

**AFRICAN UNION**

**الاتحاد الأفريقي**



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**EXECUTIVE COUNCIL**

**Thirty-Seventh Ordinary Session**

**Videoconference**

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**Addis Ababa, Ethiopia**



## TABLE OF CONTENTS

N°	DECISIONS REF.	TITLES	NO OF PAGES
1.	EX.CL/Dec.1097(XXXVII)	DECISION ON THE REPORTS OF THE PERMANENT REPRESENTATIVES' COMMITTEE (PRC) SUB-COMMITTEES	13
2.	EX.CL/Dec.1098(XXXVII)	DECISION ON THE THEME OF THE YEAR 2021: <i>ARTS, CULTURE AND HERITAGE; LEVERS FOR BUILDING THE AFRICA WE WANT</i> - Doc.EX.CL/1231(XXXVII)	1
3.	EX.CL/Dec.1099(XXXVII)	DECISION ON THE DRAFT RULES OF PROCEDURES OF THE ASSEMBLY, EXECUTIVE COUNCIL, PERMANENT REPRESENTATIVES' COMMITTEE AND STATUTE OF THE COMMISSION - Doc.EX.CL/1232(XXXVII)	1
4.	EX.CL/Dec.1100(XXXVII)	DECISION ON THE REPORT OF THE AU HIGH REPRESENTATIVE FOR FINANCING THE UNION AND THE PEACE FUND ON THE REGIONAL CONSULTATIONS ON THE SCALE OF ASSESSMENT FOR MEMBER STATE CONTRIBUTIONS TO THE AU PEACE FUND - Doc.EX.CL/1233(XXXVII)	2
5.	EX.CL/Dec.1101(XXXVII)	DECISION ON THE REPORT OF THE JOINT SITTING OF THE MINISTERIAL COMMITTEE ON SCALE OF ASSESSMENT AND CONTRIBUTIONS AND COMMITTEE OF FIFTEEN MINISTERS OF FINANCE (F15) - Doc.EX.CL/1239 (XXXVII)	2
6.	EX.CL/Dec.1102(XXXVII)	DECISION ON THE REPORT OF THE MINISTERIAL COMMITTEE ON AFRICAN CANDIDATURES WITHIN THE INTERNATIONAL SYSTEM - Doc.EX.CL/1240(XXXVII)	6
7.	EX.CL/Dec.1103(XXXVII)	DECISION ON THE APPROVAL OF APPOINTMENT OF ONE (1) FEMALE MEMBER OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD FROM THE ARAB REPUBLIC OF EGYPT - Doc.EX.CL/1234(XXXVII)	1
8.	EX.CL/Dec.1104(XXXVII)	DECISION ON APPOINTMENT OF MEMBERS OF THE AU BOARD OF EXTERNAL AUDITORS - Doc.EX.CL/1235(XXXVII)	1

9.	EX.CL/Dec.1105(XXXVII)	DECISION ON THE ELECTION AND APPOINTMENT OF JUDGES OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS AND MEMBERS OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD - Doc. EX.CL/1236(XXXVII) AND EX.CL/1237(XXXVII)	1
10.	EX.CL/Dec.1106(XXXVII)	DECISION ON THE PROGRESS REPORT ON THE AFRICAN UNION RESPONSE ON COVID-19 PANDEMIC IN AFRICA - Doc. EX.CL/1238(XXXVII)	4



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

### The Executive Council:

1. **TAKES NOTE** of the PRC recommendations on the Reports of its Sub-Committees

- I. **THE JOINT SITTING OF THE SUB-COMMITTEE ON STRUCTURAL REFORMS AND THE SUB-COMMITTEE ON GENERAL SUPERVISION AND COORDINATION ON BUDGETARY, FINANCIAL AND ADMINISTRATIVE MATTERS ON THE TRANSITION PLAN AND FINANCING STRATEGY FOR THE NEW DEPARTMENTAL STRUCTURE OF THE AFRICAN UNION (AU)**

2. **RECALLS** EX.CL/Dec.1073(XXXVI) which recommended the new departmental structure of the AU Commission which also decided that:

- i The Commission and Member States shall finalize the Transition Plan and Financing Strategy by June 2020 for consideration by the 37th Ordinary Session of the Executive Council;
- ii The implementation of the new departmental structure shall be financed within existing resources and should come at no additional cost to Member States;
- iii The Commission shall complete the implementation of the new structure within three years from the date of adoption of the Transition Plan and Financing Strategy;
- iv A staff skills and competency audit shall be undertaken and shall be applied to regular and non-regular staff to determine whether they meet the requirements of the new structure;
- v The Commission with the oversight of the ten Recruitment Experts (R10) shall develop the job profiles and competency requirements for the new departmental structure of the Commission by June 2020; and undertake a staff skills audit and competency assessment. The Commission and R10 shall be assisted, if required, by an independent firm; and
- vi The Commission shall provide all technical, administrative, financial and logistic support to facilitate this process;
- vii The Commission should address the irregularities in the application of the existing AU Staff Regulations and Rules regarding the renewal of non-

regular staff contract beyond the permissible number of renewals, within the context of the Transition Plan and that the Chairperson of the Commission should report to the next Ordinary session of the Executive Council on progress on this matter.

3. **FURTHER RECALLS** Ext/EX.CL/Dec.1(XX) paragraph 36 and **REITERATES** that the current quota system applied to AUC regular staff should take into account the gender and youth quotas and be extended to short term, fixed term and special service staff and to all staff of the Organs, excluding general service staff and **DIRECTS** the AUC for its immediate implementation;
4. **REQUESTS** the Commission to ensure that all staff costs funded by Partners shall remain under the Program Budgets of the Union;
5. **DECIDES** to adopt Phase one (1) of the Transition Plan and financing strategy including Scenario one (1) of the separation scenarios. Further **DECIDES** to lift the moratorium on the recruitment of Director level posts within the AU Commission to enable the implementation of phase 1 of the transitional plan;
6. **DECIDES** that Phase two (2) and three (3) of the Transition Plan and Financing Strategy shall be considered at a later stage;
7. **REQUESTS** the Commission not to utilize any arrears to finance the new structure and **REITERATES** that the implementation of the new departmental structure shall be financed within existing resources and should come at no additional cost to Member States;
8. **REQUESTS** the PRC and the Commission and STC Justice and Legal Affairs to expedite the review of the Financial Rules and Regulations (FRR) and the Staff Regulations and Rules (SRR) for consideration and adoption by the relevant Policy Organs by December 2020 in order to enable the implementation of Phase 1 of the transition plan with a new legal framework in place;
9. **DECIDES** that the Staff Skills Audit and Competency Assessment shall be applied to all current AUC staff subject to Phase one (1);
10. **DIRECTS** the Commission, in collaboration with the R10, to develop the terms of reference for the skills audits and competency assessment that shall be implemented by an independent human resource HR firm in order to ensure credibility and transparency;
11. **APPROVES** the supplementary budget request of \$450,000 to be funded from African private sector funds for the implementation of the skills audit and competency assessment;

12. **DECIDES** that the proposed voluntary departure scheme shall be limited to staff with a regular contract;
13. **DECIDES** that competition for vacant posts shall be open to internal, and external applicants.

**II. THE JOINT SITTING OF THE SUB-COMMITTEE ON GENERAL SUPERVISION AND COORDINATION ON BUDGETARY, FINANCIAL AND ADMINISTRATIVE MATTERS, SUB-COMMITTEE ON PROGRAMS AND CONFERENCES AND THE TECHNICAL EXPERTS OF F15 - Doc: EX.CL/1229(XXXVII)**

**A. ON STAFF RETIREMENT STATUS AT THE AU COMMISSION**

14. **EXPRESSES** concern on the proposal to extend staff contracts beyond the retirement age as stipulated in the AU Staff Regulations and Rules;
15. **INSTRUCTS** the Commission to strictly apply the Staff Regulations and Rules as the provisions are clear and adequate;
16. **CALLS UPON** the Commission to extend employment contracts on case-by-case basis, in accordance with SRR;

**B. ON THE AU 2019 BUDGET EXECUTION REPORT**

17. **EXPRESSES** concern regarding the low execution rate of the AU 2019 Budget, especially the execution rate of programs and **NOTES WITH CONCERN** the inaccuracy of the justifications provided by the AUC that the low execution rate incurred due to the drastic reduction of the AU 2019 budget, the non-availability of resources and the moratorium imposed on the recruitment of Directors and short-term Staff;

**C. ON THE 2019 BUDGET TECHNICAL PERFORMANCE REPORT**

18. **DECIDES** to impose sanctions on Departments that have not submitted their 2019 execution reports and **REQUESTS** the AUC Chairperson to report on the implementation of this decision at the 38<sup>th</sup> Ordinary Session of the Executive Council;
19. **URGES** the Commission to sign performance contracts with staff so that staff are appraised against their performance; and **REITERATES** the need to put in place effective staff performance mechanisms to ensure that staff perform to high standards;
20. **CALLS UPON** the Commission to provide both technical and financial execution rate in one report for improved decision making;

21. **EMPHASIZES** the need to take into consideration the human resource capacity of each department when allocating resources during budget consideration.

**D. ON THE INTERNAL AUDIT REPORT OF THE 2019 BUDGET PERFORMANCE**

22. **REQUESTS** the Office of Internal Audit to also present budget performance audit reports of other AU Organs along with the audit report on AUC;
23. **ALSO REQUESTS** the Commission, through the SPPMERM directorate:
- i) to engage partners to fund AU priorities as set by the AU policy organs;
  - ii) to conduct research to establish the main reasons as to why some partners are not remitting the funds to AUC as pledged and report back to the PRC;
24. **REITERATES** that no activity shall be included in the approved budget without secured funding;
25. **CALLS FOR** accountability for any financial loss of **\$283,841.89** incurred in judgment ref no. AUAT/2019/001 dated 10 September 2019, as ruled by the Administrative Tribunal and the liable persons to be held responsible for the loss and **DIRECTS** the AUC Chairperson to prepare a detailed report on the outcomes of the Administrative Tribunal on the judgment ref no. AUAT/2019/001 and other cases and report back to the Executive Council at its 38<sup>th</sup> Ordinary session through the relevant organs of the AU;
26. **REQUESTS** the AHRMD to continuously advise the AUC Chairperson on matters of appointment, which clearly spells out the implication for any appointment decision taken; and **ALSO REQUESTS** the Office of Legal Counsel to always provide legal advice in line with AU Staff Regulations and Rules on any appointment decision made on exceptional basis by the Chairperson of AUC or any competent authority of any other AU Organs.
27. **URGES** the Commission to include in the Staff Regulations and Rules provisions to allow for the prerogative of the Chairperson in the appointment of staff;
28. **DIRECTS** the Commission to obtain written commitment from Partners regarding funding of programs, prior to consideration and approval of annual budgets by the relevant AU Policy Organs;

**E. ON SHORT TERM STAFF FUNDED BY PARTNERS**

29. **DIRECTS** the Commission to use the resources provided by Partners prudently, strictly in accordance with partners agreements to avoid using Member States funds to pay salaries for staff funded by partners;



30. **REQUESTS** the Commission, through the Legal Counsel, to develop a template for staff contracts under Partners' funding, which should incorporate a clause to avoid legal challenges when funds are not available or upon phasing out of the project;
31. **ENCOURAGES** the AU Commission to engage partners with long term funding on technical assistance arrangement instead of requesting for direct funding to lessen stress on the AU Organs;

#### F. ON THE R10 PROGRESS REPORT

32. **NOTES WITH CONCERN** the challenges encountered by the R10 and in this regard **DIRECTS** the Commission to render the requisite support to the R10 so that the committee is able to effectively execute its mandate within the set time frame.;
33. **REQUESTS** the R10, to present a detailed report at the 38<sup>th</sup> Ordinary Session of the Executive Council, that includes a matrix of activities, both achieved and pending, indicating the responsible Organ at each phase with a clear timeline including the exit strategy.
34. **RECALLS** Executive Council Decision EX.CL/Dec. 1073 (XXXVI) which *"APPROVES the extension of the R10 mandate from March to September 2020, including to provide recommendations aimed at addressing the imbalance in the representation of Member States, in accordance with the quota system"* and **DECIDES** to extend the period of assignment of the R10 experts up to February 2021.
35. **RECALLS** Decision Assembly/AU/Dec.388 (XVII), and Decision Assembly/AU/Dec.794(XXXIII) and; **DIRECTS** the Commission to implement these decisions, on the incorporation of the use of the Spanish language among other AU working languages in the new recruitment system.

#### G. ON RECRUITMENTS FOR 2019 AND 2020

36. **DIRECTS** the R10 to evaluate the 2019 and 2020 appointments made and submit a report to the PRC by February 2021 through its relevant Sub-Committees;
37. **EXPRESSES** concern over the roster system which hinders new skills and competencies in the organization and **DECIDES** to abolish the roster system;
38. **REQUESTS** the Commission in consultation with the R10 to review the quota system and present a proposal to the Executive Council by February 2021 and **DECIDES** that the quota system shall be applied to both regular and non-regular



staff and across the Union; African Union Youth Volunteer Program, Africa CDC Youth Fellows and scholarships of the Pan-African University students.

39. **RECALLS** Executive Council Decision EX.CL/Dec.1073 (XXXVI) paragraph 34 that *“**URGES** the Commission to work with the support of the R10, to correct, as a matter of priority, the glaring imbalance in the representation of Member States, in accordance with the quota system and the principle of equitable geographical representation within the African Union, and report regularly to the PRC on progress made”*; and **DIRECTS** that the quota system issue shall be a permanent agenda of the PRC and its relevant Sub-Committees;
40. **REQUESTS** the Commission to organize training sessions for the focal points in the permanent missions on the requirements of AU recruitment;

#### H. DECISION ON THE 2021 AFRICAN UNION BUDGET

41. **TAKES NOTE** of the Reports of the PRC and Joint Sitting its Sub-Committee on General Supervision and Coordination on Budgetary, Financial and Administrative Matters, Sub-Committee of Programs and Conferences and the F15's Committee of Experts;
42. **DECIDES** that the 2021 budget shall be an austerity budget and that a midterm review mechanism be instituted in September of each year to address emerging issues;
43. **URGES** the Commission to rationalize all activities requiring consultancies and prioritize the recourse to consultancies on a need by need basis and as per the AU priorities;
44. **RECALLS** paragraph 42 of its decision EX.CL/Dec.1073 (XXXVI) and **DECIDES** to channel all capacity building activities of the AU to the ACBF, with the exception of the AU-IBAR, AFREC, Infrastructure and Energy and AUDA-NEPAD
45. **DIRECTS** the AUC and all AU Organs to make use of virtual meetings instead of physical meetings, with a view to make savings on travel costs.
46. **APPROVES** a total budget of **US\$636,075,986** for the AU for the year 2021 of which **US\$203,500,000** is to be assessed on Member States (**32%**), **US\$8,500,000** from the Administrative Cost (**1%**); **US\$418,434,167** from Partners (**66%**), and **US\$5,641,820** from the Maintenance Fund (**1%**). This is further broken down as follows:
- a. Regular budget of **US\$371,337,325** broken down as follows:
- i. Operating budget of **US\$172,089,820** to be funded as follows:
- **US\$161,000,000 (93%)** assessed on Member States;

- **US\$8,500,000 (5%)** from Administrative Cost and
- **US\$2,589,820 (2%)** from the Maintenance Fund;

ii. Programme Budget of **US\$199,247,506** to be financed as follows:

- **US\$42,500,000 (21%)** assessed on Member States;
- **US\$3,052,000 (2%)** from the Maintenance Fund; and
- **US\$153,695,506 (77%)** to be solicited from international partners;

b. Peace Support Operations with a total budget of **US\$264,738,661** to be fully solicited from international partners;

AU 2021 BUDGET											
	MEMBER STATES							PARTNERS	TOTAL 2021		
Organs	Member States			Maintenance Fund			Administrative Cost				
	Operating Budget	Programs Budget	Total Assessment	Operating Budget	Program Budget	Sub- Total	Operating Budget	Programs Budget	Operating Budget	Programs Budget	Total
AUC	84,175,219	11,462,795	95,638,014	1,896,029	3,052,000	4,948,029	8,500,000	107,060,756	94,571,248	121,575,551	216,146,799
PAP	10,609,167	665,283	11,274,450	63,720		63,720		549,528	10,672,887	1,214,811	11,887,698
AfCHR (The Court)	7,582,936	3,185,471	10,768,407	45,000		45,000		1,146,205	7,627,936	4,331,676	11,959,612
ACHPR (The Commission)	3,723,309	402,548	4,125,857	9,000		9,000		-	3,732,309	402,548	4,134,857
ECOSSOC	1,533,063	1,099,610	2,632,673	18,750		18,750		-	1,551,813	1,099,610	2,651,423
AUDA-NEPAD	9,805,810	5,000,000	14,805,810	235,873		235,873		19,123,828	10,041,683	24,123,828	34,165,511
AUCIL	247,900	134,935	382,835	-		-		-	247,900	134,935	382,835
Advisory Board on Corruption	1,353,347	432,676	1,786,023	14,500		14,500			1,367,847	432,676	1,800,523
Peace & Security Council	-	361,142	361,142					-	-	361,142	361,142
ACERWC	1,014,080	284,588	1,298,668	13,000		13,000		-	1,027,080	284,588	1,311,668
SPECIALIZED OFFICES											
AFREC	966,719	671,163	1,637,882	9,000		9,000		-	975,719	671,163	1,646,882
IPED	552,807	-	552,807	8,000		8,000		-	560,807	-	560,807
CIEFFA	717,776	-	717,776	19,700		19,700		-	737,476	-	737,476
PAU	2,570,537	11,179,580	13,750,117	71,650		71,650		3,266,167	2,642,187	14,445,747	17,087,934
AIR	748,459	-	748,459	3,810		3,810		497,332	752,269	497,332	1,249,601
ACDC	4,203,868	3,500,000	7,703,868			-		12,111,376	4,203,868	15,611,376	19,815,244

AOSTI	650,296	-	650,296	16,408		16,408		-	666,704	-	666,704
AFRIPOL	790,120	-	790,120	40,000		40,000		-	830,120	-	830,120
APRM	5,531,211	2,500,000	8,031,211	33,654		33,654		3,517,089	5,564,865	6,017,089	11,581,954
SPORT COUNCIL	966,635	-	966,635	11,025		11,025		-	977,660	-	977,660
ASRIC	117,547	-	117,547			-		-	117,547	-	117,547
AUC - Transition Plan	10,026,232	-	10,026,232			-		-	10,026,232	-	10,026,232
AfCFTA Secretariat	5,590,272	570,000	6,160,272	15,000		15,000		3,320,000	5,605,272	3,890,000	9,495,272
PANSTAT	715,799	296,380	1,012,179					-	715,799	296,380	1,012,179
STATAFRIC	1,426,914		1,426,914	7,000		7,000		969,197	1,433,914	969,197	2,403,111
Hybrid Court for South Sudan (HCSS)			-	-		-		925,000	-	925,000	925,000
Observatory - Mali	1,232,553	222,332	1,454,885	15,000		15,000			1,247,553	222,332	1,469,885
Observatory - Morocco	1,682,822	329,916	2,012,738	15,000		15,000		-	1,697,822	329,916	2,027,738
Observatory - Khartoum	1,234,758	201,581	1,436,339	15,000		15,000		-	1,249,758	201,581	1,451,339
PCRD	1,229,845	-	1,229,845	13,700		13,700		-	1,243,545	-	1,243,545
ACBF	-	-	-	-		-		1,209,027	-	1,209,027	1,209,027
<b>TOTAL before PSOs</b>	<b>161,000,000</b>	<b>42,500,000</b>	<b>203,500,000</b>	<b>2,589,820</b>	<b>3,052,000</b>	<b>5,641,820</b>	<b>8,500,000</b>	<b>153,695,505</b>	<b>172,089,820</b>	<b>199,247,505</b>	<b>371,337,325</b>
PEACE OPERATIONS											
AMISOM						-		244,518,273	-	244,518,273	244,518,273
HRMOM in Burundi						-		5,590,000	-	5,590,000	5,590,000
MNJTf of the Lake Chad Basin Commission						-		10,539,561	-	10,539,561	10,539,561
MILOBs and HROs in Central African Republic						-		4,090,827	-	4,090,827	4,090,827
<b>Total Peace Support</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>264,738,661</b>	<b>-</b>	<b>264,738,661</b>	<b>264,738,661</b>
<b>TOTAL</b>	<b>161,000,000</b>	<b>42,500,000</b>	<b>203,500,000</b>	<b>2,589,820</b>	<b>3,052,000</b>	<b>5,641,820</b>	<b>8,500,000</b>	<b>418,434,166</b>	<b>172,089,820</b>	<b>463,986,166</b>	<b>636,075,986</b>

47. **TAKES NOTE** of the budget breakdown by expense category and by Organs/ Specialized Office as follows;

AU 2021 BUDGET BY EXPENSE CATEGORY AND BY OFFICE						
Organ/ Office	OPERATIONAL BUDGET				PROGRAM	TOTAL
	Staff Cost	Operating Costs	Capital Costs	Sub Total	BUDGET	BUDGET
AUC	79,669,471	14,901,777	-	94,571,248	121,575,551	216,146,799
PAP	8,655,174	2,017,714	-	10,672,887	1,214,811	11,887,698
AfCHR (The Court)	6,936,745	691,191	-	7,627,936	4,331,676	11,959,612

ACHPR (The Commission)	3,010,309	722,000	-	3,732,309	402,548	4,134,857
ECOSSOC	1,442,552	109,261	-	1,551,813	1,099,610	2,651,423
NEPAD	8,930,442	1,111,241	-	10,041,683	24,123,828	34,165,511
AUCIL	-	247,900	-	247,900	134,935	382,835
Advisory Board on Corruption	937,022	430,825	-	1,367,847	432,676	1,800,523
Peace Security Council	-	-	-	-	361,142	361,142
ACERWC	775,160	200,420	51,500	1,027,080	284,588	1,311,668
AFREC	891,988	83,731	-	975,719	671,163	1,646,882
IPED	541,307	19,500	-	560,807	-	560,807
CIEFFA	592,290	145,186	-	737,476	-	737,476
PAU	2,198,375	443,813	-	2,642,187	14,445,747	17,087,934
AIR	731,259	21,010	-	752,269	497,332	1,249,601
ACDC	4,091,983	111,884	-	4,203,868	15,611,376	19,815,244
AOSTI	563,395	103,309	-	666,704	-	666,704
AFRIPOL	699,883	130,237	-	830,120	-	830,120
APRM	5,231,671	333,194	-	5,564,866	6,017,089	11,581,954
SPORT COUNCIL	896,205	81,455	-	977,660	-	977,660
ASRIC	-	117,547	-	117,547	-	117,547
AUC Transition Plan	10,026,231	-	-	10,026,231	-	10,026,232
AfCFTA Secretariat	5,212,772	317,500	75,000	5,605,272	3,890,000	9,495,272
PANSTAT	677,299	38,500	-	715,799	296,380	1,012,179
STATAFRIC	1,360,985	72,929	-	1,433,914	969,197	2,403,111
Hybrid Court for S. Sudan	-	-	-	-	925,000	925,000
Observatory - Mali	1,152,746	77,807	17,000	1,247,553	222,332	1,469,885
Observatory - Morocco	1,602,414	78,407	17,000	1,697,821	329,916	2,027,738
Observatory - Khartoum	1,152,846	79,912	17,000	1,249,758	201,581	1,451,339
PCRD	1,163,845	62,700	17,000	1,243,545	-	1,243,545
ACBF	-	-	-	-	1,209,027	1,209,027
AMISOM	-	-	-	-	244,518,273	244,518,273
HRMOM in Burundi	-	-	-	-	5,590,000	5,590,000
MNJTF	-	-	-	-	10,539,561	10,539,561
MILOBs & HROs - CAR	-	-	-	-	4,090,827	4,090,827
<b>TOTAL BUDGET</b>	<b>149,144,369</b>	<b>22,750,950</b>	<b>194,500</b>	<b>172,089,819</b>	<b>463,986,166</b>	<b>636,075,986</b>

48. **ALSO TAKES NOTE** of the budget split in the following manner;

Budget Type	Amount
Program Budget	
Main Budget	163,324,292
Pass through Funds	30,427,684

Technical Assistance	5,495,529
Operational Budget	172,089,820
Peace and Support Operations	264,738,661
<b>Total Budget</b>	<b>636,075,986</b>

49. **PROVISIONALLY APPROVES** a list of activities under GAP amounting to **\$20,297,433** for the Union which is part of the approved 2021 program budget and **DIRECTS** the Commission to solicit additional funds to 30 November 2020 and report back to the PRC on the outcome of the negotiations with partners not later than 14 December 2020;
50. **APPROVES** that Pass-through Funds will remain part of the total Budget of the Union but will be excluded from the budget ceilings; and **DECIDES** that for the year 2021, the Pass-through funds shall be **\$30,427,684**;
51. **REITERATES** that activities financed by partners shall be in the interest of the Member States and shall be vetted by the policy organs before their inclusion in the budget;
52. **COGNIZANT** of the fact that the AUDA-NEPAD is the technical body of the AU, which serves as the continent's technical interface with all Africa's development stakeholders and development partners, **DIRECTS** that the Commission shall be playing the political role while technical and implementation of projects roles should be done by AUDA NEPAD;
53. **URGES** the Commission to work with the R10 on planning the recruitment for the vacant posts budgeted for 2021;
54. **NOTES WITH CONCERN** the absence of a legal framework governing the management of entitlements and rent of official residences of Special Representatives of the Chairperson, Political and Special Appointees; **DIRECTS** the Commission to prepare a Policy Guideline specifying entitlements and threshold for consideration by the Executive Council by February 2021;
55. **DECIDES** to put a moratorium on the establishment of new offices or organs;
56. **TAKES NOTE** of the increased burden on Member States due to the application of the new scale of assessment for year 2020-2022 and **DECIDES** that the Member States assessment for year 2022 shall not exceed **US\$250,000,000**;
57. **DECIDES** to allow the **African Commission on Human and People's Rights** to undertake the recruitment of its critical staff with the assistance of the R10 experts in line with AU Staff Regulations and Rules;
58. **REQUESTS** AU Commission to continue with the recruitment of head of security and safety in line with AU recruitment procedures;

# I. DECISION ON THE 2020 AFRICAN UNION SUPPLEMENTARY BUDGET

59. **APPROVES** total supplementary budget request of **US\$14,445,706** for the year 2020 of which **US\$5,850,706** is for Operational budget while **US\$8,595,000** is for Programmes, with the below breakdown on funding sources;

- i. **\$5,850,706** to be funded from the Reserves Funds
- ii. **\$8,595,000** to be funded from international partners

	Reserves			Partners	Total		
	Operational	Programs	Total	Programs	Operational	Programs	Total
AUC	1,427,014		1,427,014		1,427,014	0	1,427,014
AUDA-NEPAD	1,666,808		1,666,808	4,050,000	1,666,808	4,050,000	5,716,808
AfCFTA	2,756,884		2,756,884	2,545,000	2,756,884	2,545,000	5,301,884
AMISOM			0	2,000,000	0	2,000,000	2,000,000
<b>TOTAL</b>	<b>5,850,706</b>	<b>0</b>	<b>5,850,706</b>	<b>8,595,000</b>	<b>5,850,706</b>	<b>8,595,000</b>	<b>14,445,706</b>

60. **TAKES NOTES** of the following activities/ projects approved as supplementary budget \$14,445,706;

**a. AUDA-NEPAD amounting to \$5,716,808**

- i. **\$1 666 808** as operational budget costs for AUDA-NEPAD
- ii. **\$1,700,000** as program budget for AUDA-NEPAD for funds provided by Bill and Melinda Gates Foundation.
- iii. **\$2,350,000** as support to MSME's initiative to be financed by International Partners such as World Bank.

**b. AUC amounting to \$1,427,014**

- i. **\$1,172,315** as settlement of outstanding salary dues owed to Former ARI staff: Congo, Brazzaville, Senegal and Zimbabwe
- ii. **\$254,699** as preferential Exchange Rate payments for Brussels and Geneva Representative Offices

**c. AfCFTA amounting to \$5,301,884**

- i. **\$2,756,884** as support towards the operationalization of the AfCFTA secretariat in meeting the office running costs.
- ii. **\$2,545,000** for implementation of programs of which funds will be provided by the Afrexim Bank and AfDB

**d. AMISOM amounting to \$2,000,000**

- i. **\$2,000,000** for the purchase of APC's for the troops in Mogadishu.



61. **ALSO APPROVES** supplementary budget of **\$16,610,180** to be funded from reallocation from internal-savings as follows:

Organ	Operational	Programs	Total
AUC			
AU counterpart contribution to the EU funded activities	-	4,423,588	4,423,588
Human Rights Observers in DRC and South Sudan	190,407	-	190,407
IPED	130,311	-	130,311
APRM	-	6,972,449	6,972,449
PSO's			
Central African Republic	-	4,441,816	4,441,816
GAO Level -II hospital	-	451,609	451,609
<b>Total</b>	<b>320,718</b>	<b>16,289,462</b>	<b>16,610,180</b>

62. **TAKES NOTE** the details on the supplementary budget to be funded from internal re-allocations as follows;

- AU counterpart contribution to the EU funded activities at 15% of the budget for **\$4,423,588** for 2019 and 2020 budget.
- Payment of salary arrears for 6 months January to June 2020 for the Human Rights Observers deployed in DRC and South Sudan for **\$190,407**
- Payment of arrears and dues to former staff of the IPED office for **\$130,311**
- Office running costs for the APRM and to settle staff costs for \$6,972,449
- The implementation of the Peace Agreement in the Central African Republic (PSO from 1 Sept to 31 Dec 2020) for **\$4,441,816**
- Procurement of drugs and consumables for GAO Level -II hospital - **\$451,609**

63. **ALSO TAKES NOTE** of the authorization by the PRC, the virements approved by the AUC chairperson amounting to **\$7,987,099.38** (5% of total operational budget, excluding Peace Support operations) in line with Article 17 of the AU Financial Rules and Regulations; **ALSO TAKES NOTE** the approval by the PRC virements requests amounting to **\$979,578**.

64. **APPROVES** the supplementary budget ceiling of **\$100**million towards Covid-19 response by Africa CDC to be funded from international partners;

65. **APPROVES** the supplementary budget request of APRM to be funded from internal savings and a virement from the Programme to the Operational Budget;

66. **URGES** the APRM to ensure the budgets always take into account staff-related costs in order to avoid supplementary budgets;



67. **REQUESTS** the APRM and AUDA-NEPAD to report to the PRC on the efforts made to collect arrears from members of APRM and NEPAD;
68. **RECALLS** Decision EX.CL/Dec.1073 (XXXVI) paragraph 26 “REQUESTS the Commission through the Office of the Internal Audit to carry out a thorough review of all outstanding arrears and debts owed by AUDA-NEPAD and APRM and to report to the Executive Council through the PRC in February, 2021;
69. **INSTRUCTS** that funds and arrears received from state parties of the APRM and AUDA-NEPAD should be approved by the AU policy organs before their utilization.
70. **ALSO RECALLS** Decision EX.CL/Dec.1074(XXXVI) of the Executive Council and provisionally approves phase I of the AfCFTA secretariat structure and **TAKES NOTE** of the 10 staff being seconded from the Commission to the AfCFTA Secretariat for a period of 6 (six) months from November 2020 pending the recruitment of regular essential staff for the AfCFTA secretariat.
71. **REAFFIRMS** Decision EX.CL/Dec.1073 (XXXVI) which directed the Commission to discontinue application of Preferential Exchange Rates for both the Geneva and Brussels Offices effective from 1 March 2020; and **APPROVES** Preferential Exchange Rate payments for Brussels and Geneva Offices for January to February 2020 for a total of **\$254,699**;
72. **TAKES NOTE** of the reallocations approved by the Chairperson of the AU Commission that are within the prerogative given to the Chairperson in accordance with the FRR; and **ENDORSES** the approval of the reallocations;
73. **DECIDES** that requests for supplementary budget shall only be submitted once the AUC has exhausted all opportunities for internal reallocations and that such requests will be for unforeseen expenditures, in line with the AU FRR and AU Golden Rules
74. **DECIDES** all requests for use of Reserve Fund shall be accompanied by status report of the Reserves Fund and **DIRECTS** the Commission to present both supplementary and virements in one document;
75. **DIRECTS** the AU Commission, while introducing supplementary budget requests, to consider the program budget as one unit to enable reallocation among the departments of the Commission and the other AU Organs.

**DECISION ON THE THEME OF THE YEAR 2021: ARTS, CULTURE AND  
HERITAGE; *LEVERS FOR BUILDING THE AFRICA WE WANT***  
**Doc.EX.CL/1231(XXXVII)**

**The Executive Council,**

1. **TAKES NOTE** of the draft Concept Note on the theme of the year for 2021 on Arts, Culture and Heritage as endorsed by the 33<sup>rd</sup> AU Assembly held in Addis Ababa, in February 2020, Assembly/AU/ Dec.772 (XXXIII);
2. **WELCOMES WITH APPRECIATION** the inclusion of issues related to health and the socio-economic impact of the COVID-19 pandemic in the proposed theme of the year for 2021 as well as in the draft concept note, since the continent is still grappling with the effects of the pandemic;
3. **APPROVES** the following theme for the year 2021 “***Arts, Culture and Heritage: Levers for Building the Africa we Want***”;
4. **TAKES NOTE** of the roadmap and activities and **DIRECTS** the Commission to prepare their financial implications and present to the 38th ordinary session Executive Council;
5. **CALLS UPON** all AU Member States, Regional Economic Communities (RECs), AU Organs and Pan-African Cultural Institutions to work in collaboration with the African Union Commission, the AU Champion and the Council of Peers on Arts, Culture and Heritage in organizing programmes and events on the theme of the year.



**DECISION ON THE DRAFT RULES OF PROCEDURES OF THE ASSEMBLY,  
EXECUTIVE COUNCIL, PERMANENT REPRESENTATIVES' COMMITTEE AND  
STATUTE OF THE COMMISSION  
Doc.EX.CL/1232(XXXVII)**

**The Executive Council,**

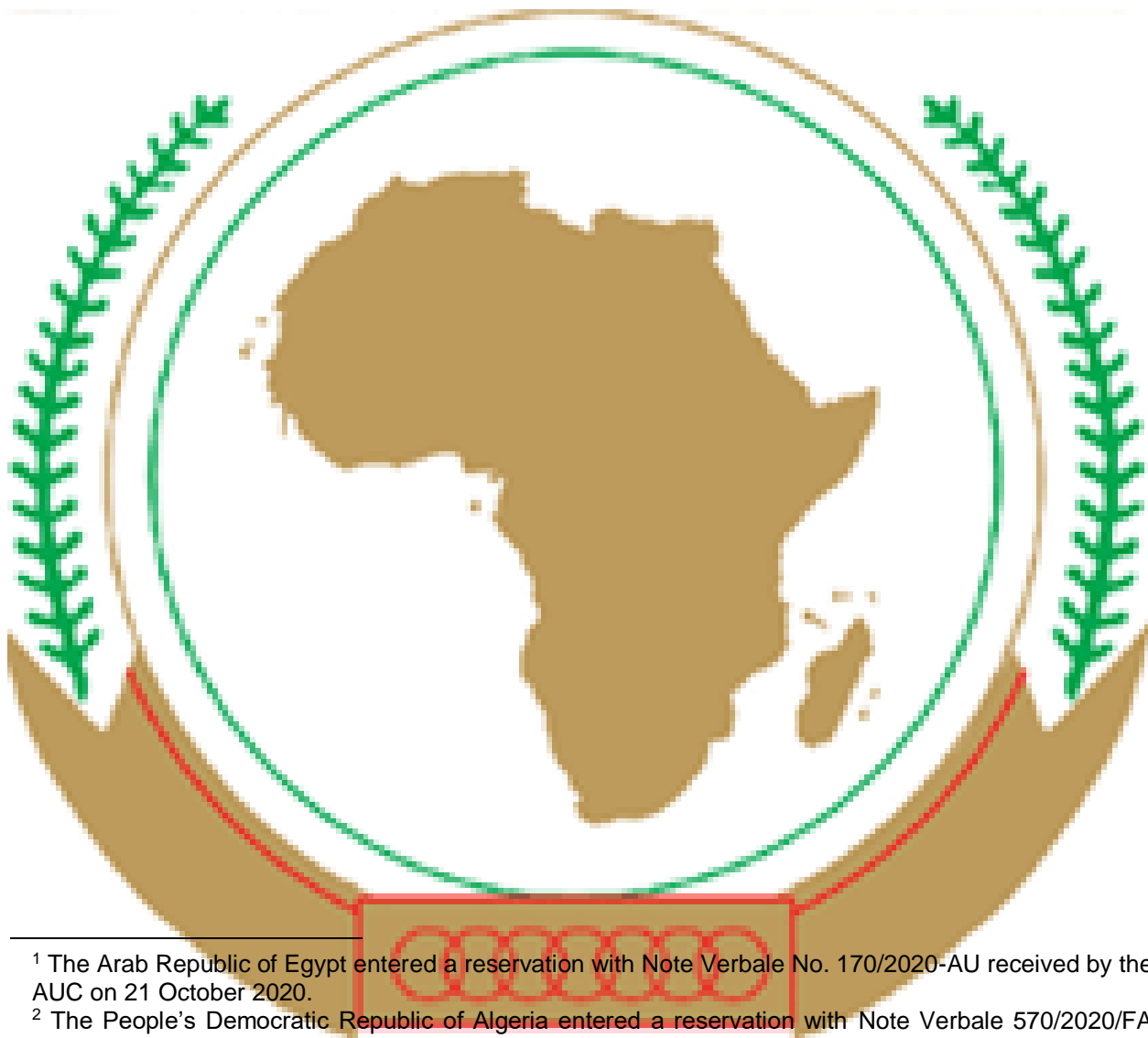
1. **RECALLS** Decision Assembly/AU/Dec.759(XXXIII) of February 2020, wherein the Assembly took note of the recommendations of the Executive Council on the alignment of the Rules of Procedures of the Assembly, Executive Council, Permanent Representatives' Committee and the Statute of the Commission;
2. **ALSO RECALLS** that the Assembly delegated the Executive Council, its authority to consider and provisionally adopt the said legal instruments at its 37<sup>th</sup> Ordinary Session in June/July 2020;
3. **ADOPTS** the following Legal Instruments:
  - i. Rules of Procedures of the Executive Council; and
  - ii. Rules of Procedures of the Permanent Representatives' Committee
4. **PROVISIONALLY ADOPTS** the following Legal Instruments:
  - i. Rules of Procedures of the Assembly; and
  - ii. Statute of the Commission.
5. **REQUESTS** the Commission to ensure implementation of the legal instruments as adopted and **RECOMMENDS** the Rules of Procedures of the Assembly and the Statute of the Commission to the Thirty-fourth Ordinary Session of the Assembly *for its consideration and final adoption.*

**DECISION ON THE REPORT OF THE AU HIGH REPRESENTATIVE FOR  
FINANCING THE UNION AND THE PEACE FUND ON THE REGIONAL  
CONSULTATIONS ON THE SCALE OF ASSESSMENT FOR MEMBER STATE  
CONTRIBUTIONS TO THE AU PEACE FUND  
Doc.EX.CL/1233(XXXVII)**

**The Executive Council,**

1. **RECALLS** Assembly Decision Assembly/AU/Dec.734 (XXXII) requesting the AU High Representative for Financing the Union and the Peace Fund, supported by the Commission, to undertake regional consultations on the matter of assessing the Peace Fund and report back to the Executive Council in Niamey, Niger, in June 2019.
2. **FURTHER RECALLS** the July 2019 Progress Report of the AU High Representative for Financing the Union and the Peace Fund on the Outcome of the Regional Consultations on the Matter of Assessing the AU Peace Fund.
3. **RECALLS** Executive Council Decision EX.CL/Dec.1089 (XXXVI) requesting the AU High Representative to conclude the regional consultations and report back to the Executive Council in July 2020.
4. **TAKES NOTE** of the September 2020 Report of the AU High Representative on Regional Consultations for Member State contributions to the AU Peace Fund and the outcome of the regional consultations with the five (5) AU Regions on the assessment of the matter of assessing the AU Peace Fund as follows:
  - a. Four (4) AU regions are in favour of using the general scale of assessment for the regular budget for Member State contributions to the Peace Fund. These are the Central, Eastern, Southern and Western regions; and
  - b. One (1) region, the North, is not in favour of the use of the general scale of assessment and wishes to use the regional scale originally proposed in Assembly Decision 605 (July 2016) and has proposed a regional formula for how to distribute the burden across all AU regions as follows: (i) the Central Africa region to contribute 10% and all other regions to contribute 22.5%; and (ii) the general scale of assessment for the regular budget shall be applied within each region to determine each Member States' specific contribution to the Peace Fund.
5. **DECIDES** to endorse the report and recommendation of the AU High Representative to continue to use the scale of assessment for the regular budget to assess Member State contributions to the AU Peace Fund in line with the general consensus.

6. **TAKES NOTE** of the reservation placed by the following Countries: Arab Republic of Egypt<sup>1</sup>, the People's Democratic Republic of Algeria<sup>2</sup>, the Republic of Tunisia<sup>3</sup>, Islamic Republic of Mauritania<sup>4</sup>, the Sahrawi Arab Democratic Republic<sup>5</sup> and the State of Libya<sup>6</sup>.



<sup>1</sup> The Arab Republic of Egypt entered a reservation with Note Verbale No. 170/2020-AU received by the AUC on 21 October 2020.

<sup>2</sup> The People's Democratic Republic of Algeria entered a reservation with Note Verbale 570/2020/FA received by the AUC on 29 October 2020.

<sup>3</sup> The Republic of Tunisia entered a reservation with Note Verbale No. CUA/60/2020 received by the AUC on 26 October 2020

<sup>4</sup> The Islamic Republic of Mauritania entered a reservation with Note Verbale No. 223 AM/AA/20 received by the AUC on 28 October 2020

<sup>5</sup> The Sahrawi Arab Democratic Republic entered a reservation with Note Verbale SRE/178L/20 received by the AUC on 30 October 2020.

<sup>6</sup> The State of Libya entered a reservation with Note Verbale 194.2020 received by the AUC on 30 October 2020.

**DECISION ON THE REPORT OF THE JOINT SITTING OF THE MINISTERIAL  
COMMITTEE ON SCALE OF ASSESSMENT AND CONTRIBUTIONS AND  
COMMITTEE OF FIFTEEN MINISTERS OF FINANCE (F15)  
Doc.EX.CL/1239 (XXXVII)**

**The Executive Council,**

1. **TAKES NOTE** of the Report of the Joint Sitting of the Ministerial Committee on Scale of Assessment and Contributions and the Committee of Fifteen Ministers of Finance (F15);
2. **COMMENDS** Member States for contributing 59% of the funds assessed to them in 2020 towards the Union regular budget and 32% towards the Peace Fund endowment despite challenges they are faced with as a result of COVID-19 pandemic;
3. **ALSO COMMENDS** Member States that are up-to-date in the payment of their contributions, including those that have made advance payments towards the 2021 budget, and **URGES** Member States that have not yet done so to pay their assessed contributions in fulfilment of their financial obligations to the Union;
4. **RECALLS** Decision **Assembly/AU/Dec.752(XXXIII)** of February 2020 in Addis Ababa, in which the Assembly **DECIDED** to impose sanctions on Member States, in line with paragraph 3(c) of the November 2018 Assembly Decision Ext/Assembly/AU/Dec.3(XI);
5. **DECIDES** to lift the sanctions previously imposed on the Republic of South Sudan as well as the Republic of Liberia
6. **FURTHER DECIDES** to impose sanctions as follows:
  - a) **Cautionary sanction** on Nigeria, Equatorial Guinea, Mozambique, Benin, Mauritania, Central African Republic, Djibouti, Gambia, Comoros, Tunisia, Cape Verde, Cameroon, Niger and Senegal
  - b) **Intermediate sanction** on Tanzania and Eswatini.
  - c) **Comprehensive sanction** on Guinea Bissau and Sao Tome & Principe.
7. **RECALLING** Decision **EX.CL/Dec.1071(XXXV)** of the Thirty-Fifth Session held in Niamey in 2019 in which the Executive Council decided to, taking into account the security and political situation, withhold the imposition of sanctions on Somalia and Libya, and in this regard, requested the Commission to consult with the two countries to agree on a repayment plan to clear the arrears as soon possible, within four (4) years from the adoption of the Decision; **REQUESTS** the Commission to expeditiously finalize consultations with Somalia, and Libya report back to the Executive Council in February 2021;



8. **FURTHER RECALLING** Decision **Assembly/AU/Dec752(XXXIII)** of the Thirty-Third Ordinary Session of the Assembly in Addis Ababa in which the Assembly took note of the requests from Saharawi Arab Democratic Republic, Seychelles and Burundi, acknowledged the challenges faced by these Member States in meeting their annual contributions to the Union and requested the Commission to engage with Member States facing difficulties paying their contributions to the Union and those in arrears for two (2) or more years in order to agree on the payment plan for clearing the arrears, and report back to the Executive Council in February 2021, **TAKES NOTE** of additional request by the Republic of Seychelles and **REQUESTS** the Commission to accordingly expedite engagements with Seychelles, Burundi and Sudan in order to agree on the payment plans for clearing the arrears and report back to the Executive Council in February 2021;
9. **CONGRATULATES** The Republic of Burundi for clearing its arrears and the Saharawi Arab Democratic Republic for fully paying its contribution to the AU budgets despite declaring force majeure circumstances that make it difficult to honor its financial commitments to the Union.
10. **DECIDES** that, Member States in unique circumstances should at least settle fifty percent (50%) of their arrears in year 2020 to ensure that the Commission continues to function. The balances thereof should be paid subsequently in line with the agreed respective payment plans;
11. **REITERATES** that, in accordance with Decision Ext/Assembly/AU/Dec.3(XI) of November 2018, Member States experiencing force majeure circumstances making them temporarily unable to pay their assessed contributions, shall notify the Assembly for consideration;
12. **DECIDES** that, in order to give Policy Organs a full picture of the resources made available to the Union, the Commission should in addition to the report on status of Member States contribution, submit a report on status on contributions by Partners and revenue generated from investment activities and other sources for consideration by the Joint Sitting of the Ministerial Committee on Scale of Assessment and Contributions and Committee of Fifteen Ministers of Finance (F15);
13. **TAKES NOTE** of the report of the Commission regarding the progress on the attainment of the targets set in Decision **Assembly/AU/Dec.578(XXV)** which endorsed the recommendations of the Ad-Hoc Ministerial Committee that the new scale of assessment shall be based on achieving 100% of the Union's Operational budget; 75% of Union's Program budget; and 25% of Union's Peace support operations budget, and **REQUESTS** the Ministerial Committee on Scale of Assessment and Contributions Sitting Jointly with the Committee of Fifteen Ministers of Finance (F15) to revisit the targets and provide recommendations at the next Ordinary Session of the Executive Council in February 2021.



**DECISION ON THE REPORT OF THE MINISTERIAL COMMITTEE ON  
AFRICAN CANDIDATURES WITHIN THE INTERNATIONAL SYSTEM  
Doc.EX.CL/1240(XXXVII)**

**THE EXECUTIVE COUNCIL,**

**A. TAKES NOTE** of the Report of the Ministerial Committee on African Candidatures within the International System;

**B. ENDORSES:**

**(1) For election as Member of the Committee on the Elimination of Discrimination Against Women (CEDAW) for the period 2021-2024, during the election scheduled for 29 June 2020 in New York, USA, the candidatures of:**

- **Mrs. Vera Nkwate Ngassa**, of the Republic of Cameroon.
- **Mrs. Soyata Maiga**, of the Republic of Mali.
- **Ms. Esther Eghobamien Mshelia**, of the Federal Republic of Nigeria.

These candidatures are endorsed in addition to those of **Ms. Hilary Amesika Gbedeman** of the Republic of Ghana and **Mme Aicha Vall Verges** of the Islamic Republic of Mauritania endorsed during the 36<sup>th</sup> Ordinary Session of the Executive Council.

**(2) For election to the post of Judge at the International Criminal Court (ICC) for the period 2021-2030, during the election scheduled for December 2020 during the Assembly of State Parties to the Rome Statute, in New York, USA the candidatures of:**

- **Prof. Haykel Ben Mahfoudh**, of the Republic of Tunisia.
- **Honorable Justice Ishaq Usman Bello**, of Nigeria.

The Executive Council recalls its decision EX.CL/Dec.1090(XXXVI) that endorsed the candidature of **Mr. Gberdao Gustave Kam**, of Burkina Faso and **Mrs. Miatta Maria Samba**, of the Republic of Sierra-Leone and encouraged the Republic of Sierra-Leone and Burkina Faso to continue consultations in respect of the of the post of Judge of the International Criminal Court (ICC) for the period 2021-2030 with the view to agree on one common African candidate at the least by July 2020. The Council has noted that these consultations have not yet yielded a positive outcome. The Council takes note of new submission of candidates by Nigeria and Tunisia for the same post. The Council, therefore, recommends that the four Member States make every effort to ensure that they consult and come up with a final decision on one single African candidate for this post of Judge at the ICC.

- (3) **For election as Member of the United Nations Committee on the Rights of Persons with Disabilities (CRPD) for the period 2021-2024**, during the election scheduled for June 2020 in New York, USA, the candidatures of :

- **Mr. Tambo Camara**, of the Islamic Republic of Mauritania.
- **Dr. Samuel Njuguna Kabue** of the Republic of Kenya.

These candidatures are endorsed in addition to that of **Ms. Soumia Amrani** of the Kingdom of Morocco endorsed during the 36<sup>th</sup> Ordinary Session of the Executive Council.

- (4) **For election as Vice Chair of the Codex Alimentarius Commission (CAC) for the period 2021-2024**, during the election scheduled for July 2020 in New York, USA, the candidature of:

- **Dr. Allan Embodoka Azegele**, of the Republic of Kenya.

- (5) **For election as a Member of the United Nations International Law Commission (ILC) for the period 2021-2024**, during the election scheduled for November 2021 in New York, USA: the candidatures of:

- **Prof. Charles C. Jalloh** of the Republic of Sierra Leone
- **Amb. Ahmed Fathallah** of the Arab Republic of Egypt.

These candidatures are endorsed in addition to those of **Mr. Louis Savadogo** of Burkina Faso and **Mr. Yacouba Cisse** of the Republic of Cote d'Ivoire endorsed during the 32<sup>nd</sup> and the 36<sup>th</sup> sessions of the Executive Council respectively.

- (6) **For election as a Member of the United Nations Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT) for the period 2021-2024**, during the election scheduled for 30 June 2020 in New York, USA, the candidatures of:

- **Mr. Abdallah Ounnir**, of the Kingdom of Morocco.
- **Mr. Cheikh Tourad Abdel Malick**, of the Islamic Republic of Mauritania

- (7) **For re-election as Member of the United Nations Committee on the Rights of the Child (CRC) for the period 2021-2024**, during the election scheduled for 30 June 2020 in New York, USA, the candidatures of:

- **Prof. Cephas Lumina**, of the Republic of Zambia.

This candidate is endorsed in addition to the candidatures of **Prof. Ann Marie Skelton**, of the Republic of South Africa and **Prof. Benyam Dawit Mezmur**, of the Federal Democratic Republic of Ethiopia endorsed by the 36<sup>th</sup> Ordinary Session of the Executive Council.

- (8) **For election to the post of Member of the International Civil Service Commission (ICSC) for the period 2021-2024**, during the election which was scheduled for June 2020 in New York, USA, the candidature of:

- **Mr. Elhassane Zahid**, of the Kingdom of Morocco.

This candidate is endorsed in addition to the candidature of **Mr. Larbi Djacta**, of the People's Democratic Republic of Algeria endorsed by the 36<sup>th</sup> Ordinary Session of the Executive Council.

- (9) **For election as a Director-General of the International Labour Organization (ILO) for the period 2022-2027**, during the election scheduled for June 2022 in Geneva, Switzerland the candidature of:

- **Prof. Mthunzi Mdwaba**, of South Africa.

- (10) **For election as a Member of the Council of Administration (CA) of the Universal Postal Union (UPU) for the period 2021-2024**, during the election which was scheduled for September 2020 in Abidjan, Cote d'Ivoire the candidature of:

- **People's Democratic Republic of Algeria**
- **Republic of Zambia**
- **Republic of Kenya**
- **Federal Republic of Nigeria**
- **Arab Republic of Egypt**

These candidatures are endorsed in addition to those of the Republic of Tunisia and the Kingdom of Morocco endorsed by the 35<sup>th</sup> and 36<sup>th</sup> Ordinary Sessions of the Executive Council respectively.

- (11) **For election as a Member of the Postal Operations Council (POC) of the Universal Postal Union (UPU) for the period 2021-2024**, during the election which was scheduled for September 2020 in Abidjan, Cote d'Ivoire. the candidatures of:

- **Republic of Seychelles**
- **Federal Republic of Nigeria**
- **Republic of Kenya**
- **People's Democratic Republic of Algeria**

- **Arab Republic of Egypt**

These candidatures are endorsed in addition to that of the Republic of Tunisia and the Kingdom of Morocco endorsed by the 36<sup>th</sup> Ordinary Session of the Executive Council.

- (12) **For re-election as Member of the Board of Governors of the International Atomic Energy Agency (IAEA) for the period 2020-2022**, during the election which was scheduled for September 2020 in Vienna, Austria, the candidatures of:

- **The Arab Republic of Egypt**

- (13) **For election as Member of the Board of Directors of the World Food Programme (WFP) for the period 2021-2024** during the election scheduled for August 2020 in Rome, Italy the candidature of:

- **The Kingdom of Morocco**

- (14) **For election as Member of the International Maritime Organization (IMO) under Category “C” for the period 2021-2022**, during the election scheduled in London, UK, the candidature of:

- **The Federal Republic of Nigeria**

- (15) **For election as Member of the Executive Board of UNESCO for the period 2021-2025**, during the election scheduled for November 2021 in Paris, France the candidatures of:

- **Republic of Djibouti**
- **Islamic Republic of Mauritania**
- **United Republic of Tanzania**

- (16) **For election as member of the United Nations Human Rights Council (UNHRC) for the period 2021-2024**, during the election scheduled for June 2020 in New York, USA, the candidatures of:

- **Republic of Benin**
- **Republic of Seychelles**

- (17) **For election as Member of the Human Rights Council (UNHRC) for the period 2023-2025**, during the election scheduled for October 2022 in New York, USA, the candidature of:

- **The People’s Democratic Republic of Algeria**
- **The Kingdom of Morocco**

(18) **For election as a Non-Permanent Member of the United Nations Security Council (UNSC) for the period 2024-2025**, during the election scheduled for June 2023 in New York, USA, the candidature of:

- **People's Democratic Republic of Algeria**

(19) **For election as a Member of the Bureau of the Assembly of State Parties to the Rome Statutes of the International Criminal Court (ICC) for the period 2021-2024**, during the election scheduled for 07 December 2020 in The Hague, the Netherlands the candidature of:

- **Republic of Kenya**

(20) **For election as Representative of the African Regional Group to the Board of the United Nations Environment Programme's 10-Year Framework Programme on Sustainable Consumption and Production Patterns (10YFP) for the period 2020-2021**, during the election which was scheduled for September 2020 in New York, USA the candidature of:

- **Republic of Mauritius.**

(21) **For the post of Judge at the International Court of Justice (ICJ), for the period 2021-2030**, during the elections scheduled to take place during the 75<sup>th</sup> Session of the United Nations General Assembly in 2020, in New York, USA the candidatures of,

- **Justice (Mrs) Julia Sebutinde**, of the Republic of Uganda.
- **Dr. Emmanuel Ugirashebuja**, of the Republic of Rwanda.
- **Dr. Taoheed Olufemi Elias**, of the Federal Republic of Nigeria.

The Executive Council has noted that the consultations involving the three Member States (Rwanda, Uganda and Nigeria) have not yet yielded a positive outcome in terms of coming up with one single African candidate for the position. The Council recommends that the three countries expedite completion of their consultations to facilitate a final decision. There is no specific seat allocation reserved for Africa at the ICJ. Candidates will contest with others from various regions of the world.

(22) **For election as Director-General of the World Trade Organization (WTO) for the period 2021-2025**, during the election scheduled for 27 October 2020 in Geneva, Switzerland the candidature of:

- **Dr. Ngozi Okonjo-Iweala** of the Federal Republic of Nigeria

**C. ON THE RULES OF PROCEDURE**

The Executive Council directs that: (a) the revision of the Rules of Procedure of the Ministerial Committee on African Candidatures within the International System be finalized; b) consideration be made in the revisions to regulate submissions for early consideration of candidatures; and (c) the revised Rules of Procedure be submitted to the 38<sup>th</sup> Session of the Executive Council for consideration and adoption.

**D. ON DELEGATION OF AUTHORITY IN BETWEEN THE SESSIONS OF THE COUNCIL**

The Executive Council reaffirmed its decision EX.CL.DEC.1067 (XXXV) to delegate its authority to the Permanent Representatives of Member States of the Ministerial Committee on African Candidature within the International System to consider Candidature to posts within the International System.



**DECISION ON THE APPROVAL OF APPOINTMENT OF ONE (1) FEMALE MEMBER  
OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF  
THE CHILD FROM THE ARAB REPUBLIC OF EGYPT  
Doc.EX.CL/1234(XXXVII)**

**The Executive Council,**

1. **NOTES** with sadness the demise of Hon. Dr Azza Al Ashmawy from the Arab Republic of Egypt, who served as the Member of the African Committee of Experts on the Rights and Welfare of the Child and pays tribute to the work conducted by the late member.
2. **RECALLS** that Article 39 of the Charter of the African Committee of Experts on the Rights and Welfare of the Child stipulates that the State which nominated the incumbent member shall appoint another member from amongst its Nationals to serve for the remainder of the term;
3. **TAKES NOTE** of the Report of the Commission on the Approval of Appointment of One (1) Female Member of the African Committee of Experts on the Rights and Welfare of the Child in which the Arab Republic of Egypt submitted a candidate.
4. **APPROVES** the appointment of **Amb. Moushira KHATTAB** to serve the remainder of the term of the late Hon. Dr Azza Al Ashmawy, until **July 2023**.





**DECISION ON APPOINTMENT OF MEMBERS OF  
THE AU BOARD OF EXTERNAL AUDITORS  
Doc.EX.CL/1235(XXXVII)**

**The Executive Council**

1. **TAKES NOTE** of the nomination as per Article 78 of the African Union Financial Rules and Regulations submitted by the Regional Deans following consultation within their respective regions;
2. **DECIDES** to appoint, in addition to the first tiers members, the following Heads of Supreme Audit Institutions on the AU Board of External Auditors for the Financial Years 2020 and 2021.

REGION	REPRESENTATIVE
EASTERN REGION	UNITED REPUBLIC OF TANZANIA
CENTRAL REGION	REPUBLIC OF CONGO
NORTHERN REGION	
SOUTHERN REGION	REPUBLIC OF NAMIBIA
WESTERN REGION	REPUBLIC OF GUINEA

3. **URGES** the Northern Region to finalize its consultations and communicate the nominated Member Country from the North.
4. **COMMENDS** the work of the outgoing Heads of Supreme Audit Institutions of the following Member Countries who served the Board diligently for the Financial Year 2018-2019:

- Central Africa – Congo;
- Eastern Africa – Madagascar;
- Northern Africa – Tunisia;
- Southern Africa – Namibia;
- Western Africa – Ghana.

**DECISION ON THE ELECTION AND APPOINTMENT OF JUDGES OF THE  
AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS AND MEMBERS OF THE  
AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND  
WELFARE OF THE CHILD  
Doc.EX.CL/1236(XXXVII) AND EX.CL/1237(XXXVII)**

**The Executive Council,**

1. **TAKES NOTE** of the following election reports:
  - a. Report of the Commission on the Election and Appointment of Four (4) Judges of the African Court on Human and Peoples' Rights;
  - b. Report of the Commission on the Election and Appointment of Six Members of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC).
2. **NOTES** the challenges associated with conducting virtual elections;
3. **DECIDES:**
  - a. to postpone the elections to the 38<sup>th</sup> Ordinary Session of the Executive Council in February, 2021; and
  - b. to extend the terms of office of the outgoing judges of the African Court on Human and Peoples' Rights and the outgoing members of the African Committee of Experts on the Rights and Welfare of the Child, until their replacement;
4. **REQUESTS** the Commission to retain the list of candidatures already received.

**DECISION ON THE PROGRESS REPORT ON THE AFRICAN UNION RESPONSE  
ON COVID-19 PANDEMIC IN AFRICA  
Doc. EX.CL/1238(XXXVII)**

**The Executive Council,**

1. **TAKES NOTE** that COVID-19 is a pandemic and public health emergency of international concern, which creates an additional burden to Africa's public health systems and negatively impacts the economic, social and humanitarian efforts;
2. **TAKES NOTE** of the Commission's Report on the Response to COVID-19 Pandemic in Africa prepared by the Africa Centres for Disease Control and Prevention (Africa CDC) and the recommendations therein;
3. **EXPRESSES DEEP APPRECIATION** to the Chairperson of the African Union H.E. Mr Matamela Cyril Ramaphosa, President of the Republic of South Africa, and the members of the Bureau of the Assembly of the African Union: H.E. Félix Tshisekedi of the Democratic Republic of Congo, H.E. Abdel Fattah el-Sisi of the Arab Republic of Egypt, H.E. Uhuru Kenyatta of the Republic of Kenya, and H.E. President Ibrahim Boubacar Keïta of the Republic of Mali, for providing exemplary, timely, focused and effective leadership to Africa's response to COVID-19;
4. **COMMENDS** the Chairperson of the AU Commission, Members of the AU Commission and Staff of the African Union for the support they have provided to the Bureau of the Assembly and for implementing the decisions of the AU Policy Organs on Africa's response to the COVID-19 pandemic;
5. **WELCOMES** the efforts of Member States on fighting COVID-19, including the efforts of H.E. Dr. Abiy Ahmed, Prime Minister of the Federal Democratic Republic of Ethiopia with the Jack Ma Foundation, which led to a major boost in the prevention and control of the outbreak of COVID-19 in the continent;
6. **ALSO COMMENDS** the Africa CDC for its contribution in responding to COVID-19 pandemic and congratulates Dr. John Nkengasong, Director of Africa CDC, for receiving "Global Goalkeeper 2020 Award" by the Bill and Melinda Gates foundation;
7. **ACKNOWLEDGES** the efforts of the Ministers responsible for health, finance and transport, and all other stakeholders in their roles to respond to the COVID-19 pandemic;
8. **ALSO ACKNOWLEDGES** the Communiqué submitted by African Women Ministers of Foreign Affairs on "Enhancing Women Leadership in COVID-19 Responses", and requests the African Union Commission to develop and implement AU Guidelines on Gender-Responsive responses as a framework to integrate gender equality and Women's participation in decision making

processes in Africa's COVID -19 Responses and Post COVID -19 Recovery plans.

9. **FURTHER ACKNOWLEDGES** the efforts of the Regional Economic Communities (RECs) in their fight against the COVID-19 pandemic;
10. **NOTES WITH APPRECIATION** the role played by health volunteers, who are providing valuable lifesaving services to our continent and emphasizes on the need to provide health workers with necessary protections;
11. **WELCOMES** the establishment of the African Medical Supplies Platform as a cutting edge African initiative which is key to enable access to critical medical supplies to African governments;
12. **RECALLS** the decision of the Executive Council of 8 April 2020 regarding the establishment of the AU COVID-19 Response Fund and **WELCOMES** the appointment of the Special Envoys, namely Dr Ngozi Okonjo-Iweala of Nigeria, Dr Donald Kaberuka of Rwanda, Mr Benkhalfa Abderrahmane of Algeria, Mr. Trevor Manuel of South Africa, Mr. Tidjane Thiam of Côte d'Ivoire, Professor Mbaya Kankwenda from the DRC, and Mr. Strive Masiyiwa from Zimbabwe, to mobilize resources to support Africa's effort to address economic challenges caused by the pandemic ;
13. **WELCOMES** the appointment of the AU COVID-19 Response Fund Board of Trustees namely, Prof. Benedict Oramah (Board Chair), Dr. Mohamed Awad Tageldin (Vice Chair), Prof. Wiseman Nkhulu, Mr. Martin Mogwanja, H.E. Mr Abdoulaye Daffe, Mr. Paulo Gomes, Eng. Ahmed Mansur, H.E. Dr Hala Zaid, H.E Mrs. Amira Elfadil, and Mr. Ndolamb Ngokwey, which Board advises the Chairperson of the Commission on oversight, management and disbursement of funds;
14. **EXPRESSES** gratitude to all AU Member States<sup>7</sup> who have pledged contributions a total of USD 20.7 million to support the AU COVID-19 Response Fund as annexed and **ENCOURAGES** Member States that have not yet done so, to consider making voluntary contributions to the AU COVID-19 Response Fund and Africa CDC in an effort to pull together continental resources to support the African Union fight against the pandemic on the continent;
15. **ALSO EXPRESSES GRATITUDE** to Member States of the African Union that have implemented measure at the national level to protect their citizens from the COVID-19 pandemic and **ALSO APPRECIATES** those members that have initiated bilateral efforts to assist other AU Members by providing in-kind assistance to support the fight against the pandemic;

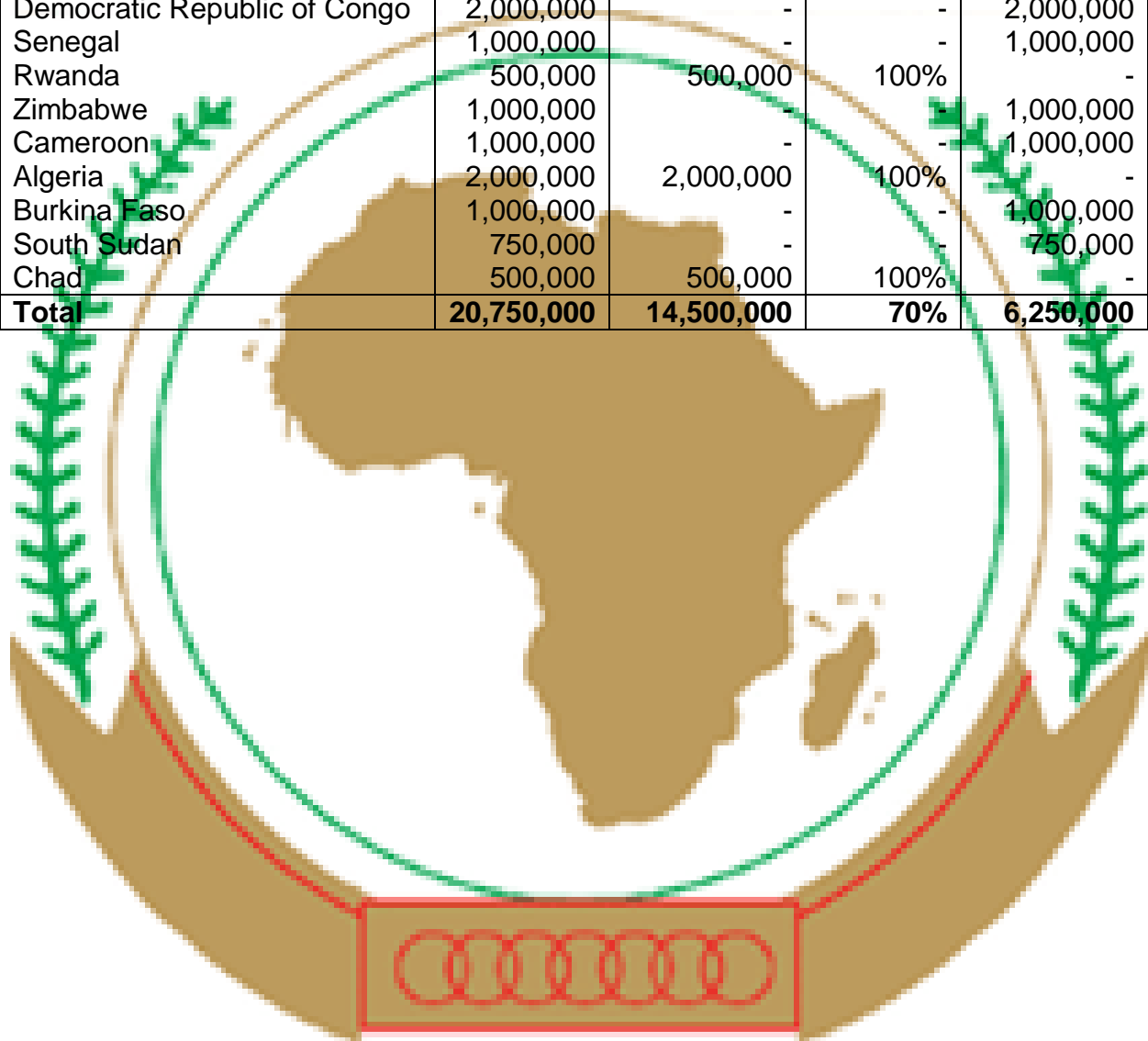
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<sup>7</sup> Algeria, Burkina Faso, Cameroon, Chad, Democratic Republic of Congo, Egypt, Kenya, Mali, Rwanda, Senegal, South Africa, South Sudan and Zimbabwe.

16. **NOTING** the role of the Africa CDC, within its existing mandate, to a timely and effective health emergency preparedness and response;
17. **ALSO TAKING NOTE** of invaluable efforts to deal with the COVID-19 pandemic in Africa, including the:
  - a. implementation of the Africa Joint Continental Strategy for COVID-19, through the Africa Taskforce on Coronavirus (AFTCOR);
  - b. initiatives such as the Partnership to Accelerate COVID-19 Testing (PACT) and the “Saving Lives and Saving Economies” Campaign to protect borders, economies, and schools from COVID-19 to secure the continent
  - c. Africa COVID-19 Vaccines Development and Access Strategy;
  - d. establishment and operationalization of the African Union COVID-19 Response Fund;
  - e. mobilization of financial support as well as human and material resources;
18. **STRESSES** that the vaccine strategy should aim to ensure a secure timely access to COVID-19 vaccines when available;
19. **EMPHASISES** the role of the African Medicine Agency (AMA) with the main objective of enhancing Member States and Regional Economic Communities’ capacity when finalized to improve access to quality, safe and efficacious medical products on the continents **AND URGES** all Member States that are yet to do so, to sign and ratify the Treaty establishing AMA to enable it to enter into force;
20. **APPEALS** to the scientific community to accelerate the search for a vaccine against COVID-19 in order to slow the spread of the disease, protect vulnerable populations and ultimately return our society and economies back to normal and towards Africa’s broader global development agenda;
21. **REQUESTS** the Commission to prepare a report, including a road map and Framework of Operations, outlining the financial, legal and structural implications to fully operationalize the Africa CDC in line with its Statute, for submission to the 38<sup>th</sup> Ordinary Session of the Executive Council through AU Policy Organs
22. **REASSERTS** that the budget of Africa CDC shall be that of the Union, however, given the nature of the institution and its mission of supporting Member States, **REQUESTS** that the Africa CDC budget be carried over to the subsequent calendar year;
23. **DECIDES** to remain seized of the matter and **REQUESTS FURTHER** the Commission to report on progress and the implementation of this decision to the 38<sup>th</sup> Ordinary Session of the Executive Council.

Annex Table referred to in per para 14 (As of 06 October 2020)

Member States	Pledged USD	Received USD	Received %	Balance USD
Egypt*	4,000,000	4,000,000	100%	-
Kenya	2,000,000	2,000,000	100%	-
Mali	1,500,000	1,500,000	100%	-
South Africa	4,000,000	4,000,000	100%	-
Democratic Republic of Congo	2,000,000	-	-	2,000,000
Senegal	1,000,000	-	-	1,000,000
Rwanda	500,000	500,000	100%	-
Zimbabwe	1,000,000	-	-	1,000,000
Cameroon	1,000,000	-	-	1,000,000
Algeria	2,000,000	2,000,000	100%	-
Burkina Faso	1,000,000	-	-	1,000,000
South Sudan	750,000	-	-	750,000
Chad	500,000	500,000	100%	-
<b>Total</b>	<b>20,750,000</b>	<b>14,500,000</b>	<b>70%</b>	<b>6,250,000</b>



2020-10-14

# Decisions;Executive Council Thirty-Seventh Ordinary Session Video conference 13 - 14 October 2020 Addis Ababa, Ethiopia.

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