ENCOURAGES** Member States to enhance sustainable investment on building capacities to prevent, prepare, respond and recover from conflict-related, human induced and natural disasters and take measures to put an end to conflicts;
6. **REQUESTS** Member States to implement the priorities and commitments stipulated in the Common African Position on Humanitarian Effectiveness to strengthen humanitarian action at national, regional and continental levels, in close cooperation with international humanitarian actors;
7. **COMMENDS** the efforts of Member States, Commission and the humanitarian partners of the AU, including the UN International Organization of Migration (IOM), which supported and facilitated the safe, voluntary and dignified return of stranded African migrants and refugees in Libya and **WELCOMES** the efforts made by Libya in addressing the issue in cooperation with the international community;
8. **CALLS ON** Member States to implement the Executive Council decision, EX.CL/Dec.709(XXI), which called for the gradual increment of the contribution from the AU Budget to the Humanitarian Fund from 2 to 4 percent;
9. **ENCOURAGES** Member States to adopt and implement policies in respect of reintegration and rehabilitation of returnees;
10. **CALLS ON** Member States that have not yet done so, to sign, ratify and implement the OAU Convention governing the specific aspects of refugee

problems in Africa and the AU Convention for the protection and assistance of Internally Displaced Persons in Africa;

11. **URGES** Member States to implement the African common position on the Global Compact for Safe, Orderly and Regular Migration which will be adopted at the Intergovernmental Conference to be held in Marrakech, Morocco, on 10 and 11 December 2018, so as to allow Africa to speak with one voice;
12. **UNDERLINES** the importance of studies, research, data collection and information exchange in the field of migration and refugees for an efficient and coherent African humanitarian action at the national, regional and continental levels;
13. **EXPRESSES DEEP CONCERN** on the recent outbreak of the Ebola Virus Disease (EVD) and **CALLS ON** Member States to render requisite support to the Democratic Republic of the Congo (DRC) to effectively respond and prevent future incidents of EVD;
14. **REQUESTS** :
 - (i) the Commission to develop capacity and mechanisms to gather, analyse and share reliable and verifiable humanitarian data in Africa and to obtain the statistics on the humanitarian situation in Africa from the competent national institutions;
 - (ii) the Commission, in collaboration with the PRC and other stakeholders, to prepare a Concept Note and Roadmap for 2019 Theme as “the Year of Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa”;
15. **ENCOURAGES** host countries to continue assisting refugees that wish to voluntarily return to their countries of origin;
16. **INVITES** the Commission to accelerate the process of the operationalization of the African Humanitarian Agency, in line with the relevant Policy Organs decisions;
17. **URGES** Member States to sign the African Risk Capacity (ARC) Establishment Treaty and work closely with the institution to develop and scale up programmes and risk financing tools to address natural disasters, including climate-induced disasters and food insecurity;
18. **RECALLS** Executive Council decision EX.CL/Dec.968(XXXI) and **RECOMMENDS** to the Assembly to declare 2019 as “the Year of Refugees, Returnees and Internally Displaced Persons : Towards Durable Solutions to Forced Displacement in Africa”.

**DECISION ON THE REPORTS OF THE SPECIALISED
TECHNICAL COMMITTEES (STCs)**

The Executive Council,

1. **TAKES NOTE** of the Reports of the Specialized Technical Committees (STCs) and **ENDORSES** the recommendations contained therein;
2. **URGES** the Commission to prepare and submit the invitations and working documents of STCs' meetings on time and **ENCOURAGES** Ministers to participate in person;

I. STC ON GENDER EQUALITY AND WOMEN'S EMPOWERMENT (GEWE)

- (i) **On the 2nd STC on Gender Equality and Women's Empowerment held in Addis Ababa, Ethiopia, from 4 to 8 December 2017 EX.CL/1083(XXXIII);**
 - (ii) **On the 3rd STC on Gender Equality and Women's Empowerment held in Addis Ababa, Ethiopia, from 7 to 11 May 2018 EX.CL/1084(XXXIII)**
3. **ENDORSES:**
 - (i) the reports of the 2nd and 3rd STC on Gender Equality and Women's Empowerment, held at the AU headquarters, respectively;
 - (ii) the 12th Member States and 13th Commission reports on the Solemn Declaration on Gender Equality in Africa and **CONGRATULATES** Member States that submitted their reports;
 4. **COMMENDS** Member States and the Commission on the adoption of the African Union Strategy for Gender Equality and Women's Empowerment by the 3rd STC on Gender Equality and Women's Empowerment;
 5. **REQUESTS** the Commission to:
 - (i) formally launch the African Union strategy for Gender Equality and Women's Empowerment on the margins of the February 2019 Summit;
 - (ii) align its programmes, activities, funds and reports to the African Union strategy for Gender Equality and Women's Empowerment and report annually on progress towards its effective implementation.
 6. **ALSO REQUESTS** the Commission to:

- (i) report on progress in implementing Decision Assembly/AU/Dec.621(XXVIII) related to the transformation of the Pan African Women's Organization (PAWO) into a Specialized Agency;
- (ii) thoroughly assess all implications related to the transformation of the PAWO into a Specialized Agency;
- (iii) report on progress in implementing the Summit Declaration on erecting a Monument to honour women who participated in the anti- colonial, liberation and anti-apartheid struggles.

7. FURTHER REQUESTS the Commission to:

- (i) present the African Gender Scorecard at the February 2019 Summit and every two years;
- (ii) ensure the expansion of the membership of the Steering Committee on the African gender scorecard to include Member States;
- (iii) ensure equality in the allocation of the Fund for African Women across regions;
- (iv) streamline the policy platforms on gender equality and women's empowerment in line with the Institutional Reform.

II. STC ON FINANCE, MONETARY AFFAIRS, ECONOMIC PLANNING AND INTEGRATION, Addis Ababa, Ethiopia, 16-17 April 2018– Doc. EX.CL/1085(XXXIII)

- 8. CALLS UPON** the Commission to lead in the tax transparency and information exchange agenda for Africa, and foster stronger collaboration among countries and regions for tackling the root causes of illicit financial flows by creating an AU Fiscal Governance Forum aimed at optimizing tax collection, strengthening tax cooperation to stem illicit flows and enhance domestic resource mobilization on the continent;

9. REQUESTS:

- (i) the Commission to develop criteria to assess illicit financial flows and develop a Common African Position to ensure that all the financial resources lost through illicit financial flows are identified and returned to Africa to finance the continent's development agenda;
- (ii) Member States to develop strategies towards more effective, efficient and fair taxation systems; broaden the tax base coverage and adopt

mechanisms to harness and invest remittances to ensure proper long-term financing;

- (iii) the Commission to submit the financial and structural implications of the recommendations contained in the Report through the relevant PRC Sub-Committees.

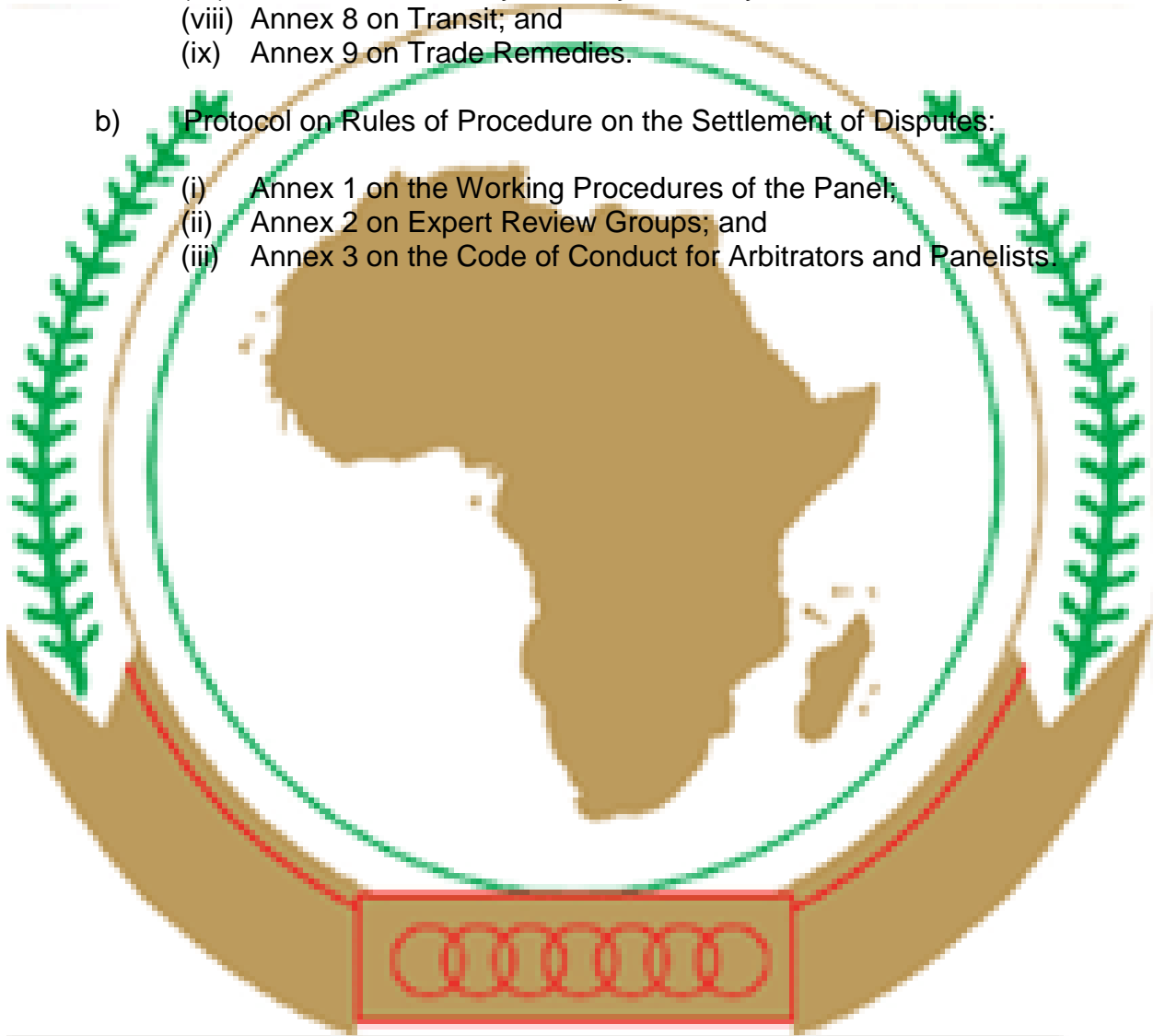
III. THE 6TH MEETING OF THE AFRICAN UNION MINISTERS OF TRADE, DAKAR, SENEGAL, 3-4 June 2018 – Doc. EX.CL/1086(XXXIII), Doc. EX. CL/1086 (XXXIII) Annexes

10. **ADOPTS** the Report of the 6th Meeting of the African Union Ministers of Trade (AMOT) held on 3 and 4 June 2018;
 11. **REQUESTS** the Commission to develop regulatory cooperation in all services sectors in collaboration with national and regional regulators and building on continental and global experiences;
 12. **RECOMMENDS** the five priority sectors: transport, communication, financial, tourism and business services, to the Assembly for adoption;
 13. **CALLS UPON** Member States to establish National Committees on AfCFTA to ensure meaningful participation of all stakeholders;
 14. **REQUESTS** the Commission to submit the financial and structural implications of the recommendations contained in the report through the relevant PRC Sub-Committees;
- IV. STC ON JUSTICE AND LEGAL AFFAIRS held 5-9 June 2018 in Dakar, Senegal – Doc. EX.CL/1087(XXXIII)**
15. **TAKES NOTE** of the Draft Annexes to the Protocols on Trade in Goods, and the Rules of Procedure on the Settlement of Disputes to the Agreement establishing the African Continental Free Trade Area (AfCFTA);
 16. **ACKNOWLEDGES** the quality of work done by the African Union Ministers of Trade, STC on Justice and Legal Affairs, Chief Negotiators and Experts, and the Commission in concluding the Annexes to the Protocols on Trade in Goods, and the Rules of Procedure on the Settlement of Disputes to the Agreement establishing the AfCFTA, within the deadline set by the Assembly;
 17. **RECOMMENDS** the following Draft Annexes to the Assembly for adoption:
 - a) Protocol on Trade in Goods:

- (i) Annex 1 on Schedule of Tariff Concessions;
- (ii) Annex 2 on Rules of Origin;
- (iii) Annex 3 on Customs Cooperation and Mutual Administrative Assistance;
- (iv) Annex 4 on Trade Facilitation;
- (v) Annex 5 on Non-Tariff Barriers;
- (vi) Annex 6 on Technical Barriers to Trade;
- (vii) Annex 7 on Sanitary and Phytosanitary Measures;
- (viii) Annex 8 on Transit; and
- (ix) Annex 9 on Trade Remedies.

b) Protocol on Rules of Procedure on the Settlement of Disputes:

- (i) Annex 1 on the Working Procedures of the Panel;
- (ii) Annex 2 on Expert Review Groups; and
- (iii) Annex 3 on the Code of Conduct for Arbitrators and Panelists.



**DECISION ON THE ACTIVITY REPORT OF THE AFRICAN COURT
ON HUMAN AND PEOPLES' RIGHTS (AfCHPR)
Doc. EX.CL/1088(XXXIII)**

The Executive Council,

1. **TAKES NOTE** of the Mid-Term Activity Report of the African Court on Human and Peoples' Rights (the Court) for the period 1 January – 30 June, 2018, and the recommendations therein;
2. **CALLS UPON** the Court to include in the study on the establishment of its Trust Fund the detailed legal, structural and financial implications for submission to the policy Organs through the regular procedure;
3. **URGES** the Court to reflect, in its Activity Report, comments and responses provided by Member States on the alleged non-execution of Court orders;
4. **REQUESTS** the Court, in collaboration with the PRC and the Commission, to undertake an in-depth study on mechanisms and framework of implementation, to enable the Executive Council effectively monitor execution of the judgments of the Court in accordance with Articles 29 and 31 of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of the African Court on human and peoples' Rights;
5. **CONGRATULATES** the thirty (30) Member States that have ratified the Protocol, namely; Algeria, Benin, Burkina Faso, Burundi, Cameroon, Chad, The Comoros, Congo, Côte d'Ivoire, Gabon, The Gambia, Ghana, Kenya, Lesotho, Libya, Malawi, Mali, Mauritania, Mauritius, Mozambique, Niger, Nigeria, Rwanda, SADR, Senegal, South Africa, Tanzania, Togo, Tunisia and Uganda;
6. **FURTHER CONGRATULATES** the eight (8) State Parties that have deposited the declaration under Article 34 (6) of the Protocol, namely: Benin, Burkina Faso, Côte d'Ivoire, Ghana, Malawi, Mali, Tanzania and Tunisia ;
7. **INVITES** those Member States that have not already done so, to accede to the Protocol and deposit the declaration required under Article 34 (6) of the Protocol;
8. **FURTHER REQUESTS** Member States to communicate to the Commission the challenges they face in signing and ratifying the Malabo Protocol;
9. **EXPRESSES SINCERE APPRECIATION** to the Government of the United Republic of Tanzania for the facilities it has placed at the disposal of the Court, and for the architectural designs for the construction of the permanent premises of the Court submitted to the Commission, and **URGES** the Government of the United Republic of Tanzania, the PRC and the Commission, in collaboration with the Court, working under the framework of the Task Force established by

decision EX.CL/Dec.994(XXXII), to take steps to ensure the expeditious construction of the premises;

10. **REQUESTS** the Court, in collaboration with the PRC and the Commission, to report at the next Ordinary Session of the Executive Council in February 2019, on the implementation of this Decision.



**DECISION ON THE FORTY-FOURTH ACTIVITY REPORT OF THE
AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS
Doc.EX.CL/1089(XXXIII)**

The Executive Council,

1. **TAKES NOTE** of the Forty-Fourth Activity Report of the African Commission on Human and Peoples' Rights (the ACHPR), and **AUTHORISES** its publication;
2. **EXPRESSES** its appreciation for the efforts deployed by the ACHPR during the reporting period to promote and protect human rights on the continent;
3. **REITERATES ITS CALL** to Member States that have not done so, to sign and ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa;
4. **CALLS ON** Member States to sign and ratify the African Union Convention for Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention), the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa, and the Protocol to the Treaty Establishing the African Economic Community relating to Free Movement of Persons, Right of Residence and Right of Establishment;
5. **URGES** State Parties to submit their Periodic Reports in compliance with Article 62 of the African Charter on Human and Peoples' Rights (African Charter), Article 26 of the Maputo Protocol, and Article 14 of the Kampala Convention;
6. **REITERATES** its call in decision EX.CL/Dec.995(XXXII) of January 2018, for the Kingdom of Morocco to accede to the African Charter;
7. **ENCOURAGES** the Kingdom of Morocco and the ACHPR to continue their frank, sincere and transparent cooperation through a formal exchange of communication towards full implementation of the AU decisions on the situation of human rights;
8. **URGES** Member States concerned to facilitate the fact-finding missions to investigate all alleged violations of human rights;
9. **CALLS ON** State Parties to comply with requests for Provisional Measures, to implement decisions made by the ACHPR in Communications to which they are parties, and to inform the ACHPR of the measures taken to implement those decisions in line with Rule 112 of the ACHPR's Rules of Procedure;
10. **REQUESTS** the Commission to expedite recruitment of the various unfilled positions at the ACHPR Secretariat, in accordance with the organogram;

11. **EXPRESSES ITS APPRECIATION** to the Islamic Republic of Mauritania for hosting the 62nd Ordinary Session of the ACHPR held in Nouakchott, Mauritania, from 25 April to 9 May 2018, and the excellent facilities accorded to all participants during the Session;
12. **WELCOMES** the offer by the Arab Republic of Egypt to host the 64th Ordinary Session, and those of the Kingdom of Lesotho, the Republic of Malawi and the Kingdom of Eswatini to host subsequent ACHPR Sessions; and **CALLS ON** Member States, particularly those that have not yet done so, to consider hosting one of the Sessions of the ACHPR.



**DECISION ON THE REPORT ON THE JOINT RETREAT OF THE PERMANENT REPRESENTATIVES' COMMITTEE (PRC) AND THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS (ACHPR)
DOC.EX.CL/1089(XXXIII) i**

The Executive Council,

1. **RECALLS** its Decision EX.CL/Dec.995 (XXXII) on the convening of a Joint Retreat between the Permanent Representatives' Committee (PRC) and the African Commission on Human and Peoples' Rights (ACHPR), to resolve various concerns expressed about the relationship between the ACHPR and the Policy Organs and Member States, and find modalities for enhanced coordination and collaboration between the ACHPR and the Policy Organs and Member States to improve their dialogue and resolve outstanding issues;
2. **TAKES NOTE** of the holding of the Joint PRC-ACHPR Retreat from 4 to 5 June 2018 in Nairobi, Kenya and **EXPRESSES APPRECIATION** to the Government of the Republic of Kenya for successfully hosting the Joint Retreat, in collaboration with the AU Commission and the ACHPR;
3. **ENDORSES** the outcome/recommendations of the Retreat;
4. **AWARE** of the critical need for the ACHPR and the State Parties through the PRC, to enhance confidence, trust and cooperation between the two organs for the benefit of the continent;
5. **UNDERLINES** that the independence enjoyed by ACHPR is of a functional nature and not independence from the same organs that created the body, while expressing caution on the tendency of the ACHPR acting as an appellate body, thereby undermining national legal systems;
6. **DECIDES** accordingly that:
 - (i) the work of the ACHPR should be aligned with the Constitutive Act, Agenda 2063, African Common Positions, institutional reform of the Union, and decisions of the policy organs taking into consideration the virtues of historical tradition and the values of African civilization which should inspire and characterize their reflection on the concept of human and peoples' rights;
 - (ii) the PRC in collaboration with the AU Commission, should take necessary steps to regularize the status of the ACHPR as an Organ of the AU in line with Decision Assembly/AU/Dec.200 (XI) (Para 8);


- (iii) the PRC and the ACHPR should strengthen communication between them and AU Policy Organs to build greater synergy in the interest of promoting and protecting human rights on the continent;

7. REQUESTS the State Parties, in furtherance of the obligations under the Charter, to:

- (i) fully provide the ACHPR with both financial and human resources for it to discharge its mandate in accordance with the Constitutive Act and the pertinent decisions of the AU;
- (ii) take advantage of the various platforms to strengthen the dialogue, cooperation and collaboration between the ACHPR and AU policy organs;
- (iii) conduct an analytical review of the interpretative mandate of the ACHPR in the light of a similar mandate exercised by the African Court and the potential for conflicting jurisprudence;
- (iv) operationalize the PRC Sub-Committee on human rights, democracy and governance as previously approved by the Executive Council to follow up on implementation of the ACHPR's decisions and recommendations;
- (v) invite the ACHPR to conduct Promotion Missions in the respective Member States;
- (vi) expedite the process of harmonization of the emoluments of the members of the ACHPR in accordance with other AU Organs and institutions as part of the ongoing institutional reform of the Union;
- (vii) regularly submit their periodic reports to the ACHPR and participate more actively in the sessions of the ACHPR;

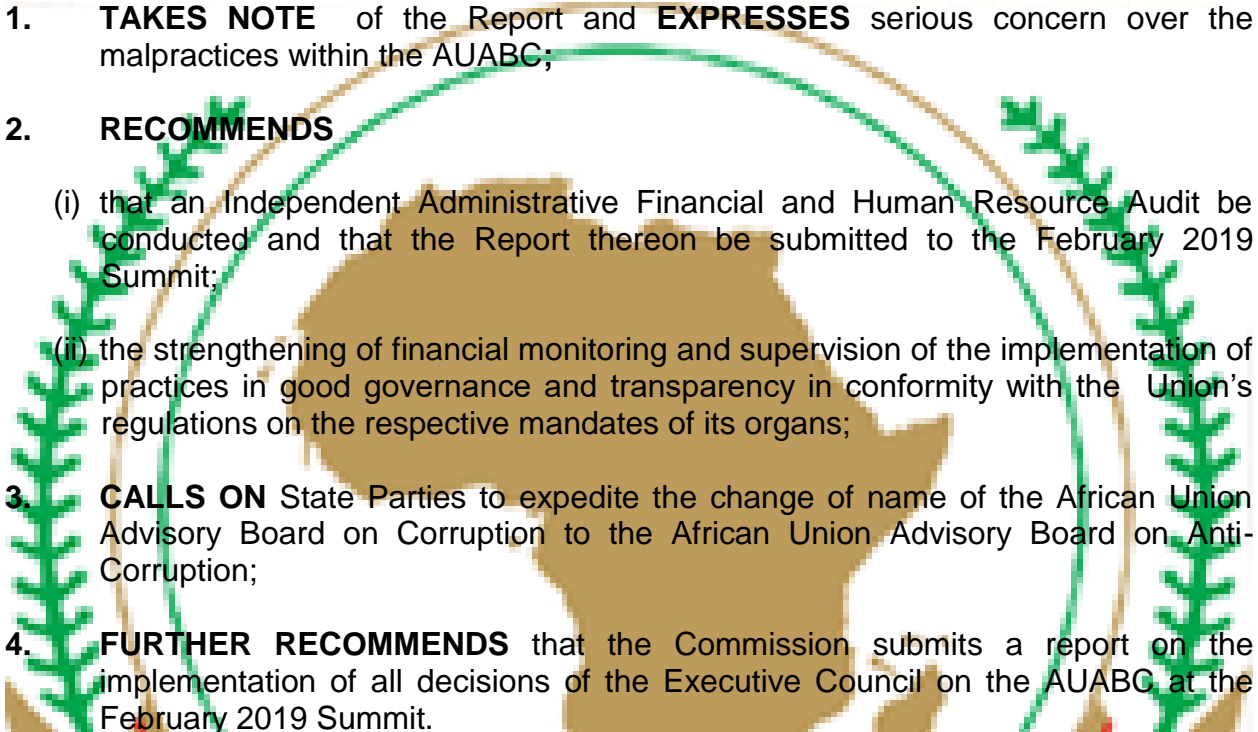
8. FURTHER REQUESTS the ACHPR, while underscoring the continued need for ACHPR to fulfil its core mandate of ensuring the promotion and protection of human and peoples' rights, to:

- (i) address the ambiguity of its status in its Rules of Procedure within the framework of its ongoing revision of these Rules;
- (ii) consult the Office of the Legal Counsel and other relevant legal bodies within the framework of formulating a code of conduct and the revision of the Rules of Procedure;
- (iii) pay equal attention to all rights as enshrined in the African Charter;

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- (iv) submit to the policy organs for consideration and adoption the revised criteria for granting and withdrawing observer status for Non-Governmental Organizations (NGOs), which should be in line with the already existing criteria on the accreditation of NGOs to the AU, taking into account African values and traditions;
 - (v) verify all allegations submitted to it and carry out due diligence with concerned State Parties before including such allegations in its activity reports to the Executive Council;
 - (vi) develop clear Guidelines with regards to its engagement with external actors, in accordance with the relevant AU Rules, Regulations and practices;
 - (vii) withdraw the accreditation of the Coalition for African Lesbians (CAL) NGO latest by 31st December 2018, in accordance with previous decisions of AU Policy Organs;
 - (viii) observe confidentiality at all stages of the work of the ACHPR in line with Article 59 of the Charter;
 - (ix) scrupulously implement provisions related to the conflict of interest in the execution of its functions;
 - (x) strengthen collaboration with the Peace and Security Council (PSC) particularly within the context of promoting transitional justice.
9. **URGES** the AU human rights organs within the context of African Governance Architecture (AGA) to foster regular interactions towards strengthening collaboration and cooperation with the Policy Organs as a means to ensure a coordinated approach to guarantee human and peoples' rights in the continent;
10. **REAFFIRMS** that the ACHPR should primarily serve as an audit mechanism, but should be credible, focused and active in ensuring that human and peoples' rights of all Africans are promoted and protected;
11. **REQUESTS** the ACHPR to report on the implementation of this decision at the February 2019 Summit.

**DECISION ON THE REPORT OF THE AFRICAN UNION ADVISORY BOARD
ON CORRUPTION (AUABC) ON THE IMPLEMENTATION OF THE FINDINGS OF
THE REPORTS OF INTERNAL AUDIT OFFICE AND EXTERNAL
AUDITORS ON THE MANAGEMENT OF THE AUABC
Doc. EX.CL/1090(XXXIII)**

The Executive Council,

1. **TAKES NOTE** of the Report and **EXPRESSES** serious concern over the malpractices within the AUABC;
 2. **RECOMMENDS**
 - (i) that an Independent Administrative Financial and Human Resource Audit be conducted and that the Report thereon be submitted to the February 2019 Summit;
 - (ii) the strengthening of financial monitoring and supervision of the implementation of practices in good governance and transparency in conformity with the Union's regulations on the respective mandates of its organs;
 3. **CALLS ON** State Parties to expedite the change of name of the African Union Advisory Board on Corruption to the African Union Advisory Board on Anti-Corruption;
 4. **FURTHER RECOMMENDS** that the Commission submits a report on the implementation of all decisions of the Executive Council on the AUABC at the February 2019 Summit.
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**DECISION ON THE REPORT OF THE AFRICAN COMMITTEE OF EXPERTS
ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC)
Doc. EX.CL/1091(XXXIII)**

The Executive Council,

1. **TAKES NOTE** of the Report of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC);
2. **CALLS ON** Member States that have not yet ratified the Charter, to expedite their ratification process; and State Parties which have placed reservations on the application of the provisions of the Charter to consider withdrawal of the same;
3. **APPRECIATES** State Parties, which have submitted their Reports on the implementation of the African Children's Charter and **INVITES** States Parties that have not yet submitted their reports to do so in line with their obligations under the Charter;
4. **COMMENDS** the Government of Malawi for re-affirming its commitment to the October 2016 settlement agreement by amending its Constitution to raise the age of majority from 16 to 18 years of age, which is in line with the African Children's Charter, and **ENCOURAGES** the Government to work towards the full harmonization of its other legislations, which are not in line with the Provisions of the Charter;
5. **ENDORSES** the theme for the Day of the African Child for 2019 as "Humanitarian Action in Africa: Children's Rights First";
6. **REQUESTS** the ACERWC to scale up its work in safeguarding and promoting the rights and welfare of children in the cyberspaces, namely the protection of children's information, rights to safety, informed choices and digital literacy;
7. **URGES** the ACERWC to finalize the analysis of legal implications of the amendment to Article 5 of the Protocol to the African Charter on Human and People's Rights on the Establishment of an African Court on Human and People's Rights, as well as challenges it faces and the reasons why the ACERWC would require to have access to the African Court on Human and People's Rights;
8. **WELCOMES** the initiative of the ACERWC with regard to studying the situation of children on the move in Africa and look forward to receiving the reports on the findings of the study;
9. **RECALLS** Executive Council decision EX.CL/Dec.977 (XXXI) adopting the "Africa's Agenda for Children's Rights: Fostering an Africa fit for Children"

(Agenda 2040) as an African Union document and **ENCOURAGES** Member States to work towards the full implementation of Agenda 2040;

10. **TAKES NOTE** of the current process of relocation of the Secretariat of the ACERWC; and **REQUESTS** the Commission to take the necessary measures to respond to the human and financial resource needs of the Secretariat of the ACERWC;
11. **WELCOMES** the ACERWC's initiative to appoint Special Rapporteurs; and in this regard **REQUESTS** State Parties to offer the Special Rapporteurs the requisite support to discharge their duties.



DECISION ON THE REPORT OF THE PAN-AFRICAN PARLIAMENT (PAP)
Doc. EX.CL/1092(XXXIII)

The Executive Council,

1. **TAKES NOTE** of the Activity Report of the Pan-African Parliament (PAP);
2. **CONGRATULATES** the PAP on the election of its Bureau at its May 2018 Ordinary Session;
3. **REQUESTS** the PAP to comply with the principle of geographical rotation among the five regions of Africa in future elections of the Bureau;
4. **CALLS UPON** the AU Member States, that have not yet done so, to take effective measures to speed up the ratification of the 2014 PAP Protocol;
5. **REQUESTS** the PRC Sub-Committee on Headquarters and Host Agreements and the Commission to work in collaboration with PAP and the Government of South Africa to finalize the review process of the Host Country Agreement with a view to addressing the challenges encountered by the PAP and the Government of South Africa.



**DECISION ON THE REPORT OF THE AFRICAN UNION
COMMISSION ON INTERNATIONAL LAW (AUCIL)
Doc. EX.CL/1093(XXXIII)**

The Executive Council,

1. **TAKES NOTE** of the Activity Report of the African Union Commission on International Law (AUCIL) for the period 30 July 2017 to 30 June 2018 together with the recommendations contained therein;
2. **REQUESTS** the AUCIL to conduct studies that will assist in achieving and implementing Agenda 2063 flagship projects including the African Union integration agenda;
3. **ENCOURAGES** the AUCIL, within the limits of available resources, to bolster its activities in the development and codification of International Law with a specific focus on African Union Law. In this regard, draft conventions should be initiated in areas of specific interest to the African Union;
4. **REQUESTS** the AUCIL to consider holding open sessions to enable Member States to participate in its activities;
5. **ENCOURAGES** the Commission and other Organs of the Union to extend necessary support to and work with the AUCIL in the preparation of its Studies by, inter alia, providing information that AUCIL may need for this purpose on relevant matters of international law;
6. **URGES** Member States to respond to questionnaires of the AUCIL in a timely manner;
7. **RECOMMENDS** that the Statutes of AUCIL be amended to present the findings of its Studies to the STC on Justice and Legal Affairs;
8. **REQUESTS** AUCIL to reach out to Member States to popularize its activities and mandate.

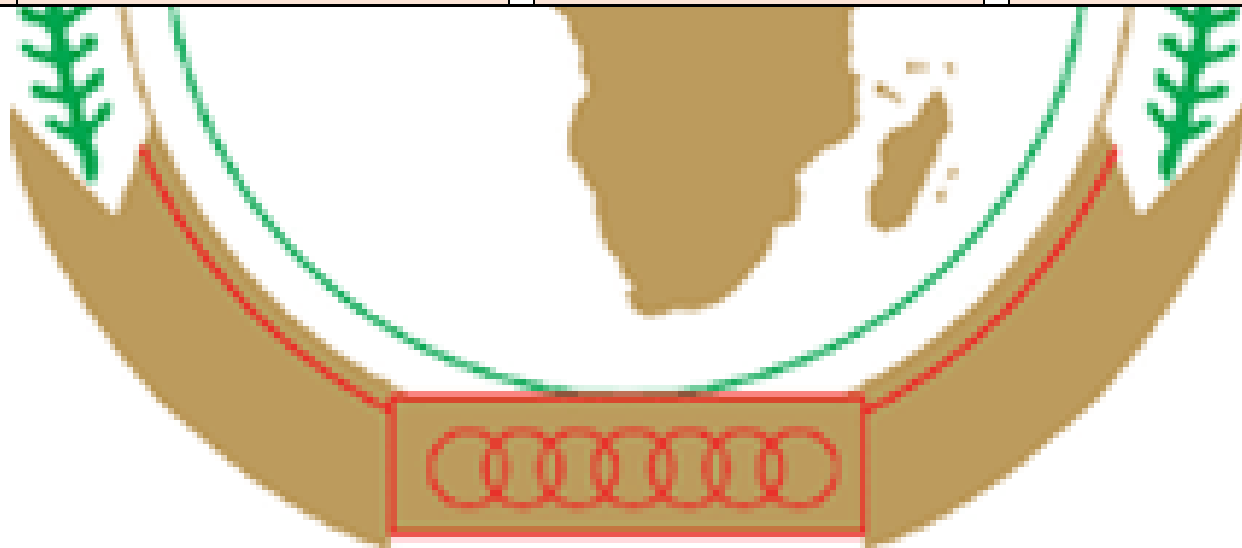
**DECISION ON THE DRAFT 2019 AFRICAN UNION
BUDGET AND 2018 SUPPLEMENTARY BUDGET
Doc. EX.CL/1094(XXXIII)**

The Executive Council,

1. **TAKES NOTE** with appreciation of the Report of the PRC resulting from the first Joint Sitting of the PRC Sub-Committee on General Supervision and Coordination on the Administrative, Budgetary and Financial Matters and the PRC Sub-Committee on Programmes and Conferences as well as the F15 Committee of Experts and **ENDORSES** the recommendations contained therein;
2. **APPROVES** a supplementary budget of the African Union for the 2018 financial year for a total of **US\$ 5,042,440** as follows:
 - (i) Conference Management and Publications for online translation fee with an amount of **US\$ 71,280**;
 - (ii) Africa CDC: activities related with EBOLA with a total amount of **US\$ 4,181,160**;
 - (iii) Programming, Budgeting, Finance and Accounting: Consultancy services for assessment of property and plant of the African Union with an amount of **US\$ 790,000**.
3. **APPROVES** a total budget of **US \$ 681, 485, 337** for the African Union for the 2019 financial year divided as follows:
 - (i) Operating budget: **US\$ 158,459,118** to be financed by Member States;
 - (ii) Programme budget: **US\$ 249,757,079** to be financed as follows:
 - a) **US\$ 110,257,890** assessed on Member States;
 - b) **US\$ 139,499,189** to be solicited from International partners.
 - (iii) Peace Support Operations: **US\$ 273,269,140** to be financed as follows:
 - a) **US\$ 11,328,753** assessed on Member States;
 - b) **US\$ 261, 940,387** to be solicited from International partners.

Organs	Member States			Partners			Total Budget 2019		
	Operating Budget	Programs	Total Assessment	Operating	Programs	Total	Operating	Programs	Total
AUC	107,611,392	55,137,644	162,749,036		120,043,895	120,043,895	107,611,392	175,181,539	282,792,931
PAP	11,749,132	6,290,983	18,040,115		470,000	470,000	11,749,132	6,760,983	18,510,115
AfCHR (The Court)	7,987,200	5,058,246	13,045,446		947,446	947,446	7,987,200	6,005,691	13,992,891
ACHPR (The Commission)	4,778,973	1,539,000	6,317,973		707,138	707,138	4,778,973	2,246,138	7,025,111
ECOSOCC	2,246,004	1,771,000	4,017,004		-	-	2,246,004	1,771,000	4,017,004
NEPAD	10,633,354	17,590,000	28,223,354	-	7,310,000	7,310,000	10,633,354	24,900,000	35,533,354
AUCIL	465,149	-	465,149		341,731	341,731	465,149	341,731	806,880
Advisory Board on Corruption	1,627,858	1,433,797	3,061,655		-	-	1,627,858	1,433,797	3,061,655
Peace & Security Council	-	1,421,594	1,421,594		-	-	-	1,421,594	1,421,594
ACERWC	291,821	86,494	378,315		502,787	502,787	291,821	589,281	881,102
SPECIALIZED OFFICES					-	-		-	-
AFREC	1,275,699	-	1,275,699		-	-	1,275,699	-	1,275,699
IPED	681,891	-	681,891		-	-	681,891	-	681,891
CIEFFA	716,656	-	716,656		-	-	716,656	-	716,656
PAU	2,821,977	12,380,180	15,202,157	-	1,007,000	1,007,000	2,821,977	13,387,180	16,209,157
AIR	874,978	-	874,978		1,352,708	1,352,708	874,978	1,352,708	2,227,686
ACDC	-	6,562,642	6,562,642		6,816,484	6,816,484	-	13,379,126	13,379,126
AOSTI	916,272	-	916,272		-	-	916,272	-	916,272
AFRIPOL	948,450	-	948,450		-	-	948,450	-	948,450
APRM	1,149,199	986,311	2,135,510		-	-	1,149,199	986,311	2,135,510
SPORT COUNCIL	1,683,113	-	1,683,113		-	-	1,683,113	-	1,683,113
TOTAL before Peace Support Operations (PSO)	158,459,118	110,257,890	268,717,008	-	139,499,189	139,499,189	158,459,118	249,757,079	408,216,197

EXCLUDING PSO									
Ratio operational & programs	59%	41%	100%	0%	100%	100%	39%	61%	100%
Funding on total budget	66%			34%			100%		
PEACE OPERATIONS									
AMISOM		9,727,500	9,727,500	243,430,467	4,070,000	247,500,467	243,430,467	13,797,500	257,227,967
MNJTF		716,140	716,140	6,445,260		6,445,260	6,445,260	716,140	7,161,400
LRA		-	-	73,265		73,265	73,265	-	73,265
HRMOM		885,112.80	885,113	7,921,395		7,921,395	7,921,395	885,113	8,806,508
Total Peace Support	-	11,328,753	11,328,753	257,870,387	4,070,000	261,940,387	257,870,387	15,398,753	273,269,140
TOTAL	158,459,118	121,586,643	280,045,761	257,870,387	143,569,189	401,439,575	416,329,505	265,155,832	681,485,337
INCLUDING PSO									
Ratio operational & programs	57%	43%	100%	64%	36%	100%	61%	39%	100%
Funding on total budget	42%			58%			100%		



4. **ACKNOWLEDGES** the efforts in making the AU 2019 Budget more efficient and effective and **DIRECTS** the Commission to focus on fewer priority areas and avoid duplications;
5. **REQUESTS** the Commission to initiate an urgent independent audit of PAP and put on hold the release of the 2019 funds of PAP until completion of the audit exercise with ring-fencing salaries for staff and critical operational costs including utilities, such audit should be concluded by October 2018;
6. **FURTHER REQUESTS** the PRC to consider the Audit Report and conclude its consideration no later than 15 November 2018, and based on the findings take appropriate action and report back to the Executive Council at the February 2019 Summit;
7. **DECIDES** that the President of PAP shall refrain from adopting decisions with regard to staff disciplinary measures without prior approval from the Chairperson of the AU Commission until the audit is completed;
8. **DIRECTS** the Commission:
 - (i) to undertake a review of the organisational structure and an independent human resource audit of its staff establishment (for regular and short term staff) in order to address duplications, functional overlaps, assert their relevance and financial implications, among others, and report to the February 2019 Summit;
 - (ii) to undertake a performance audit of the budget execution of the Union, and report to the February 2019 Summit;
 - (iii) to institute an independent audit of the Reserve Fund in order to establish a baseline from which to monitor its management and utilisation and to report to the PRC through the relevant Sub-Committee;
 - (iv) to implement the Executive Council Decision EX.CL/Dec.815(XXV) on non-compliance without delay;
 - (v) to ensure that the funding of all activities is reflected through the budgetary process;
 - (vi) to strengthen the quarterly reporting mechanism on the execution of the budget for submission to the Joint Sitting of the PRC Sub-Committee on General Supervision and Coordination on the Administrative, Budgetary and Financial Matters and the PRC Sub-Committee on Programmes and Conferences as well as the F15 Committee of experts ;

- (vii) to develop a recommendation-monitoring matrix to track implementation of all recommendations of the Joint Sitting of the PRC Sub-Committee on General Supervision and Coordination on Budgetary, Financial and Administrative Matters, and the Sub-Committee on Programs and Conferences as well as the F15 Committee of experts, as adopted by the PRC;
- (viii) to comply with the relevant provisions related to financial, structural and legal implications.

9. DECIDES:

- (i) that the budget session for the year 2020 and beyond should begin with the presentation of internal audit, performance reports, the budget framework paper (BFP) and budget ceiling for consideration by the relevant Joint Sitting of the PRC Sub-Committee on General Supervision and Coordination on Budgetary, Financial and Administrative Matters, and the Sub-Committee on Programs and Conferences as well as the F15 Committee of experts;
- (ii) that all partner funds should be centralized within the Directorate for Strategic Policy Planning, Monitoring and Evaluation and Resource Mobilization and that extra budgetary funding of activities should not be tolerated;
- 10. REQUESTS** the Accounting Officer of the Union to certify budget proposals against set criteria prior to submission to the Joint Sitting of the PRC Sub-Committee on General Supervision and Coordination on Budgetary, Financial and Administrative Matters, and the Sub-Committee on Programs and Conferences as well as the F15 Committee of experts;
- 11. ALSO REQUESTS** that all proposed decisions presented to the Assembly and Executive Council should indicate the structural, legal and financial implications and assessment of activity duplication across departments and organs;
- 12. DECIDES** to reconfigure the composition of the Ministerial Committee on Scale of Assessment to include the Committee of Fifteen Ministers of Finance (F15).

**DECISION ON THE REPORT OF THE MINISTERIAL COMMITTEE ON AFRICAN
CANDIDATURES WITHIN THE INTERNATIONAL SYSTEM
Doc. EX.CL/1096(XXXIII)**

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 United Nations Committee on Contributions for the period 2019-2021, during elections scheduled for 2 November 2018 in New York, the candidatures of:

The Republic of Kenya

(ii) for Membership of the Radio Regulations Board of the International Telecommunication Union (RRB), for the period 2019-2022, during elections scheduled to hold at the Plenipotentiary Conference in Dubai, United Arab Emirates, from 29 October to 16 November 2018, the candidature of:

Mr. Hassan Talib of the Kingdom of Morocco

(iii) for Membership of the United Nations International Civil Service Commission (ICSC), for the period 2019-2022, during elections scheduled for the Seventy-Third Ordinary Session of the United Nations General Assembly in November 2018, in New York, the candidatures of:

- a) Mr. Ali Said Krir of the State of Libya;
- b) Amb. Andrew G. Bangali of the Republic of Sierra Leone

(iv) for the post of Secretary General of La Francophonie, during consultation process to select the Secretary General scheduled for 11 and 12 October 2018, at the 17th Summit of La Francophonie in Erevan, Armenia, the candidature of:

Mrs Louise Mushikiwabo of the Republic of Rwanda

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, Austria, the candidatures of:

- a) The Kingdom of Morocco;
 - b) The Republic of Ghana.
- (ii) for Membership of the United Nations Human Rights Council for the period 2019-2021, during elections scheduled for October 2018, at the 73rd Ordinary Session of the United Nations General Assembly in New York, the candidatures of:

- a) The Togolese Republic;
- b) The Republic of Cameroon;
- c) Burkina Faso;
- d) The Federal Republic of Somalia;
- e) The State of Eritrea.

- (iii) for Membership of the United Nations Advisory Committee on Administrative and Budgetary Questions (ACABQ), during elections scheduled for November 2018, the candidatures of:

- a) Mr. Makiese Augusto, of the Republic of Angola;
- b) Amb. Yves Eric AHOUSSOUGBEMEY, of the Republic of Benin.

- (iv) for Membership of the United Nations Economic and Social Council for the period 2019-2021, during elections scheduled for November 2019 in New York, the candidatures of:

- a) The Republic of Cameroon;
- b) The Democratic Republic of the Congo;
- c) Two (2) remaining seats to be filled by Southern and West Africa regions;

The African Group in New York is requested to carry out consultations in order to recommend representatives of the Southern and West Africa regions to occupy the remaining posts on behalf of the regions.

- (v) for Membership of the United Nations Committee on Conferences for the period 2019-2021, during elections scheduled for November 2018 in New York, the candidatures of:

- a) The Republic of Senegal;
- b) One (1) seat to be filled by the Central Africa region

The African Group in New York is requested to carry out consultations in order to recommend the candidate from Central Africa to occupy the seat.

(vi) for Membership of the International Telecommunication Union Council, for the period 2019-2022, during elections scheduled to hold at the Plenipotentiary Conference from 29 October to 16 November 2018, in Dubai, United Arab Emirates, the candidatures of:

- a) The Republic of Rwanda;
- b) The Kingdom of Morocco;
- c) The Republic of The Sudan;
- d) The Republic of Mali.

These candidatures are endorsed in addition to that of Nigeria endorsed in July 2017, as well as those of Kenya, Algeria, South Africa, Burkina Faso and Togo, endorsed in January 2018. Thirteen seats are to be filled for this term.

(vii) as Non-Permanent Member of the United Nations Security Council for the period 2020-2021, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidatures of:

The Republic of Tunisia

The African Group in New York is requested to assist the West Africa region to carry out consultations in order to recommend, between the Republic of Ghana, the Republic of Niger, and the Republic of Liberia, the country that will represent the region in the Security Council for that period.

(viii) Election of the country to host the 24th General Assembly of the World Tourism Organization (UNWTO) in 2021, during elections scheduled for the 23rd UNWTO General Assembly in September 2019, in Russia, the candidature of:

The Kingdom of Morocco

(ix) for Membership of the Committee for the United Nations Population Award, the candidature of:

- a) The Republic of Liberia;
- b) One (1) seat remaining based on the principle of rotation between the Eastern and Southern regions;
- c) One (1) seat remaining based on the principle of rotation between the Central and Northern regions.

The African Group in New York is requested to carry out consultations to recommend candidates for the remaining two seats;

- (x) for the post of President of the United Nations Human Rights Council for the 2019 period, during elections scheduled for September 2018, following the withdrawal of the candidature of the Republic of South Africa; the Executive Council **ENDORSES** the Republic of Senegal.

4. REQUESTS, with regard to the following posts:

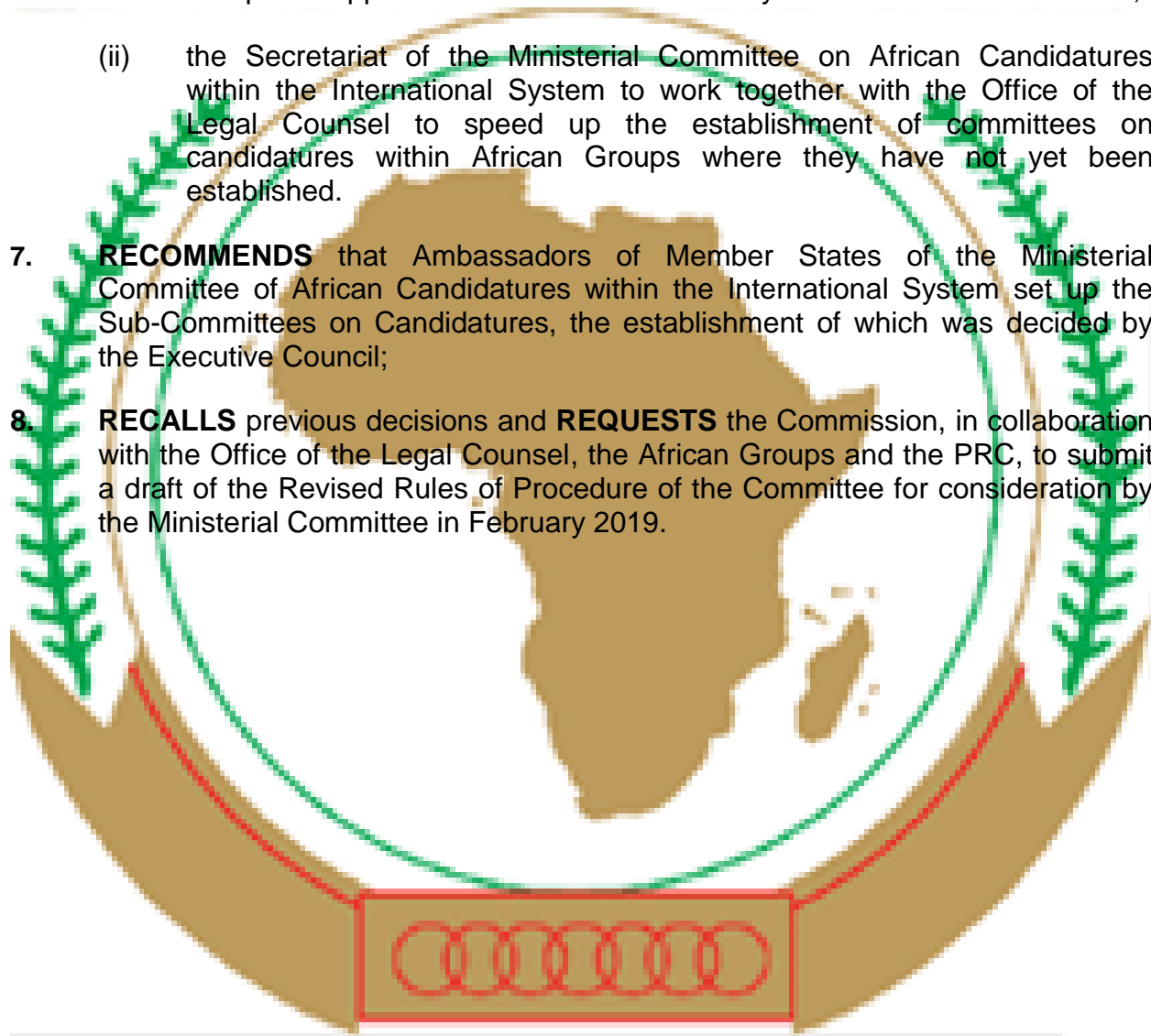
- (i) for the post of Deputy Director General of the International Organization for Migration, during elections scheduled for June/July 2019 at the Special Session of the Council of the International Organization for Migration in Geneva, Switzerland, The Sudan and Ethiopia to carry out consultations in order to decide, between Mr. Ashraf El Nour Mustafa of the Republic of The Sudan, and Ambassador Negash Kebret Botora of the Federal Democratic Republic of Ethiopia, on a single candidate for the post, and report to the Executive Council in February 2019;
- (ii) for 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, since consultations did not yield consensus between the Nigerian and Zimbabwean delegations as required by Council's previous decision in January 2018, **DECIDES** that the final consultation be held between the Heads of State of Zimbabwe and Nigeria. These consultations should be facilitated by the President of Sierra Leone, in his capacity as President of the country chairing the Ministerial Committee on Candidatures, in order to find a more amicable solution to the endorsement of one of the candidates between Dr. Cosmas Zavazava of the Republic of Zimbabwe, and Mr. William Ijeh of the Federal Republic of Nigeria. However, if a consensus is not reached, Council will take an appropriate decision;
- (iii) for Membership of the UNESCO World Heritage Committee during the elections scheduled for November 2019, in Paris, to take note of the candidature of the Arab Republic of Egypt, and **CALLS ON** the African Group in Paris to carry out consultations in order to designate the four countries to occupy the vacant seats in 2019.

5. DECIDES with regard to the following posts, to take note of and defer consideration of the candidatures until its subsequent sessions:

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 State Parties in June 2020, following the withdrawal by Sierra Leone of the candidature of Ambassador Osman Keh Kamara, to take note of the candidature of Dr. Maurice Kengne

Kamga of Cameroon and postpone its consideration until subsequent Council sessions;

6. **ALSO DECIDES**, taking into consideration strategic posts within the international system in which African candidates are contesting, to request:
- (i) the African Union Commission to take all the necessary steps to ensure adequate support for candidates endorsed by African Union mechanisms;
 - (ii) the Secretariat of the Ministerial Committee on African Candidatures within the International System to work together with the Office of the Legal Counsel to speed up the establishment of committees on candidatures within African Groups where they have not yet been established.
7. **RECOMMENDS** that Ambassadors of Member States of the Ministerial Committee of African Candidatures within the International System set up the Sub-Committees on Candidatures, the establishment of which was decided by the Executive Council;
8. **RECALLS** previous decisions and **REQUESTS** the Commission, in collaboration with the Office of the Legal Counsel, the African Groups and the PRC, to submit a draft of the Revised Rules of Procedure of the Committee for consideration by the Ministerial Committee in February 2019.



**DECISION ON THE REPORT OF THE MINISTERIAL COMMITTEE
ON SCALE OF ASSESSMENT AND CONTRIBUTIONS
Doc. EX.CL/1097(XXXIII)**

The Executive Council,

1. **TAKES NOTE** of the Report of the Ministerial Committee on the Scale of Assessment and Contributions and **ENDORSES** the recommendations contained therein;
2. **COMMENDS** Member States that are up to date in the payment of their contribution and **URGES** Member States which have not yet done so to pay their assessed contribution;
3. **MAINTAINS** the previous sanctions imposed on the following countries: The Central African Republic, Guinea Bissau and South Sudan;
4. **DECIDES** that the current scale of assessment should be maintained for the Year 2019 until a new scale of assessment is approved latest by February 2019, for application starting 2020;
5. **REQUESTS** the Commission to
 - (i) circulate the documents on the New Scale of Assessment and the Sanctions Regime to all Member States by 15 July 2018 for their inputs by 15 October 2018;
 - (ii) convene in November 2018, a Joint Sitting of the Permanent Representatives' Committee (PRC), including experts from Capitals, and the Committee of Fifteen Finance Ministers' Technical Experts (F15) to review all the documents pertaining to the New Scale of Assessment and the Sanctions Regimes;
 - (iii) convene a Joint Sitting of the Committee of Ministers on Scale Assessment and Contributions and the F15 Ministerial Committee to consider the recommendations of the Joint Sitting of the PRC and F15 Experts prior to submission to the next Executive Council Meeting scheduled for February 2019.

**DECISION ON THE ELECTION OF FOUR (4) JUDGES OF THE
AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS
Doc. EX.CL/1100(XXXIII)**

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election of Four (4) Judges of the African Court on Human and Peoples' Rights;

2. **ELECTS** the following three (3) Judges for a term of six (6) years:

NO.	NAME	GENDER	COUNTRY	REGION
1.	Blaise TCHIKAYA	Male	Congo	Central
2.	Ben KIOKO	Male	Kenya	East
3.	Stella Isibhakhomen ANUKAM	Female	Nigeria	West

3. **FURTHER ELECTS** Imani D. ABOUD (Female, Tanzania, East) for a term of two (2) years, being the remainder of the term for Judge Solomy Balungi BOSSA (Female, Uganda, East);

4. **RECOMMENDS** the elected Judges for appointment by the Thirty-First Ordinary Session of the Assembly.

**DECISION ON THE ELECTION OF FIVE (5) MEMBERS OF THE
AFRICAN UNION COMMISSION ON INTERNATIONAL LAW
Doc. EX.CL/1101(XXXIII)**

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election of Five (5) Members of the African Union Commission on International Law;

2. **ELECTS** the following Members for a term of five (5) years:

NO.	NAME	GENDER	COUNTRY	REGION
1.	Kevin Ferdinand NDJIMBA	Male	Gabon	Central
2.	Narindra Arivelo RAMANANARIVO ¹	Female	Madagascar	East
3.	Hajer GUELDICH	Female	Tunisia	North
4.	Sindiso H. SICHONE	Female	Zambia	South

3. **DECIDES** to recommend to the Assembly that the election of one (1) Female Member of the African Union Commission on International Law from the Central Region be carried out during the Thirty-Fourth Ordinary session of the Executive Council in February 2019;

4. **RECOMMENDS** the elected Members for appointment by the Thirty-First Ordinary Session of the Assembly.

¹ Floating Seat

**DECISION ON THE ELECTION OF FOUR (4) MEMBERS OF THE AFRICAN
COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD
Doc. EX.CL/1102(XXXIII)**

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election of Four (4) Members of the African Committee of Experts on the Rights and Welfare of the Child;
2. **ELECTS** the following Members for a term of five (5) years:

NO.	NAME	GENDER	COUNTRY	REGION
1.	Joseph NDAYISENGA	Male	Burundi	Central
2.	Azza AL ASHMAWY	Female	Egypt	North
3.	Alassane Aissatou SIDIKOU ²	Female	Niger	West

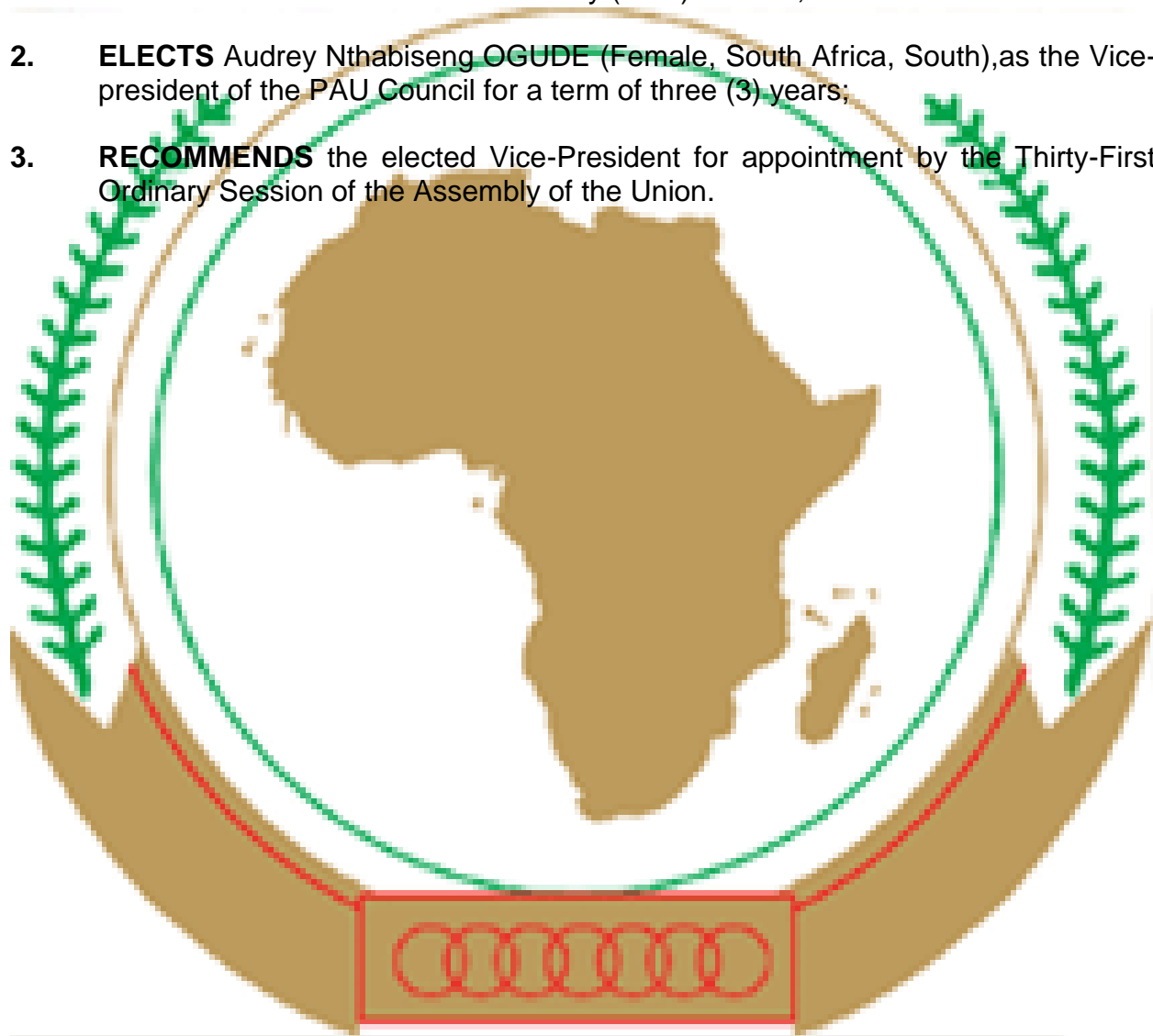
3. **DECIDES** to recommend to the Assembly that the election of one (1) Female Member of the African Committee of Experts on the Rights and Welfare of the Child from the Central Region be carried out during the Thirty-Fourth Ordinary session of the Executive Council in February 2019;
4. **RECOMMENDS** the elected Members for appointment by the Thirty-First Ordinary Session of the Assembly.

² Floating Seat

**DECISION ON THE ELECTION OF THE VICE-PRESIDENT OF
THE PAN-AFRICAN UNIVERSITY (PAU) COUNCIL
Doc. EX.CL/1103(XXXIII)**

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election of the Vice-President of the Pan-African University (PAU) Council;
2. **ELECTS** Audrey Nthabiseng OGUDE (Female, South Africa, South), as the Vice-president of the PAU Council for a term of three (3) years;
3. **RECOMMENDS** the elected Vice-President for appointment by the Thirty-First Ordinary Session of the Assembly of the Union.



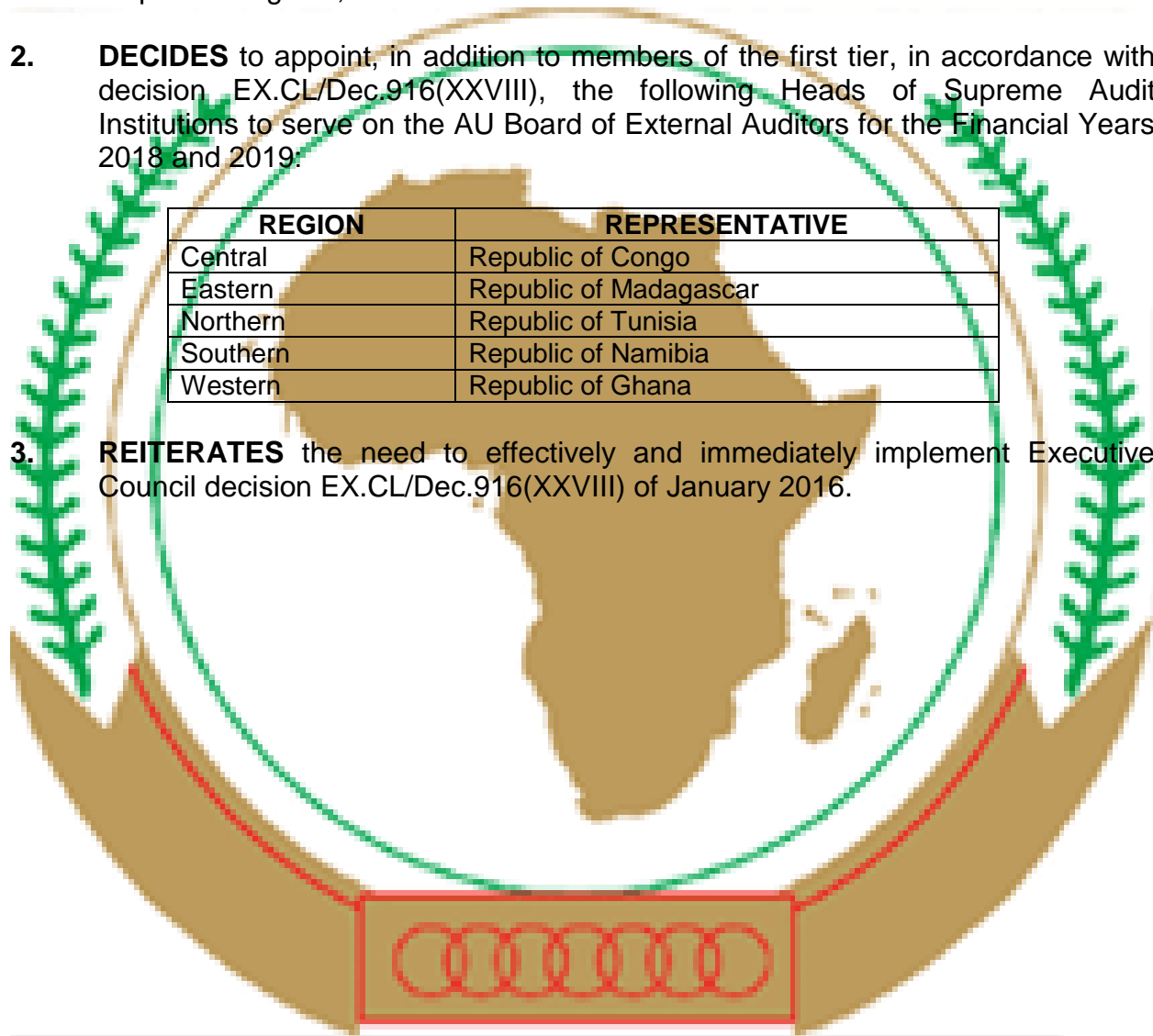
DECISION ON THE APPOINTMENT OF THE MEMBERS OF THE AU BOARD OF EXTERNAL AUDITORS

The Executive Council;

1. **TAKES NOTE** of the nomination as per Article 77 of the Financial Rules and Regulations, submitted by the Regional Deans following consultations within their respective regions;
2. **DECIDES** to appoint, in addition to members of the first tier, in accordance with decision EX.CL/Dec.916(XXVIII), the following Heads of Supreme Audit Institutions to serve on the AU Board of External Auditors for the Financial Years 2018 and 2019:

REGION	REPRESENTATIVE
Central	Republic of Congo
Eastern	Republic of Madagascar
Northern	Republic of Tunisia
Southern	Republic of Namibia
Western	Republic of Ghana

3. **REITERATES** the need to effectively and immediately implement Executive Council decision EX.CL/Dec.916(XXVIII) of January 2016.



DECISION ON THE DATES OF TICAD VII MINISTERIAL MEETING AND SUMMIT

The Executive Council,

1. **TAKES NOTE** of the proposed dates by the Japanese side;
2. **ENDORSES** the dates of 6 to 7 October 2018 for the TICAD VII Ministerial Meeting to be preceded by the Senior Officials' Meeting (SOM), on 5 October 2018, in Tokyo, Japan;
3. **RECOMMENDS** to the Assembly to endorse the dates of 28 to 30 August 2019 for the TICAD VII Summit preceded by the Ministerial Preparatory Meeting on 27 August 2019 in Yokohama, Japan;
4. **REQUESTS** the Commission, in collaboration with the PRC, to commence the relevant preparations of the said Ministerial meeting in accordance with the relevant Assembly and Executive Council decisions on the organization of the partnership meetings.



**DECISION ON HOSTING THE AFRICAN UNION CENTRE
FOR POST CONFLICT RECONSTRUCTION
AND DEVELOPMENT (AUCPCRD)**

The Executive Council,

1. **RECALLS** decision Assembly/AU/Dec.351(XVI) of January 2011 on the establishment of the African Union Centre for Post-Conflict Reconstruction and Development (AUCPCRD), upon the proposal of the Arab Republic of Egypt;
2. **FURTHER RECALLS** its decision EX.CL/Dec.840(XXV) of June 2014 requesting the Commission to continue consulting with the Governments of Egypt and Uganda with a view to reaching an amicable solution on the location of the Centre;
3. **EXPRESSES SINCERE APPRECIATION** to the Republic of Uganda for withdrawing its offer to host the AUCPCRD in favour of the Arab Republic of Egypt;
4. **ACCEPTS** the offer of the Arab Republic of Egypt, and **RECOMMENDS** to the Assembly to decide that the Arab Republic of Egypt will host the AUCPCRD. In this respect, the Executive Council **EXTENDS** its sincere appreciation to the commitment demonstrated by Egypt, and **REQUESTS** that consultations start immediately with the AU Commission towards early establishment of the AUCPCRD;
5. **FURTHER REQUESTS** the Commission to:
 - (i) initiate and finalize the Host Agreement with the Arab Republic of Egypt, in accordance with the AU Rules and Regulations;
 - (ii) develop the structure of the AUCPCRD and prepare a comprehensive report on the financial and technical needs of the AU-PCRD, for consideration by the relevant AU Policy Organs, prior to its submission to the Ordinary Session of the Assembly, through the Executive Council, scheduled for February 2019.

**DECISION ON THE HOLDING OF SESSIONS OF
THE PERMANENT REPRESENTATIVES' COMMITTEE (PRC)
PRIOR TO AFRICAN UNION SUMMITS**

The Executive Council

1. **UNDERScores** the importance of holding sessions of the Permanent Representatives' Committee (PRC) prior to African Union Summits and the need for adequate planning thereof;
2. **DECIDES** that the PRC shall hold its sessions well ahead of time so that it adopts its report at least two weeks prior to the start of the Ordinary Session of the Executive Council;
3. **REQUESTS** the Commission:
 - (i) not to include any items submitted after the set deadlines on the various agendas;
 - (ii) to reject any working documents submitted after the set deadlines;
 - (iii) to take all necessary steps for the subsequent transmission of the working documents and the report of the PRC to Member States.



2018-06-29

Decisions, Executive Council Thirty-Third Ordinary Session 25 – 29 June 2018 Nouakchott, Mauritania

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