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REPORT OF THE SIXTH JOINT RETREAT OF THE PERMANENT
REPRESENTATIVES' COMMITTEE AND OF THE AFRICAN
UNION COMMISSION ON WORKING METHODS,
11 - 12 DECEMBER 2017, CAIRO, EGYPT

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ON WORKING METHODS, 11-12 DECEMBER 2017, CAIRO, EGYPT**

INTRODUCTION

1. The Sixth Joint Retreat between the Permanent Representatives' Committee (PRC) and the African Union Commission (AUC) on Working Methods was held at Sheraton Hotel, Cairo, Arab Republic of Egypt from 11 to 12 December 2017. It was co-chaired by Ambassador Fatoumata Kaba Sidibé, Permanent Representative of the Republic of Guinea and Chairperson of the PRC, and Mr. Quartey Kwesi, Deputy Chairperson of the AU Commission.

I. OPENING SESSION

Remarks by the Chairperson of the PRC

2. Having thanked Egypt for offering to host the Retreat in the historic city of Cairo, the Chairperson of the PRC observed that the organization of the Retreat in Cairo was an acknowledgement of the work that the Ambassador of Egypt had accomplished as Chair of the PRC Sub-Committee on Multilateral Cooperation. She deplored the recent terrorist attacks in the Sinai, and expressed her most heartfelt condolences to the country. She also commended the Commission for its commitment in the organization of the Retreats. She expressed the hope that the Retreat would not be a mere formality, but would lead to the identification of key issues that would effectively improve the work of the Commission and the PRC, in the best interest of the advancement of Africa's agenda. The focus would be on reviewing solutions proposed for the challenges identified in the recommendations of previous retreats. In that regard, she commended the work accomplished by the Commission in reviewing the status of implementation of the recommendations of previous retreats. She pointed out that lack of knowledge of, or non-compliance with the texts establishing the mandates of the Commission and the PRC resulted in shortcomings that prevented the two organs from effectively fulfilling their mandates. Among the shortcomings, she mentioned on the part of the PRC, the absence of proactivity due to lack of programming, and on the part of the Commission, lack of transparency in the recruitment process, working documents not being available on time, etc. In particular, she stressed the need for the Commission to address correspondence to the capitals of Member States through the Permanent Missions to the AU in Addis Ababa.

3. The Chairperson of the PRC added that the Commission should hereafter involve the PRC in the preparatory process of all statutory meetings. In conclusion, she reassured participants that the shortcomings observed were not accusations against any of the organs, but that the approach was geared towards making the Retreat productive through the identification of all the problems in order to find solutions that would enable the African Union to achieve its objectives.

Welcome Remarks by the Deputy Chairperson of the Commission

4. In his remarks, the Deputy Chairperson thanked the Government and people of Egypt for hosting the Retreat, for their warm African hospitality and the facilities placed at their disposal. He added that the Retreat provided an opportunity to assess achievements, and to initiate dialogue and debate in all frankness and transparency as one African family. He then underlined the importance of the reform process and recalled the six priorities and four recommendations of the *Kagamé Report*.

5. The Deputy Chairperson called for commitment and focus on political issues, peace and security, and Africa's role in the international arena. Having recalled the historical background of Africa's problems and proposed a number of approaches to address them. He highlighted the importance of both the Commission and the PRC which he called identical twins and urged them to work closely together.

II. ADOPTION OF THE DRAFT AGENDA AND THE DRAFT PROGRAMME OF WORK

6. The draft Agenda and draft Programme of Work were adopted without amendment as follows:

(1) Opening:

- Opening Statement by the Chairperson of the PRC;
- Statement by the Deputy Chairperson of the AU Commission.

(2) Adoption of the Draft Agenda and Draft Programme of Work;

(3) Status of Implementation of the Outcomes of Previous Retreats;

(4) Evaluation, Improvement and Harmonization of Working Methods taking into consideration the Decisions of Policy Organs and the Constitutive Act of the African Union:

- i) Working Methods of the PRC;
- ii) Working Methods of the PRC/Commission.

(5) Adoption of the Outcomes of the Retreat

(6) Closing

7. Deliberations were organized based on the following five documents:

- i) Report of the First PRC Retreat on Working Methods held in Cairo on 10 December 2017;

- ii) Opening Statement by the Chairperson of the Commission in respect of all the Retreats;
- iii) Statement by the Deputy Chairperson at the Opening of the 6th Joint Retreat on Working Methods;
- iv) Opening Statement by the Chairperson of the PRC at the 6th Joint Retreat on Working Methods;
- v) Document on the Evaluation of the Implementation of Recommendations of Previous Retreats.

8. The Report on the First PRC Retreat was presented by the Chairperson of the PRC.

9. The Secretary General of the Commission presented the Report on the Status of Implementation of the Outcomes of Previous Retreats. He limited his presentation to the recommendations that had not been or were only partially implemented. He provided detailed explanations for failure to implement some recommendations.

10. Prior to discussions following the presentation, the Chairperson of the PRC gave guidelines for the discussions, focusing on modalities for correcting the shortcomings identified in the Report.

11. The discussions highlighted a number of concerns expressed by the PRC. They focused essentially on the following points:

- i) Lack of transparency in the recruitment process aggravated by the exponential staff growth leading to an increase in operating costs;
- ii) The practice consisting in altering decisions adopted by the policy organs and delaying their publication;
- iii) The tendency to bypass the Permanent Missions of Member States to the African Union by communicating directly with the capitals;
- iv) Signing of notes verbales and other external communications by Directors, when they should be signed by the Chairperson or Deputy Chairperson of the Commission;
- v) The Commission oversteps its prerogatives by submitting documents directly to policy organs without going through the PRC;
- vi) Late submission of working documents;

- vii) The perception of the Commission as a tourist agency;
- viii) The participation of partners in closed sessions;
- ix) Overlapping of meetings due to lack of internal consultations for the approval of meetings that are not included in the annual Calendar of Meetings;
- x) Inadequate coordination with AU organs outside Headquarters;
- xi) Absence of a dedicated structure for the smooth functioning of the PRC;
- xii) STC meetings convened without the knowledge of the PRC, thus creating difficulties for the Permanent Missions with their capitals;
- xiii) Insufficient collaboration with the Permanent Missions in New York, Washington and Brussels as part of the mobilization of efforts to support African candidatures in the international system, and in the dissemination of decisions taken by policy organs;
- xiv) The Groups of African Ambassadors based in the capitals of partner countries pay very little attention to the decisions of the AU policy organs, which is a paradox since the decisions are taken by the Heads of State and Government, from whom they draw their legitimacy;
- xv) Inappropriate staff evaluation system;
- xvi) A plethora of meetings;
- xvii) Lack of information tools for newly accredited ambassadors;
- xviii) Lack of integrity in the deliberations of the meetings of policy organs;
- xix) Central structures of the Commission: Office of the Secretary General of the Commission, Office of the Legal Counsel, Directorate of Conference Management and Publications (DCPM) not adequately staffed;
- xx) Some Member States are inadequately represented in terms of staff;
- xxi) Lack of communication on the part of the Spokesperson of the Chairperson of the AUC with the PRC;
- xxii) Inviting some civil society organizations with dubious profiles to meetings organized by the Commission; they are often the tools of external powers;
- xxiii) Extremely poor participation of Commissioners in PRC meetings;

- xxiv) Great financial dependence on partners;
- xxv) Foreign expertise can frequently hide geopolitical and geostrategic stakes that do not favour the interests of Africa;
- xxvi) The Arabic language is not treated equally with other languages and the approximate nature of translations not done by DCMP makes it difficult to understand the texts.

12. The Commission provided clarifications on the following points:

(1) On Recruitment :

- i) The Bureau of the Deputy Chairperson is fully committed to addressing all the problems that hinder the recruitment process and the transparency of the process is improving;
- ii) All issues linked to recruitment (quota, fast-tracking the recruitment process, etc.) were raised by the PRC Sub-Committee on General, Administrative and Budgetary Supervision);
- iii) In a bid to reduce delays in the recruitment process, special sessions were organized, which led to the recruitment of eighty people;
- iv) A Manual on Recruitment Procedures is under translation and will be posted on Commission's website;
- v) The key criteria for recruitment is competence weighted by the gender and geographical distribution criteria, Member States which are inadequately represented, quota);
- vi) The Maputo Structure is not commensurate with the Flagship Programmes of the Commission, resulting in a preference for the recruitment of short-term staff;
- vii) Continued interaction between the Bureau of the Deputy Chairperson and the Sub-Committee on Administrative and Budgetary Supervision;
- viii) Pressure from some Member States in favour of certain candidates, which compromises the integrity of the recruitment process.

(2) On the Calendar of Meetings and Documentation:

- i) After the adoption of the Calendar of Meetings by the competent Sub-Committee, other unscheduled meetings are added without prior

consultation with the Directorate of Conference Management, which incur additional costs;

- ii) Such meetings should only be approved in coordination with the Directorate of Conference Management;
- iii) Delays in receiving documents from Departments result in delays in translation and dispatch to Member States;
- iv) The Directorate of Conference Management does not have a budget for meetings and such a budget can only be provided by Member States and not by partners;
- v) The quality of translations and interpretation depends on the quality of staff recruited, who should be under the Directorate of Conference Management;
- vi) The Directorate of Conference Management is developing applications to facilitate access to electronic documents and make information available in real time.

(3) On Integration, Flagship Programmes and Agenda 2063:

- i) Due to disparities in the level of integration of countries within Regional Economic Communities (RECs), the working methods were reviewed in order to identify some countries as reference points;
- ii) The Statistics Institutes of Côte d'Ivoire and Tunisia are still not operational, which deprives the Continent of sources of reliable data;
- iii) The Commission and the RECs allocated duties within the context of ownership by Member States of Agenda 2063 from January 2018;
- iv) The existing structure of the Department of Trade and Industry does not allow for fast-tracking the establishment of the Continental Free Trade Area;
- v) The Department of Trade and Industry exceeded the number of meetings to be held annually due to the requirements of the pace of negotiations with Member States to implement the Continental Free Trade Area Project. The outcomes will be presented at the January 2018 Session of the Assembly;
- vi) The PRC should be further involved in the domestication of Agenda 2063 by Member States in their national development plans;

vii) The PRC should also monitor all of the AU's Flagship Programmes.

(4) On Civil Society Organisations :

- i) The Citizens and Diaspora Directorate (CIDO) is the entry point for all Civil Society Organisations (CSOs) into the AU. It verifies the different profiles, ensures that the organizations are recognized in their respective countries and adhere to the shared values of the African Union;
- ii) The CSOs recognized by the AU are those with a least 50% funding from African sources;
- iii) The funding of the CIDO budget by Member States guarantees its full autonomy vis-à-vis partners.

(5) On Communication:

- i) An AU brand was created and is being popularized;
- ii) The Commission's website is being revamped and will be operational in 2018;
- iii) Each AU organ will have a page on the website, which will be updated regularly;
- iv) Agenda 2063 will also be posted and various editors from the Continent will be called upon in order to ensure wide dissemination;
- v) African journalists will be encouraged to foster journalism focusing on development with particular emphasis on Agenda 2063;
- vi) An AU studio will be established to provide journalists with a database of specific information to be broadcast through community radios that can reach local audiences;
- vii) Member States are urged to assign journalists to the task;
- viii) Press attachés in diplomatic missions will be requested to ensure the interface between the AU and their respective countries in order to build an integrated communication network covering the entire Continent.

(6) On Peace and Security:

- i) The main challenge remains the implementation of the project "Silencing the Guns by 2020". In that regard, the RECs and the Regional Mechanisms briefed Member States on the difficulties encountered in garnering information for the implementation of the decision of Heads of State and Government;
- ii) The Department is making the necessary efforts to make all the contributions available on time so as to report thereon to the Assembly;
- iii) The PSC should be supported by enhanced translation and interpretation services provided by the Directorate of Conference Management.

(7) On the Medium-Term Strategic Plan:

- i) As part of preparations for the 2018-2021 Medium-Term Strategic Plan, efforts are focused on specific issues in order to avoid fragmentation of efforts;
- ii) The PRC as well as the RECs will be called upon to work towards preventing duplication;
- iii) In 2019, the AU Budget will be less than the 2018 Budget due to the rationalization of resources and activities.

(8) On intra-Commission and Commission-PRC Collaboration Relationship:

- i) Trust should be established and built between the Commission and the PRC through a mutually positive perception;
- ii) This trust should be reflected in transparency, horizontal collaboration, mutual respect and accountability, in accordance with AU Rules and Regulations;
- iii) Collaboration should be guided by AU principles;
- iv) Documents transmission system should be modernised and computerised to help address delays currently observed in dispatching documents;
- v) Collective ownership of working tools should be encouraged in line with mandates of respective Departments and Organs;

- vi) The Office of the Secretary General of the Commission should be assisted in its coordination role, to further the smooth pursuit of the AU's objectives.

13. After the above discussions, the following recommendations were adopted:

(1) Meetings, Documents and Agendas

- i) Participation of partners in AU meetings should be restricted to only public sessions in order to preserve the confidentiality of deliberations;
- ii) Each Department should elaborate an annual work plan to facilitate the scheduling of meetings, and to avoid the overlapping often observed;
- iii) Deadlines for submitting documents should be respected and documents made available to Member States within appropriate timeframes;
- iv) In this context, documents should be submitted for translation within the given timeframes in order for the upstream translation into all AU working languages to be done on time;
- v) Arabic and Portuguese should be treated equally with French and English;
- vi) Translations of working documents should be faithful to their source texts;
- vii) The terms of reference of Advance Teams and the modalities of its collaboration with host countries should be clarified in order to effectively address all logistical issues related to convening meetings outside Headquarters;
- viii) A format should be adopted on the presentation of the Activity Report of the Chairperson of the Commission, which includes reports from technical departments, in order to streamline the agendas of the meetings of Policy Organs;
- ix) The Office of the Legal Counsel should ensure conformity and consistency of legal opinions at meetings;
- x) Members of the PRC and other Representatives of Member States should be urged to participate in sessions of the African Commission

on Human and Peoples' Rights (AfCHPR) in order to address differences of opinion upstream;

- xi) The Commission should elaborate model hosting agreements according to type of meeting, and submit them for adoption by Policy Organs; once adopted, the model agreements shall be binding on Member States offering to host meetings;
- xii) The integrity and confidentiality of deliberations of the PRC and AU Policy Organs should be ensured by establishing and operating an accreditation and identification system for delegates using appropriate digital technology. Permanent Representatives should be granted permanent accreditation giving them access to all meetings;
- xiii) The number of meetings should be streamlined by reducing them substantially.

(2) Coordination of the Activities of the PRC and Streamlining of Sub-Committees

- i) A PRC Secretariat should be established by reinforcing the Office of the Secretary General with a Unit for the PRC;
- ii) The PRC should be involved in scheduling meetings of Specialised Technical Committees (STCs);
- iii) Periodic coordination meetings between the PRC Bureau and the Bureaux of PRC Sub-Committees should be convened.

(3) Interaction of the PRC with the AU Commission and Member States

- i) Resorting to foreign expertise should not include sensitive areas of the Union and should be carried out within a framework that respects the sovereignty of Member States and the AU's integrity;
- ii) The Commission should keep Member States informed about memoranda of understanding signed with partners and non-governmental organizations (NGOs);
- iii) Member of the PRC should be advocates with Member States for the establishment of the AU funding mechanisms with regard to the 0.2% levy on eligible imports, in order to reinforce the financial independence of the Union vis-à-vis partners;
- iv) Working relations between the PRC and AU Organs outside Headquarters (PAP, AfCHPR, etc.) should be strengthened;

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- v) Taking into account the relevant rules, the possibility of establishing an *ad hoc* Joint PRC/Commission Committee should be explored, in order to increase the transparency and fairness of the recruitment process, while ensuring an adequate balance between professional competence requirements and equitable representation of all Member States;
 - vi) As part of the recruitment process, a positive discrimination policy should be put in place for under-represented Member States;
 - vii) The Commission should regularly communicate to Member States the updated status of quotas for each country as well as the grades of the posts;
 - viii) In order to ensure fairness, all relevant posts of “technical support staff” should be open to all Member States;
 - ix) The missions of Commissioners should be further streamlined;
 - x) The Office of the Legal Counsel should be strengthened to enable it to fully fulfil its mandate and be represented at all meetings of the AU policy organs;
 - xi) The Directorate of Conference Management should be involved in the recruitment and evaluation processes of all translators and interpreters, and the latter should be posted within the Directorate;
 - xii) Pursuant to its mandate, the role of the Office of the Secretary General as the Coordinator of all Departments of the Commission, Organs and other AU Institutions should be strengthened; the Office of the Secretary General of the Commission should modernise working methods by introducing appropriate technological tools and computerising all coordination processes between Departments of the Commission, as well as processes for preparing and holding all AU Summits and meetings, according to a single system taking on board the contributions and roles of all the Departments. Such a system would be the single portal for Member States and other users, according to variable levels of access, allowing them to participate in meetings and access information and documents;
 - xiii) The Office of the Secretary General of the Commission should be provided with the necessary human, financial, material and technological resources to effectively fulfil its mandate;

- xiv) The Office of the Secretary General of the Commission should be provided with an appropriate structure, the draft of which should be submitted for adoption at the January 2018 Session of the Executive Council;
- xv) The Office of the Legal Counsel and the Directorate of Conference Management should be provided with adequate structures and staff, the draft of which should be submitted to AU Policy Organs at the 2018 June/July Session of the Assembly;
- xvi) The Directorate of Conference Management should be provided with an annual budget for meetings funded by Member States to help improve the quality of its services;
- xvii) All staff of the Commission should be sensitised about the objectives and priorities of the AU Commission;
- xviii) The AU Commission should not deal with Civil Society Organisations that are not recognised by Member States and do not adhere to the shared values of the AU;
- xix) The PRC and the Commission should perceive their respective roles in a positive manner, while focusing on their complementary roles and synergy;
- xx) Team spirit should be nurtured and strengthened at all levels within the Commission (Elected Officials, Directorates, Divisions and Units);
- xxi) The Commission should develop a strategy, together with concrete measures, to effectively support African Candidatures in the international system endorsed by the Policy Organs.

(4) Communication

- i) The Commission should elaborate a general communication strategy for the identification of all stakeholders, content of messages, frequency of communication, and a follow-up mechanism to ensure effective and efficient communication;
- ii) The Commission should also produce audio and visual programmes on the different projects and programmes of the Union in all working languages, and ensure their dissemination by Member States in order to popularize them;
- iii) A guide and kit of relevant AU documents (the Constitutive Act of the African Union, the Rules of Procedure of AU Organs, the Statute of the

- Commission and Staff Rules and Regulations, Financial Rules and Regulations, etc), should be prepared and made available to newly accredited Ambassadors/Permanent Representatives;
- iv) The Commission should respect diplomatic channels and refrain from communicating directly with the capitals of Member States without going through the Permanent Missions to the AU;
 - v) Collaboration between the PRC and AU Permanent Missions, including Permanent Missions in New York, Washington, Geneva and Brussels, should be strengthened through the Commission to ensure follow-up on African Candidatures in the international system;
 - vi) Coordination between the PRC and the Groups of African Ambassadors in multilateral and bilateral capitals should be reinforced;
 - vii) The possibility of establishing an African Radio and Television should be explored;
 - viii) The Directory of Electronic Addresses of Permanent Mission of Member States accredited to the AU should be updated;
 - ix) The means of communicating job vacancies within the Commission should be increased through note verbale and social media, in addition to the website;
 - x) The Spokesperson of the Chairperson of the Commission should brief the PRC on the activities of the Commission and of the Chairperson.

(5) Implementation of the Decisions of Policy Organs

- i) The outcomes of the Retreat should be formalised and follow-up on implementation at all levels of the Commission ensured (Elected Officials, Departments, Divisions and Units);
- ii) Assembly Decision Assembly/AU/Dec.582(XXV) adopted in Johannesburg in July 2015 on increasing the resources of the Directorate of Conference Management and Publications should be implemented;
- iii) In order to ensure self-funding, it is recommended that the Departments of the Commission should identify programmes to be submitted for funding during consideration of the budget;

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- iv) Permanent Missions of the AU in multilateral capitals should communicate to the Groups of African Ambassadors the decisions taken by AU Policy Organs on a regular basis;
 - v) The agenda of June/July Sessions of the Assembly should be limited to the consideration of the budget;
 - vi) An *ad hoc* Joint Committee of the PRC and the Commission should be established to ensure implementation and follow-up on the Plan of action of recommendations of Retreats. The Committee will be chaired on the PRC by the Permanent Representative of the Federal Republic of Nigeria;
 - vii) The PRC should play a more active and effective role in the signing, ratification and implementation of OAU/AU Treaties;
 - viii) The Commission should elaborate a Matrix of Implementation of Recommendations of Retreats to ensure its quarterly update;
 - ix) The launching of the activities of the African Institute of Statistics in Tunisia and the African Statistical Training Institute in Côte d'Ivoire should be fast tracked;
 - x) Member States are urged to sign and ratify Protocols establishing African Financial Institutions, namely the African Central Bank, the African Investment Bank and the African Monetary Fund;
 - xi) The Continent's integration process should be further accelerated in Regional Economic Communities and appropriated by Member States;
 - xii) Article 18 (3) of the Statute of the AU Commission on the Recruitment of Support Staff should be applied;
 - xiii) The quotas of Member States should be aligned with the level of their assessed contributions to avoid exceeding their quota during recruitment, in conformity with the relevant AU regulations;
 - xiv) The decision-making process should be streamlined to avoid the unproductive proliferation of decisions and the adoption of decisions that are contradictory and inadequately founded;
 - xv) The possibility of re-establishing the Drafting Committee should be explored in order to improve the quality of the texts of decisions;
 - xvi) Decisions should be made on sound bases, which would support their implementation by Member States;

- xvii) The principle of subsidiarity and complementarity with regard to the implementation of AU activities and decisions should be respected;
- xviii) An effective staff performance evaluation system should be established and implemented, while ensuring rewards and correcting inadequate performance, in conformity with applicable rules and regulations.

(6) Role of the PRC in the Ongoing Institutional Reform Process

- i) The outcomes of the current Retreat should be submitted to the Institutional Transformation Unit to guide the Reform Process;

General Recommendations

- i. The proposals contained in the Opening Statements by the Chairperson of the Commission, the Deputy Chairperson and the Chairperson of the PRC should be an integral part of the outcomes of the current Retreat.

III. CLOSING

14. At the end of deliberations, the co-Chairs, namely the Chairperson of the PRC and the Deputy Chairperson of the Commission thanked all participants for the valuable contributions to fruitful discussions, leading to important outcomes, the implementation of which will help to significantly improve the functioning of the Union. They also thanked the Government of the Arab Republic of Egypt for the arrangements made to facilitate the Cairo Retreats, and for the special attention given to the conduct of deliberations. Egypt, Nigeria and Senegal, who will represent Africa in the next Football World Cup, were commended for their respective performances, with the firm conviction that they would be a source of pride to the Continent.

15. The 6th Joint Retreat between the PRC and the Commission was declared closed.

2018-01-26

Draft Report of the Sixth Joint Retreat of the Permanent Representatives' Committee and of the African Union Commission on Working Methods, 11 - 12 December 2017, Cairo, Egypt

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