

AFRICAN UNION

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EXECUTIVE COUNCIL

Nineteenth Ordinary Session

23 – 28 June 2011

Malabo, EQUATORIAL GUINEA

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**REPORT OF THE FIRST EXTRAORDINARY SESSION OF THE
AFRICAN UNION CONFERENCE OF MINISTERS
OF EDUCATION (COMEDAF IV)
WINDHOEK, NAMIBIA, 11 – 13 MAY 2011**

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**FIRST EXTRAORDINARY SESSION
OF THE FOURTH CONFERENCE OF MINISTERS
OF EDUCATION OF THE AFRICAN UNION
(COMEDAF IV +)
13 May 2011**

AU/MIN-EXT/EDUC/DRAFT/RPT (IV) REV 1

REPORT OF MINISTERS OF EDUCATION

**THEME: PREPARATION FOR LAUNCHING THE PAN AFRICAN
UNIVERSITY**



REPORT OF THE EXTRA-ORDINARY SESSION OF COMEDAF IV

Introduction

1. The meeting of Ministers of the COMEDAF IV met in the First Extra-Ordinary Session of the Conference of Ministers of Education of the African Union (COMEDAF IV) in Nairobi, Kenya on 13 May 2011, preceded by a meeting of the Senior Officials of COMEDAF IV. The objective of the meeting was to consider and endorse key Pan African University policy documents and the Revised Arusha Convention, for submission to the next AU Summit. The meeting of Ministers considered the report of the Senior Officials meeting, which had extensively discussed these key documents.

In attendance

2. Ministers from the following Member States participated in the meeting: the Republic of Algeria, Congo Republic, Egypt, Kenya, Lesotho, Libyan Arab Jamahiriya, Malawi, Mozambique, Namibia, Nigeria, Sudan and Tanzania.

Representatives from the following Member States participated in the meeting: the Republic of Cameroon, Equatorial Guinea, Ethiopia, Rwanda, Togo, and Zambia.

Two Regional Economic Communities (RECs) were also present: Economic Community of Central African States (ECCAS) and Economic Community of West African States (ECOWAS).

The following agencies attended the meeting: United Nations Educational, Scientific and Cultural Organisation (UNESCO), the Association for the Development of Education in Africa (ADEA), the African Development Bank, African Council for Distance Education and International Development Law Organisation (IDLO).

The following institutions hosting the Pan African University were also represented: Jomo Kenyatta University of Agriculture and Technology, University of Ibadan and University of Yaounde. Countries supporting the PAU project, namely Japan and Germany were represented.

ITEM 1: Opening Session

3. The opening session was graced by entertainment by the Choir of the Kenyan Ministry of Education was introduced by Dr Beatrice Njenga, AUC Head of Education. Thereafter, presentations were made, in turn, by Ms Vera Ngosi, Director of AUC Department of Human Resources, Science and Technology (HRST); H.E. Jean Pierre Ezin, Commissioner HRST; Prof Tchuenta, representative of Cameroon Minister of Education; and the host, H.E. Prof. Sam Ogeri, Minister of Education of the Republic of Kenya, who chaired the meeting, as Chair of COMEDAF IV.

ITEM 2: Adoption of the Agenda and Programme of Work

4. The Agenda and Programme of Work for the meeting were presented and adopted without any amendment.

ITEM 3: Consideration of the Report and Recommendations of Senior Officials of Extra Ordinary session of COMEDAF IV

5. The report and Recommendations of the Senior Officials meeting was presented by Rapporteur of COMEDAF IV and adopted with some amendments.

6. Following were major issues raised in the ensuing discussion: The AUC and UNESCO should publicise the Revised Arusha Convention more widely, and Member States which had already ratified the Arusha Convention be given a chance to appreciate the changes in the Revised version.

7. The meeting of SADC Ministers of Science and Technology, were reported to have expressed concern on some issues including the allocation of themes to geographic regions, financial implications of hosting and the role of SADC in the implementation of PAU, but that the country to host PAU Institute on Space Sciences would be decided in the SADC Summit in July 2011.

8. Several amendments to the PAU Statutes were given, and they have been captured in the final version.

9. The PAU Statutes and Act were adopted as amended.

10. It was explained that the selection of all PAU host countries was through technical proposals.

11. The Honourable Minister of Education of Egypt presented his government's offer to establish an Institution for Medical Sciences as part of the PAU.

12. The AUC Commissioner welcomed Egypt's offer and explained that the institution of medical sciences could be part of the thematic on Life and Earth Sciences. He further stressed that all countries which had bid to host PAU institutes and were not selected, have been informed that they will be considered as hosts for PAU centres.

ITEM 4: Any Other Business**a. Pan African Conference on Teacher Development (PACTED)**

13. PACTED report and recommendations were presented by the Honourable Minister of Education of Congo Republic and Dr Rita Bissoonauth from AUC

b. Feedback from the meeting of ADEA Bureau of Ministers

14. Executive Secretary of ADEA presented feedback from the last ADEA Bureau of Ministers. He stated that ADEA's priority area of programming is the Plan of Action for the Second Decade of Education for Africa and to promote the PAU; and stressed the

need for ownership of ADEA by the African Ministers of Education. He said that the ADEA Triennale will be held in Burkina Faso in December 2011.

c. School Feeding Programme: Call to Action

15. COMEDAF IV Chair reported on the Global Child Nutrition Forum that took place in Nairobi 3-7 May 2011, and called for action for feeding school children.

d. Remarks by Commissioner of HRST

16. HRST Commissioner informed the meeting that Sweden had confirmed that it will be the Lead Thematic Partner for the PAU thematic for Governance, Humanities and Social Sciences

d. Hosting of COMEDAF V

17. The Minister of Education from Nigeria, Prof. Ruqaiyya Rufai, informed the meeting that COMEDAF V would be hosted by Nigeria in March 2012 and not November 2011.

ITEM 5: Presentation and Adoption of Recommendations of first Extra-ordinary Session of COMEDAF IV

18. The report was presented and adopted with amendments.

19. Recommendations of the first Extra-ordinary COMEDAF IV

We, the Ministers of Education of the African Union agree as follows:

1. We endorse the following for submission to the AU July 2011 Summit:
 - a) The Act and the Statutes for the establishment of PAU as amended
 - b) Algeria, in the North African region to host the PAU Institute of Water and Energy Sciences including Climate Change, following the withdrawal of the Libyan Arab Jamahiriya
 - c) The Revised Arusha Convention for Mutual Recognition of Degrees and Qualifications
2. Request the AUC in consultation with RECs, to develop modalities of substantive involvement of RECs in the governance and management support of PAU institutes in their respective regions, including financial support.
3. Request the AUC in collaboration with stakeholders to organise a consultative forum with partners on resource mobilisation and harmonisation of PAU support.

EX.CL/685(XIX)
Annex 1

ESTABLISHMENT OF THE PAN AFRICAN UNIVERSITY

STATUTE

April 2011

AFRICAN UNION
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DEPARTMENT OF HUMAN RESOURCES, SCIENCE AND TECHNOLOGY

**FIRST EXTRAORDINARY SESSION OF THE
CONFERENCE OF MINISTERS OF EDUCATION
OF THE AFRICAN UNION (COMEDAF IV+)
NAIROBI, KENYA
11 - 13 MAY 2011**

Ext/AU/ EXP/COMEDAF IV/3a(I)

**ESTABLISHMENT OF THE
PAN AFRICAN UNIVERSITY**

STATUTE

April 2011

ESTABLISHMENT OF THE PAN AFRICAN UNIVERSITY

STATUTE

April 2011

Preamble

Aware of the central role that Higher education and scientific and technological research play as the cornerstone of social integration, economic development and competitiveness, the Commission of the African Union (AUC) has initiated an ambitious and strategic project of creating the Pan African University (hereinafter referred to as PAU). On the basis of the groundwork done by the Commission of the African Union in this area, and in line with the outcome of the Conference of Ministers of Education of the African Union (COMEDAF) and the African Ministers Conference on Science and Technology (AMCOST), the PAU will contribute to the stimulation and modernization of African Universities and promotion of excellence in higher education in Africa. This will ensure a steady nurturing of new ideas and a continuous injection of highly skilled human resource into the economic, social cultural and political sectors, for the benefit of the Continent. Aware also that;

Within the framework of aims and principles enunciated within the Act of Incorporation of the African Union ratified on 11th July 2000 in Lome, Togo, the AUC envisages the establishment of the PAU as a first step towards the creation of high quality continental institutions that bridge the above gaps and promote innovative teaching, learning and research within Africa, to meet the developmental needs of the continent.

The conception, development and implementation of the PAU project are in consonance with the following framework documents of the African Union:

- The Strategic Plan of the Commission « Horizon 2015 »;
- The Plan of Action for the Second Decade of Education for Africa 2006-2015;
- The Consolidated Plan of Action for Science and Technology 2006-2011.

The Pan African University shall be globally competitive and locally relevant and attracting the best professionals and students from inside and outside Africa. It shall therefore meet the requirements and standards of the modern academic world in terms of quality teaching, learning and research and deliver on the social and economic development challenges of the continent.

The Pan African University shall take into account the cultural, scientific and financial capacities of the continent in order to harness and optimize the academic values and competences within Africa and the Diaspora thereby creating African platform for higher education and research. In this regard, the PAU shall constitute a network of graduate teaching and research institutions that are already operational in African Union countries.

To meet its objectives, the PAU requires financial resources that should be assured in terms of allocation, adequacy, and timely disbursement.

Following the decision of the Assembly of Heads of State and Governments of the African Union to create the Pan African University (EX.CL/579(XVII)), the present document constitutes the Statute of the Pan African University.

Article 1: Principles

The Pan African University is a continental academic and research institution operating in African Union Member countries and is based on the following guiding principles:

- I. Academic freedom, autonomy and accountability;
- II. Quality assurance;
- III. Strengthening existing African institutions at the graduate level to enable them to serve the whole continent;
- IV. Promotion of African integration through the mobility of students, academic and administrative staff, as well as the development of collaborative research linked to the challenges faced by African countries;
- V. Excellence and international partnerships in academic and research activities;
- VI. Institution of an appropriate framework and a conducive environment to enable the African Diaspora to contribute towards the development of higher education and research in Africa;
- VII. Promotion of inter-disciplinary and multidisciplinary research programmes integral to policy making processes in Africa;
- VIII. Promotion and harnessing of productive linkages with the industrial sector for innovation and dissemination of new knowledge and technology
- IX. Strengthening of research in information sciences and digitalization
- X. Promotion of full use of Information and Communication Technologies for pedagogy, research and management;
- XI. Promotion of gender parity and equality at all levels and in all university functions
- XII. Promotion of access to higher education for persons with disabilities and
- XIII. The official language of the PAU shall be French and English

PAU shall take into account basic principles of the Constitutive Act of the AU, United Nations Charter and the Universal Declaration of Human Rights.

Article 2: Objectives

1. The training and research activities of the PAU shall be focused on priority issues which shall enable it to attain the following objectives:
 - I. To develop continent-wide and world-class graduate and postgraduate programmes in science, technology, innovation, humanities and social sciences and governance;
 - II. To stimulate collaborative, internationally competitive, leading edge fundamental and economic growth-oriented research, in areas having a direct bearing on the scientific, economic and social development of Africa;
 - III. To enhance the mobility of students and academic staff among African universities to improve on teaching and collaborative research;
 - IV. To contribute to the capacity building needs of present and future stakeholders of the African Union;
 - V. To improve on the attractiveness of African higher education and research institutions to attract and retain talented young professionals on the African continent;
 - VI. To initiate and invigorate mutually beneficial partnerships with public and private sectors within Africa and the Diaspora as well as internationally; and
 - VII. To facilitate the emergence and strengthening of an African higher education and research platform.
2. To carry out its aims and objectives effectively, the PAU may enter into agreements and contracts with governments, international organisations or other relevant partners, for pedagogic, research, management and funding purposes;

Article 3: Academic Freedom and Autonomy

1. The PAU shall benefit from the basic principles applicable to all higher education institutions, particularly academic freedom, autonomy and accountability. The observance and respect of these rights shall enable the PAU to function under the best attainable conditions and standards within the framework of the common rules governing the institutions of the African Union.
2. The PAU as well as the host countries of its institutes and centres shall grant its members the academic freedom and self governance in teaching and research. In this respect, the PAU shall accord academic staff and researchers appropriate full independence, and shall equally grant students full learning rights and privileges.

3. The PAU shall competently conclude specific agreements with countries where the University operates to provide the latter with the requisite afore-mentioned freedoms which are essential for its functioning.

Article 4: Structure

1. The PAU shall be an academic network of existing African institutions operating at graduate level.
2. The PAU shall comprise five Institutes corresponding to the thematic areas defined in Article 4 Clause (3) below. These Institutes shall be located in the five geographic regions of the African Union, namely: North Africa, West Africa, Central Africa, East Africa and Southern Africa;
3. The following five thematic areas shall constitute the academic structure of the PAU:
 - i. Space sciences
 - ii. Water and Energy sciences (including climate change)
 - iii. Basic Sciences, Technology and Innovation
 - iv. Life and Earth Sciences (including health and agriculture)
 - v. Governance, Humanities and Social Sciences;
4. Affiliated to each Institute, there shall be a network of Centres located on the continent and working on the same thematic area of the thematic Institute.
5. The Centres of the PAU shall be identified following a competitive process.
6. Hosting Agreements shall be signed between the AUC and the host countries of Institutes and Centres.

There shall be a review every 5years in order to establish quality

Article 5: Governance and Management

- The management of PAU shall be based on the institutional values of efficiency, excellence, flexibility, transparency, equity, responsibility, accountability and continuous assessment. To this effect, strategic plans with qualitative and quantitative performance indicators as well as follow-up tools shall be drawn up.

The management organs of the PAU shall be:

- I. The PAU Council;
- II. The Rectorate;
- III. The Senate.
- IV. Institute Board
- V. The Regulations of the PAU shall be adopted by the PAU Council.
- VI. The PAU graduation ceremony will be presided over by the AUC Chairperson or its representative

- VII. The Rector of the PAU is equivalent in rank to the Vice Chancellor of the host University housing the PAU Institute (the Chief Executive Officer (CEO) of the NEPAD Agency)

Article 6: The PAU Council

1. The PAU Council shall be the supreme governing body of the University and shall be the body that has oversight of the policy, finances and property of the PAU.
2. Council members shall be appointed by the Chairperson of the African Union Commission based on the recommendation of the Commissioner of Human Resources, Science and Technology, after consultation with COMEDAF Bureau.
3. The Council shall be constituted of twenty nine (29) members as follows:

Non-Elected Members:

- I. The President of the Council should be a prominent personality in Africa
- II. the Chair of the African Union Commission or his/her representative;
- III. the Commissioner for Human Resources, Science and Technology or his/her representative;
- IV. the representative of UNESCO;
- V. the President of the Association of African Universities or his/her representative;
- VI. the Chair of COMEDAF or his/her a representative
- VII. the President of Association of African Academia of Sciences (AAS)
- VIII. 5 RECs representing the 5 geographic regions

Elected Members:

- I. One representative from each of the five geographic regions of the African Union. This representative shall be from academia, civil society or industry. These members shall be proposed by the RECs and appointed by the Chair of the AUC;
- II. two representatives of the PAU Senate;
- III. one representative of the Directors of the Institutes
- IV. one representative of the Coordinators of the Centres;
- V. a representative of academic staff;
- VI. a representative of administrative staff;
- VII. a representative of the African Diaspora;
- VIII. two representatives of students;
- IX. two representatives of Lead Thematic and Development Partners
- X. two vice chancellors/rectors of the host universities on rotational basis

Ex-Officio Members

PAU Rector

Vice Rectors

4. Elected Council members shall each serve a three-year term renewable once. Half of the Council members shall be replaced every three years. After the first three years half of the elected members shall be replaced by ballot.

Functions of the PAU Council:

5. Amongst other functions, the Council shall be responsible for the following:
 - I. appointment, promotion and discipline of academic, research and senior administrative staff;
 - II. socio-cultural promotion and discipline of students
 - III. Adoption, review and amendment of staff terms and conditions of service.
 - IV. identification and recommendation of new Centres;
 - V. identification and recommendation of new Institutes in the unlikely event of the closure of an existing Institute;
 - VI. issue of directives and adoption of all relevant measures referred to in this Statute, particularly the bylaws;
 - VII. approval of the PAU programmes and budgets;
 - VIII. discussion and approval of the Rector's annual report;
 - IX. approval of the strategic and operational plans;
 - X. approval of agreements and conventions to be signed by the Rector;
 - XI. performing all other functions necessary for the smooth operation and development of the PAU.
6. The AU Assembly shall elect for a three-year term, renewable once, two eminent African personalities to serve as President and Vice-President.
 - I. The following members shall be non-eligible Members for the Positions of President and Vice-President of PAU Council:
 - II. non-elected members of the Council
 - III. representatives of Lead Thematic and Development Partners

7. The President of the Council shall:
 - I. Set the agenda of the Council sessions in consultation with the Rector;
 - II. Summon the Council members to attend Council sessions;
 - III. Presides over the Council;
 - IV. Monitors discussions;
 - V. Represents the Council;
 - VI. Receives all communications addressed to the Council; and signs all official documents, especially the minutes.
 - VII. In the absence of the President, the meeting shall be chaired by the Vice-President.
8. The Rector shall serve as Secretary to the Council.
9. Minutes of Council sessions shall be sent to the Commissioner of Human Resources, Science and Technology who shall in turn forward them to the Chair of the African Union Commission.
10. The Council shall meet once a year in an ordinary session. Extraordinary sessions of Council may be convened at the request of the President or at least 2/3 of Council members and in consultation with the Commissioner in charge of education.
11. The outcome of the decision of the Council will be by simple majority
12. The Council shall constitute committees or working groups as it deems necessary.

Article 7: The Rector

1. The Rector is the Chief Executive of the PAU. He/she shall be appointed by the Chair of the African Union Commission, on the recommendation of the Commissioner of Human Resources, Sciences and Technology. The Commissioner shall first shortlist three candidates for this position, on the basis of a call for applications, after consulting with the PAU Council.
2. The Rector shall be appointed for a period of five years, renewable once.
3. The Rector is responsible for implementing the general policy, strategy and multi-annual planning; he/she is also responsible for the corporate and public image of the University, including its external relations. He/she shall specifically be in charge of the following:
 - I. preparing and presenting the activity report of the University to the Council;
 - II. ensuring the implementation of the decisions of the Council;
 - III. ensuring the required co-ordination between Directors of Institutes and Coordinators of Centres;
 - IV. ensuring the implementation and the periodical monitoring of the multi-annual strategic development plan approved by the Council;

- V. committing and releasing the expenses for which provision was made in the budget approved by the Council and of which he/she is the authorizing officer;
 - VI. managing the University personnel;
 - VII. signing bilateral agreements between PAU and host institutions as approved by the Council
 - VIII. signing agreements and conventions with Governments, and national or international organizations on the approval by the Council subject to article 6(5) in view of securing reciprocal provision of services that contribute to the realization of the objectives of the Pan African University as they are outlined in Article 2;
 - IX. signing agreements, on the approval by the Council, pertaining to voluntary donations or contributions from Governments, national or international organizations, private or public or any other donor organization for the benefit of the Pan African University;
 - X. Providing the Council with the required services.
4. The Rector shall have the right to set up specific consultative committees related to the formulation or the implementation of the multi-annual strategic development plan of the Pan African University.
 5. The Rector shall be supported in his/her functions by three Vice Rectors:
 - I. Vice-Rector Research, Development and Cooperation;
 - II. Vice-Rector Academic and Students Affairs;
 - III. Vice-Rector Finance and Administration.
 6. The Vice Rectors are appointed under the same procedure as the Rector

Article 8: The PAU Senate

1. The Senate shall be the organ of the Pan African University in charge of academic affairs and research.
2. It shall make recommendations to Council in the following domains:
 - I. organisation, promotion and control of teaching activities;
 - II. organisation, promotion and control of research activities;
 - III. admission, welfare and discipline of students, as well as awarding of degrees.
 - IV. Collaborate with host institutions to develop policies for realization of PAU goals
3. The Senate shall be presided over by the Rector or in his/her absence, by the Vice-Rector of Research Development and Cooperation or the Vice-Rector Academic and Students Affairs.
4. The Senate shall meet at least twice a year in ordinary sessions. Extraordinary sessions may be convened at the request of the Rector or at least 2/3 of Senate Members.
5. The membership of the Senate shall be appointed by PAU Council on the recommendation of the Rector and be constituted as follows:

- I. Rector as a Chairperson;
 - II. Vice-Rector Research, Development and Cooperation;
 - III. Vice-Rector Academic and Students Affairs.
 - IV. Vice- Rector Finance and Administration
 - V. The five Directors of Institutes;
 - VI. Five representatives of academic and research staff, one from each thematic area;
 - VII. Five student representatives (one from each geographic region)
 - VIII. One scientific representative of each Lead Thematic Partner.
 - IX. One representatives of the Diaspora
 - X. One representative of Coordinators of Centres
6. The Senate shall sit at the Rectorate or any other convenient place within the five thematic institutes
 7. The Senate quorum shall be formed by two-third majority
 8. The following three Committees shall assist the Senate:
 - I. the Committee of Directors of Institutes;
 - II. the Committee of Coordinators of Centres;
 - III. Finance and Administrative Committee

These Committees shall meet twice a year, just before the Senate ordinary sessions.

Article 9: University Staff

1. The PAU staff shall comprise the following categories:
 - I. Full-time academic and administrative staff from host countries;
 - II. Full-time academic staff from other Member States, African Diaspora, partners and elsewhere as need arises;
 - Part-time academic and administrative staff from host countries;
 - Part-time academic staff and visiting academic and research staff from Member states, partners and African Diaspora.
2. Academic and administrative staff put at the disposal of the PAU by the host country, shall remain employees of their host institution. This includes:
 - I. Academic and research staff;
 - II. Administrative personnel;
 - III. Technical personnel;
 - IV. Support personnel.
3. Full-time academic staff from other Member States, the Diaspora and from partners shall be hired by the PAU for specific periods;

4. A visiting academic and research staff shall obtain a mission order signed by the Rector of the PAU at the request of the host institutions;
5. All full time professors of PAU shall be granted AU Diplomatic status
6. Full time administrative staff, full time lectures and students shall be granted AU service passport

Article 10: Directors of Institutes

1. Each Institute shall be headed by a Director. Directors shall be appointed by the Rector, following consultation with the Council and the host institution.
2. The Director shall be from the host university, in an event the university cannot provide one, an alternative candidate would be appointed from the host country. In any case, the Director will be selected on a competitive basis by the Commissioner HRST.
3. The Institute shall have a Board
The Director shall be supported and guided in running the Institute by a Board whose membership shall consist of:
 - (i) Director of the Institute
 - (ii) Five Center coordinators on rotational basis
 - (iii) All full time professors
 - (iii) Two representatives of Host University Senate
 - (iv) The administrative officer of the Institute shall be the secretary of the Institute Board
 - (v) They shall have power to invite other scholars of the Host University to attend its meetings in advisory capacity only and without the right to vote at such meetings.
4. The Institute Board shall be answerable to Host University Senate and PAU Senate in respect of postgraduate studies in the Institute and shall in particular have responsibility over the following matters:
 - (i) The co-ordination of postgraduate curriculum and regulations
 - (ii) The admission of postgraduate students
 - (iii) The administration of postgraduate scholarship
 - (iv) The administration and processing of postgraduate theses projects or research papers
 - (v) The proper conduct and supervision of the postgraduate studies programme
 - (vi) The general welfare and discipline of postgraduate students.
5. In respect of the co-ordination of postgraduate curriculum and regulations, the Board shall:

- (i) Have primary responsibility of the enforcement of the common regulations for the Master's and Doctoral degrees in the Institute and Centres;
 - (ii) Make available all information related to postgraduate studies by publishing a prospectus and bibliographies of records of postgraduate research done or to be done within the Institute;
 - (iii) Publish and make available records of published work arising from postgraduate research undertaken within the Institute, or within any other University as long as such work is, in the opinion of the Board, of particular relevance to postgraduate research in the Pan African University and
6. In respect of admission of students the Board shall:
- (i) Advertise all such programmes and receive in such format as may be specified by Senate, applications in respect thereof
 - (iii) Send letters of admission to successful candidates and also notify the Centers, Host University and Pan African University Rectorate
 - (iv) Send all relevant information to the successful and unsuccessful candidates
 - (v) Publish the postgraduate nominal roll
 - (vi) Register all students, and thereafter refer them to their respective Centers
 - (vii) Keep under review, the progress of each student and make such recommendations thereon to the Senates as may be appropriate and
 - (viii) Remove from the nominal roll the name of any student whose discontinuation or de-registration is approved by Senate.
7. In respect of the administration of postgraduate scholarships, the Board shall:
- (i) Be responsible for receiving from the PAU Rectorate and collaborating Institutions all scholarships which shall, in that behalf be dealt with in the manner specified thereafter
 - (ii) Advertise all such scholarships
 - (iii) Allocate such scholarships to those applicants who fulfill the applicable academic requirements as well as any specific terms that may be attached to the scholarships tenable at the University.
8. In respect of the administration and processing of postgraduate thesis, projects and research papers, the board shall:
- (i) Be responsible for receiving and approving the nominations by Host University and Centers, of supervisors for all postgraduate research leading to the preparation of theses, projects or any other similar work, and acting always in that behalf, hold the responsibility specified hereinafter.
9. The Director of an Institute shall ensure the effective co-ordination between the Coordinators of Centres operating within the same thematic area. In this respect, he/she shall preside over the corresponding Annual General Meeting of the Coordinators of Centres in order to draw up the sectoral report including an activity report. This report shall be sent to the Rector prior to the Senate meetings among others but not limited to;

The Director shall:

- I. ensure effective co-ordination between the Coordinators of all PAU Centres of
 - II. be a Senate Member of the host University and reports periodically to the Rectorate/Vice-Chancellery on the activities of the host University
 - III. liaise between the host University, host government and the PAU
 - IV. Prepare and present activities report of the Institute quarterly to the Recteur/
 - V. ensure implementation of the decisions of the PAU
 - VI. ensure required co-ordination between Centres of the Institute
 - VII. ensure implementation and the periodic monitoring of the multi-annual strategic development of the Institute and its affiliate Centres
 - VIII. ensure commitment and release of funds for which provision was made in the budget approved by the Rectorate/Vice-Chancellery and he/she is the authorizing officer for the Institute
 - IX. manage the Institute personnel, property, equipment etc
 - X. sign agreements, on the approval by the Rectorate/, pertaining to voluntary donations or contributions from Governments, national or international organizations, private or public or any other donor organization for the benefit of Institute and the Pan African University;
 - XI. Keep records on the progress of postgraduate research, and in this connection receive from Faculties and Centres recommendations for the de-registration of candidates whose work is unsatisfactory or for their dis-continuation for sufficient cause and make such recommendations for the Senate as it shall deem appropriate.
 - XII. Process the appointment of Board of Examiners for Postgraduate theses, projects or other related presentations.
 - XIII. Send out invitations to examiners for postgraduate research presentations, on the recommendation of the relevant faculties or schools
 - XIV. Make copies of submitted theses, projects or similar presentations to be forwarded to examiners.
 - XV. Receive written assessment of such theses, projects or similar presentation from the examiners.
 - XVI. Convene Board of Examiners meetings in consultation with the Deans of
 - a. Faculties, Schools or Centres concerned.
 - XVII. Forward recommendations of the board of examiners to the Vice Chancellor of Host University and PAU Rector for approval on behalf of the respective Senates where the verdict of such Board is unanimous; provided that in the absence of unanimity of the examiners recommendations shall be deliberated upon by the Board and recommendations thereon made to the Senates.
 - XVIII. undertake any other work or responsibility as may be assigned to him/her by the Rector.
10. The conditions of service, including rights and privileges for Directors shall be defined in a specific policy document.

Article 11 the Coordinators of a Centre

1. There shall be Centers under each Institute. Each center shall be regarded for administrative purposes as being a constituent part of the Institute.
2. Each Centre shall be headed by a Coordinator. Coordinators shall be appointed by the PAU Rector, following consultation with the Council and the host institution.
3. In addition to his teaching, research and other duties and responsibilities, the Coordinator of a Center shall:
 - I. ensure effective co-ordination between the Centre and the Institute as well as the host University
 - II. be a Senate Member of the host University and reports periodically to the Institute Director on the activities of the host University and others
 - III. liaise between the host University, host government and the PAU
 - IV. prepare and present activities report of the Centre monthly to the Director of the Institute
 - V. ensure implementation of the decisions of the PAU and the Institute in the Centre
 - VI. ensuring required co-ordination between the Centre and the Institute
 - VII. ensure implement and the periodic monitoring of the multi-annual strategic development of the Centre
 - VIII. ensure commitment and release funds for which provision was made in the budget approved by the PAU of which he/she is the authorizing officer for the Centre
 - IX. manage the Centres' personnel, property, equipment etc
 - X. The Coordinator shall, with the assistance of programme officers, be in charge of executing the academic and research programmes of the Centre. He/She shall particularly ensure the follow up in relations to trainers, admission and graduation of students, promotion of relationship with students, management of internships, follow-up, assessment and issuance of degrees.
 - XI. Act as the representative of the Rector in the Center and administer the Pan African University policies at the Center level.
 - XII. Act as the academic and administrative head of the Center.
 - XIII. Hold regular Center meetings and ensure that the members of staff attend such meetings where the Coordinator and the entire staff have an opportunity to exchange ideas on policy matters.
 - XIV. Represent the Center on the appropriate University Committees and other bodies as required;
 - XV. at all times use his/her best endeavor to ensure that proper and acceptable standards of teaching and research are maintained in the Center.
 - XVI. be required to publish annual reports on their Center's performance.
 - XVII. Submit the Center budget, procurement plans, annual reports and performance contracts.
 - XVIII. Undertake any other work or responsibility as may be assigned to him/her by the Director

11. The conditions of service, including rights and privileges for Coordinators shall be defined in a specific policy document.

Article 12: Intellectual Property Rights

1. All the ideas, inventions and innovations emanating from the research/activities done under PAU shall be patented in the host country in the name of the innovator(s), host University and PAU. PAU shall develop a policy document in consultation and concurrence with the host University/country on Intellectual Property Rights registration, patenting and sharing of proceeds from commercialized patents.
2. The policy document shall be reviewed in line with the international treaties and conventions.
3. The host country policy should have supremacy over other policies in event of ambiguity or otherwise

Article 13: PAU Research Policy

1. The PAU shall develop its own research policy which may vary from institute to institute depending on the nature of their activities and programmes
2. The research policy shall be in consonance with the country's scientific and technological research policy
3. In an event where there is ambiguity or disagreement the national law on research policy should have supremacy

Article 14: The Endowment Fund

1. An Endowment Fund shall be created based on voluntary contributions.
2. The following shall be contributors to the Endowment Fund:
 - The Governments of Member States of the African Union;
 - Regional Economic Communities (RECs)
 - Development Partners and relevant Donors;
 - Public and private sources.
3. The management of the Endowment Fund shall be in conformity with the general financial principles applicable to AU institutions.
4. Each country hosting an Institute, a Centre or the Rectorate shall be required to commit additional resources.

Article 15: Budgeting and Financing of the University

1. The PAU budget shall be managed under the general financial regulations approved by the PAU Council. The annual budget prepared by the Rector shall be adopted by the PAU Council.

2. Following the approval of the annual budget, the Rector shall proceed to execute the budget in conformity with the provisions of the PAU financial regulations;
3. The Rector shall prospect for financial opportunities and, on the approval of the Council, conclude agreements and conventions under which funding would be raised for the University;
4. The Rector shall present annually a financial report to the Council for approval;
5. The accounts of the PAU shall be audited annually by an external auditor appointed by the Chairperson of the AUC.

Article 16: Headquarters

The location of the Rectorate shall be decided by AUC following an open call to AU Member States. A Memorandum of Understanding shall be signed in this respect with the host country selected.

Article 17: Staff and Student Disciplinary Committee (added)

The rector is allowed to set up committee in each PAU Institutes and Centres comprising not less than 7 and not more than 11 members but must be in odd number to hear and make fair judgment on students and staff act of indiscipline in accordance with the staff/students rules and regulations.

Article 18: Modalities of Award of Degrees and Examination Regulation (added)

These details are as shown in annex 'A' of the Statute

Article 19: Special Provisions

1. Article headings in this Charter are for the purposes of convenient reference only and shall not affect the meaning or interpretation of any provisions of the Charter.
2. This Statute constitutes the entire agreement of the PAU and supersedes any and all prior agreements.
3. This Statute shall be governed by and construed in accordance with the rules of the African Union.
4. Any amendment to the Statute shall be decided by the PAU Council.
5. In witness whereof this Statute has been adopted by.....as of the date first written above.
6. This present Statute shall take effect as from.....

EX.CL/685(XIX)
Annex 2

ESTABLISHMENT OF THE PAN AFRICAN UNIVERSITY
ACT OF ESTABLISHMENT
April 2010

AFRICAN UNION
الاتحاد الأفريقي



UNION AFRICAINE
UNIÃO AFRICANA

Addis Ababa, ETHIOPIA P. O. Box 3243 Telephone: 251 11 5517700 Fax: 251 11 5 517844
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DEPARTMENT OF HUMAN RESOURCES, SCIENCE AND TECHNOLOGY

**FIRST EXTRAORDINARY SESSION OF THE
CONFERENCE OF MINISTERS OF EDUCATION
OF THE AFRICAN UNION (COMEDAF IV+)
NAIROBI, KENYA
11 - 13 MAY 2011**

Ext/AU/ EXP/COMEDAF IV/3b(I)

ESTABLISHMENT OF THE PAN AFRICAN UNIVERSITY

ACT OF ESTABLISHMENT

April 2010

CONSTITUTIVE ACT OF THE PAN AFRICAN UNIVERSITY

We, the Heads of States and Governments of the African Union, during the meeting held on at.....

CONSIDERING the Assembly decision [Assembly/AU/Dec.92 (VI)] launching the Second Decade of Education for Africa (2006-2015) whose the framework designates higher education as the one of the seven priorities for Africa.

TAKING INTO ACCOUNT the Executive Council decision [EX.CL/Dec.254 (VIII)] approving the Consolidated Plan of Action for African Science and Technology and calling for the coordination of its implementation;

CONSIDERING the Assembly declaration [Assembly /AU/ Decl.5 (VIII)] committing ourselves to the revitalization of the African universities and other African institutions of higher education as well as scientific research institutions and to promote and strengthen south-south and north-south cooperation in science and technology;

CONSIDERING ALSO The Council of Ministers meeting in its Twenty sixth Ordinary Session in Addis Ababa, Ethiopia, from 23 February to 1 March 1976 adopting resolution [CM/Res.464 (XXVI)], which was subsequently endorsed by the Assembly of Heads of State and Government, stipulating that “there shall be five (5) regions of the OAU, namely, Northern, Western, Central, Eastern, and Southern”.
Decide the following:

Article 1

An African continental institution of higher education and research, which shall be known as the PAN-AFRICAN UNIVERSITY, (PAU) is hereby created;

Article 2

The PAU is a network of five Institutes representing the five (5) thematic areas allocated based on the five (5) geographic regions of the African Union, namely Central, Eastern, Northern, Southern and Western. Each Institute will be connected to a network of Centres distributed all over the continent and selected on the basis of agreed criteria and merit.

Article 3

The PAU mission and strategic vision are to:

1. Develop continental-wide and world-class graduate and postgraduate programs in science, technology, innovation, human and social sciences;
2. Stimulate collaborative, internationally competitive, cutting leading-edge fundamental and development oriented research, in areas having a direct bearing on the technical, economical and social development of Africa ;

3. Enhance the mobility of students, lecturers, researchers and administrative staff between African universities to improve on teaching, leadership, and collaborative research;
4. Contribute to the capacity building of present and future African Union stakeholders;
5. Improve on the attractiveness of African higher education and research institutions to retain young talent professionals;
6. Invigorate partnership with public and private sectors as well as international organizations and African Diaspora.

Article 4

The Statute (Annexed) defining the operation of the PAU is hereby approved.

EX.CL/685(XIX)
Annex 3

**REGIONAL CONVENTION ON THE RECOGNITION OF STUDIES,
CERTIFICATES, DIPLOMAS, DEGREES AND OTHER ACADEMIC
QUALIFICATIONS IN HIGHER EDUCATION IN AFRICAN STATES**

(Revised September 2009)
[revised by UNESCO December 2010]

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

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Addis Ababa, ETHIOPIA P. O. Box 3243 Telephone: 251 11 5517 700 Fax: 251 11 5517844

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DEPARTMENT OF HUMAN RESOURCES, SCIENCE AND TECHNOLOGY

**FIRST EXTRAORDINARY SESSION OF THE
CONFERENCE OF MINISTERS OF EDUCATION
OF THE AFRICAN UNION (COMEDAF IV+)
NAIROBI, KENYA
11 - 13 MAY 2011**

Ext/AU/ EXP/COMEDAF IV/4(I)

**REGIONAL CONVENTION ON THE RECOGNITION OF STUDIES,
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**REGIONAL CONVENTION ON THE RECOGNITION OF STUDIES, CERTIFICATES,
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EDUCATION IN AFRICAN STATES**

(Revised September 2009)

[Revised by UNESCO December 2010]

PREAMBLE

The African States and States or entities wishing to become parties to the present Convention,

Considering the close bonds of solidarity that history and geography have forged between them;

Reaffirming, in accordance with the Constitutive Act of the African Union, their common resolve to strengthen understanding and co-operation among the African peoples;

Taking into account the launch of the Second Decade of Education for Africa Plan of Action and higher education prioritized as one of seven areas of focus of the Plan of Action;

Considering the paramount role that the systems of education can and must play in promoting regional integration through inter-university co-operation;

Taking into account the fact that the right to education forms part of basic human rights and hence the need to facilitate access to higher education to the greatest number of people, according to their abilities and irrespective of their social status, gender, nationality or community;

Conscious of the importance of academic mobility and the regional recognition of studies, certificates, diplomas, degrees and other academic qualifications in higher education for expanding higher education and for promoting the social and economic development of Africa;

Reaffirming the Declaration of the World Conference on Higher Education of 1998, especially when it underlined the need for ratifying and implementing normative instruments for the recognition of diplomas and for mobility within the education systems, as well as giving priority to postgraduate training in Africa;

Reaffirming the outcomes of the 2009 UNESCO World Conference on Higher Education (WCHE + 10) which acknowledged the tremendous progress made and gave priority focus to the development of a higher education and research area in Africa;

Conscious of the challenges created by the globalization of higher education as promoted by the World Trade Organization through its General Agreement on Trade in Services (GATS);

Considering that higher education is a public service provided by government or private sector institutions, whose organization and operation attach great importance to the principles of academic freedom and autonomy of higher education and research institutions, and aware of the need to uphold and protect these principles;

Recognizing the diversification, differentiation and expansion of higher education systems in Africa and the need to adapt the existing legal instruments and practices in order to promote the mobility of students, teachers and researchers at the national, regional and international levels;

Taking into account the role played by UNESCO in this area by creating Regional Conventions;

Conscious of the need for quality, and to encourage institutions and national accreditation bodies to develop internal and external quality assurance mechanisms, and to take advantage of new Information Communication Technologies (ICTs) to improve teaching and learning through Open and Distance Learning (ODL), Cross-Border Education (CBE), and the use of Open Educational Resources (OERs);

Determined to organize and reinforce the recognition of studies, certificates, diplomas, degrees and other academic qualifications in higher education, as well as the management of quality by national, bilateral, sub-regional and regional organizations which already exist or which will be created for that purpose;

Convinced that the mutual recognition of studies, diplomas and degrees in higher education by all the competent authorities and institutions constitutes an important step in the fight against qualifications issued by non-recognized providers;

Expressing the belief that this Convention will constitute a major element towards a more wide-ranging action leading, on the one hand, to the construction of an African Higher Education and Research Area and, on the other hand, an eventual International Convention for all the Member States of UNESCO;

HAVE AGREED as follows:

I. DEFINITIONS

Article 1-

For the purpose of the present Convention the following terms shall have the following meaning:

1. **Access:** The possibility for qualified candidates to apply and to be considered for admission to higher education.
2. **Accreditation:** A process of assessment and review that enables a higher education program or institution to be recognized or certified by the appointed body as meeting appropriate standards.

3. **Admission:** The granting of qualified applicants to pursue studies in higher education at a given institution and/or in a given programme.
4. **Authorization:** A permit delivered by a body officially mandated to authorize the foundation of an institution or the creation of a new branch of specialization in a higher education institution.
5. **Bachelor's degree:** The first degree offered by a university or equivalent institution.
6. **Competent recognition authority:** A body officially charged with making decisions on the recognition of foreign qualifications.
7. **Continental body:** an Organization whose jurisdiction covers the entire continent.
8. **Cross-Border Higher Education:** Higher education that takes place in situations where the teacher, student, programme, institution/provider or course materials cross national, jurisdictional borders. Cross-border higher education may include higher education by public/private and not-for-profit/for-profit providers. It encompasses a wide range of modalities, in a continuum from face-to-face (taking various forms such as students traveling abroad and campuses abroad) to distance learning (where provision of education rather than the student moves across borders using a range of technologies and including e-learning).
9. **Doctorate degree:** The, terminal highest degree offered by a university, also referred to as the third academic degree.
10. **Evaluation of Institutions and Programmes:** A process that enables an evaluation of the quality of education provision of an institution or a higher education programme.
11. **Graduate Education:** Any study undertaken beyond the first or Bachelor's degree level or an equivalent degree.
12. **Higher Education:** All types of courses of study, or sets of courses of study, training, or training for research at the post secondary level which are recognized by the relevant authorities of a State Party as belonging to its higher education system.
13. **Higher Education Institution:** An institution providing higher education and recognized by the competent authority of a State as belonging to its higher education system, and authorized award qualifications at the higher education level.
14. **Individual Evaluation:** Assessment by a competent authority of the qualifications or level of training acquired by an individual to determine his/her access to further educational levels and/or regulated professional employment.

15. **Level of Training:** A sum of academic and practical studies, or personal experience and professional achievements, leading to the required level of competence or skill, either to pursue further training, or to assume the responsibilities and perform the duties corresponding to the level of training concerned.
16. **Life-Long Learning:** Education through experience and formal or informal studies covering the entire span of one's life.
17. **Master's Degree:** A degree obtained after the Bachelor's degree, also referred to as the second degree.
18. **National Observatories:** An authority at the national level functioning as a database and controlling the accreditation and quality assurance bodies
19. **National Quality Assurance Authority:** A Quality Assurance Authority independent of the higher education system, whose jurisdiction in ensuring the defined standards and procedures nationwide is adhered to by the institutions.
20. **Network of National Observatories:** An interconnected system of national observatories, accreditation and quality assurance bodies that collaborate in order to share good practices, policies, procedures, methods and modus operandi.
21. **Open and Distance Learning:** Non-traditional provision of higher education via part-time attendance study modalities or remote delivery using ICTS or a combination of both.
22. **Partial Studies:** Education whose duration or content is incomplete according to the norms prevailing in the institution where it was acquired, and which, not having resulted in the conferral of a qualification, has been subjected to an evaluation and a validation, in accordance with the norms prevailing in the institution concerned.
23. **Prior Learning:** Learning which has already been acquired in different ways **either formal or non-formal.**
24. **Professional studies:** Education or training provided by recognised professional bodies or societies.
25. **Quality Assurance:** A process which specifies requirements for a group of activities, especially with regard to conditions of access and admission, training of human resources, mobilization of financial resources and training of teachers in the use of new pedagogical methods.
26. **Quality Assurance Authority:** An authority which is officially established and recognized and which is mandated to take executive decisions within the framework of the recognition of qualifications in Higher Education or of validated training.

Recognition: Acceptance by the competent authority of a State Party's diploma, degree or other higher education qualification, or a validated training, obtained abroad, and the granting to the holders thereof their entitled rights to either continue their studies or practice a profession nationally. **Region:** A sub-part of the continent.

Secondary Education: Studies that follow basic education and whose aims may include preparing pupils for higher education as sanctioned by a secondary school leaving certificate or proof of the ability to enroll in higher education.

Validation: Procedure by which a competent authority evaluates qualifications in accordance with norms and standards recognized nationally or internationally.

Virtual Higher Education: A type of higher education which uses Information and Communication Technologies, where the student does not have to be present in the lecture room.

II. AIMS

Article 2-

1. The State Parties solemnly declare their firm resolve to co-operate closely with a view to:
 - a) Strengthening and promoting inter-regional and international co-operation in the field of recognition of qualifications;
 - b) Defining and putting in place effective quality assurance and accreditation mechanisms at the national, regional and continental levels;
 - c) Encouraging and promoting the widest and most effective possible use of human resources available in Africa and of the Diaspora in order to speed up the development of their respective countries and to limit African brain-drain;
 - d) Facilitating the exchange and greater mobility of students, teachers and researchers of the continent and the Diaspora, by the recognition of qualifications delivered by other State Parties in order to pursue higher education;
 - e) Furthering the setting up of high level joint training and research programmes between higher education institutions and supporting the award of joint degrees;
 - f) Improving and reinforcing the collection and exchange of information for the purpose of implementing this Convention;
 - g) Contributing to the harmonization of certificates and qualifications, taking into account the current global trend aiming at generalising the Bachelor's / Master's / Doctoral (BMD) system.
2. The State Parties agree to take all necessary steps at the national, bilateral and multilateral levels, in particular by means of bi-lateral, sub-regional, continental or other institutional instruments and arrangements with competent national or international organisations and bodies, with a view of achieving the goals defined in the present Article.

III. OBLIGATIONS OF STATE PARTIES

Article 3- General Provisions

1. The provisions of this Convention apply to qualifications obtained in a public or private higher education institution recognized by an authority of a State Party, located within or outside its national boundaries and in compliance with its rules and regulations.
2. The recognition by a State Party of a delivered qualification is contingent upon the fulfilment of all the degree requirements.
3. The provisions of the present Convention apply to all forms of higher education as defined in Article I definition 12.

Article 4- Obligations Related to the Recognition of Qualifications

1. The State Parties agree to recognize, under the same conditions applicable locally, the higher education qualifications obtained in another State Party, the possession of which qualifies the holder to admission at the ensuing levels of education in higher education institutions.
2. The State Parties agree to take all necessary measures in order to facilitate access to the higher education institutions of their country for nationals of other State Parties who satisfy the same requirements as their own nationals for admission to the appropriate degree level.
3. The State Parties agree to define the criteria and procedures for the evaluation of qualifications to ensure minimum learning outcomes in order to facilitate and reinforce academic mobility within and between their States.
4. The State Parties agree to take the necessary measures to ensure that the qualifications issued by an institution of higher education of a State Party are recognized for the purpose of exercising a profession.
5. Any national of a State Party having obtained, in the territory of a non- State Party, qualifications similar to those defined above, can avail herself/himself of these provisions, provided that her/his qualifications have been recognized by the country of origin and the accepting country.
6. Any national of a State Party, regardless of gender or political or legal status, who has undertaken studies and obtained a qualification is entitled to benefit from the provisions of this Convention.
7. State Parties and regulatory bodies should develop procedures to assess whether refugees and displaced persons fulfil relevant requirements to access higher education through recognition of prior learning and qualifications for employability and integration

Article 5- Transparency of Higher Education Systems, Institutions, Programmes and Qualifications

1. The State Parties agree to put in place national structures, and to update them where and when necessary, in order to evaluate the practices of their higher education system and to ensure the transparency of the system, institutions, programmes and qualifications and to make recommendations to the National Quality Assurance Authority as defined in Article 10.
2. The State Parties agree to put in place and to ensure the regular operation of a National Quality Assurance Authority mandated to carry out a periodic evaluation of higher education institutions and programmes.

Article 6- Recognition of Partial Studies

Each State Party agrees to recognize the level of learning outcomes / competences, notwithstanding its duration, provided that it corresponds to an equivalent period of studies of a higher education programme whose recognition is requested.

Article 7- Validation of Acquired Professional Experience and Prior Learning

The State Parties agree, with a view to promoting adult education and life-long learning, to adopt procedures, criteria and standards that allow the validation of acquired professional experience and prior learning for access to higher education programmes.

IV. IMPLEMENTATION

Article 8- Process for the Recognition of Qualifications

The process for the recognition of qualifications should take into account quality assurance mechanisms and the accreditation of institutions and programmes issuing qualifications.

Article 8.1

1. Holders of qualifications issued in one of the State Parties shall have adequate access, upon request to the appropriate body, to an assessment of these qualifications in a timely manner.
2. In order to assure this right, each State Party undertakes to make appropriate arrangements for the assessment of an application for recognition of qualifications solely on the basis of knowledge and skills achieved.

Article 8.2

Each State Party shall ensure that the procedures and criteria used in the assessment and recognition of qualifications are transparent, coherent and reliable.

Article 8.3

1. Decisions on recognition shall be made on the basis of appropriate information on the qualifications for which recognition is sought.
2. In the first instance, the responsibility for providing adequate information rests with the applicant, who shall provide such information in good faith.
3. Notwithstanding the responsibility of the applicant, the institutions having issued the qualifications in question shall have a duty to provide, upon request of the applicant and within a reasonable timeframe, relevant information to the holder of qualifications, to the institution, or to the competent authorities of the country in which recognition is sought.
4. The State Parties shall instruct or encourage, as appropriate, all education institutions belonging to their education systems to comply with any reasonable request for information for the purpose of assessing qualifications earned at the said institutions.
5. The responsibility to demonstrate that an application does not fulfill the relevant requirements lies with the body undertaking the assessment.

Article 8.4

Each State Party shall ensure, in order to facilitate the recognition of qualifications, that adequate and clear information on its education system is provided.

Article 8.5

Decisions on recognition of qualifications shall be made within a reasonable time limit specified beforehand by the competent recognition authority and calculated from the time all necessary information in the case has been provided. If recognition is withheld, the reasons for the refusal to grant recognition shall be stated, and information shall be given concerning possible measures the applicant may take in order to obtain recognition at a later stage. If recognition is withheld, or if no decision is taken, the applicant shall be entitled to make an appeal within a reasonable time limit

Article 9- Implementing Structures and Technical Partnership

The State Parties agree to entrust the implementation of the provisions contained in the present Convention to:

1. National Bodies
2. The Continental Follow-Up Committee
3. The Network of National Observatories
4. Bilateral and sub-regional Bodies

Article 10- National Bodies

1. **National Quality Assurance Authority.** State Parties agree to create and ensure the regular operation of a Quality Assurance Authority, to be officially established, recognized and empowered to take executive decisions within the framework of recognition qualifications in higher education.
2. **2. National Networks.** State Parties agree to encourage close cooperation among the relevant structures (governmental or non-governmental), in particular the higher education institutions, the validation authorities, the professional organizations and other educational institutions and associations, in order to achieve the objectives of this Convention.
3. **3. National Observatory.** State Parties, in order to reinforce exchanges, agree to set up a National Information Center (NIC), which will be coordinated by a focal point. The NIC is responsible for collecting and disseminating information and successful experiences as regards recognition of qualifications, as well as mechanisms for quality assurance and accreditation of institutions and programmes. State Parties will make available to all other State Parties complete, reliable and regularly updated data and information about level of enrolment, recognized higher education institutions, programmes, subjects, studies, degrees, qualifications, as well as the recognition of higher education qualifications and diplomas in their territories.
4. Where **central authorities** of a State Party are competent to make decisions in recognition cases, that Party shall be immediately bound by the provisions of this Convention and shall take the necessary measures to ensure the implementation of its provisions on its territory.

Article 11- Convention Committee

1. A Convention Committee composed of representatives of all State Parties is hereby set up.
2. The objective of the Committee, which will be under the responsibility of the Bureau of the Conference of Ministers of Education of Africa (COMEDAF), is to promote and extend the implementation of the current Convention. In that context, the Committee will develop and distribute the recommendations, protocols and best practice models to guide the National Quality Assurance Authority of each State Party in the implementation of the provisions of the current Convention.
3. The Committee is entitled to propose to State Parties plans and procedures for the implementation of the Convention and the co-ordination of its practical execution by the State Parties, UNESCO and the African Union Commission.

5. The Committee:

1. Elects, from its members, for a period of two years, renewable once, a Bureau comprising a President, three Vice-Presidents and a Rapporteur representing the five AU regions.
2. Develops and adopts its own rules of procedure.
3. Creates the bodies and technical committees necessary for the accomplishment of its tasks, by defining their composition, powers and mandate.

Article 12- Co-Secretariat of the Convention Committee

1. The Co-Secretariat of the Convention Committee will be provided by UNESCO, represented by the Regional Office for Education in Africa (BREDA), and the African Union Commission (AUC).
2. The Co-Secretariat prepares, in consultation with the Bureau of the Convention Committee, the agenda of the meetings of the Committee and assists the national structures in their activities.
3. The Co-Secretariat assists the State Parties in distributing information about the activities and findings of the Continental Follow-Up Committee, the NICs and the Network of NICs.

Article 13- Network of National Observatories

National Observatories will be constituted into a Network of Continental Observatories.

Article 14- Bilateral and Sub-Regional Structures

1. The State Parties may delegate to existing bilateral and sub-regional bodies, or those to be created for that purpose, the responsibility of examining the problems that arise at bilateral or sub-regional level with regard to the implementation of the provisions contained in the Convention, and to assist in resolving them.
2. The Convention Committee may, in order to ensure a wider and more harmonious execution of the Convention, entrust to competent African bodies the responsibility to study and find solutions to problems that arise as a result of differences that exist between higher education systems and evaluation processes when applied to different sub-regions of Africa.

Article 15- Cooperation among Regional Conventions

Exchange and co-operation agreements may be concluded between the African Regional Follow-Up Committee and similar bodies of other Regional Conventions, (namely: Asia Pacific, Latin America and the Caribbean, the Arab and European states

bordering on the Mediterranean [(the Mediterranean Convention], Arab States, and Europe).

Article 16- Implementing Structures– (Financial Contributions)

1. The State Parties undertake to ensure the proper and regular operation of the bodies defined above by contributing financially to their activities.
2. The State Parties undertake to mobilise additional resources from sub-regional bodies of co-operation and integration of the African Union.
3. The African Union Commission (AUC), UNESCO and other financial and technical partners will assist State Parties in mobilising additional resources.

V. Final Clauses

Article 17-

1. This Convention shall be open for signature by:
 - (a) the member states of the UNESCO Africa Region;
 - (b) the member states of the African Union;
 - (c) the Holy See.
2. These State Parties may express their consent to be bound by:
 - (a) signature without reservation as to ratification, acceptance, approval or accession;
 - (b) signature, subject to ratification, acceptance, approval, or accession followed by ratification, acceptance, approval or accession.
3. Signatures shall be made with one of the depositaries. Instruments of ratification, acceptance, approval or accession shall be deposited with one of the depositaries.
4. An original version of the instrument in one of the working languages of the depositary shall be submitted to the Chairperson of the Commission of the African Union or the Director-General of UNESCO.

Article 18-

The Convention shall enter into force one month after ten States have expressed their consent to be bound by the Convention. For any State that subsequently expresses its consent to be bound by it, the Convention shall enter into force one month after the deposit of that State's instrument of ratification, acceptance, approval or accession.

Article 19-

1. State Parties to this Convention which are at the same time parties to the Regional Convention on the Recognition of Studies, Certificates, Diplomas,

Degrees and other Academic Qualifications in Higher Education in the African States, adopted in Arusha on 5 December 1981:

- (a) shall apply the provisions of the present Convention in their mutual relations;
 - (b) shall continue to apply the above-mentioned Convention to which they are a party in their relations with other States party to that Convention but not to the current Convention.
2. The State Parties to the current Convention undertake to abstain from becoming a party to the above-mentioned Convention in the event that they are not already a party to that Convention.

Article 20- Denunciation

1. A State Party shall have the right to denounce this Convention.
2. The denunciation shall be signified by an instrument in writing deposited with the Chairperson of the Commission of the African Union or the Director-General of UNESCO.
3. The denunciation shall take effect twelve months after the instrument of denunciation is received by the Chairperson of the Commission of the African Union or the Director-General of UNESCO. It shall have no retroactive effects, nor shall it affect the recognition of studies, certificates, diplomas, degrees or other qualifications, which has taken place in accordance with the provisions of the Convention when the State denouncing the Convention was still bound thereby.

Article 21- Amendment

1. Any State Party may submit proposals for the amendments or revision of this Convention.
2. Proposals for the amendment or revision of this Convention shall be submitted, in writing, to the Chairperson of the Commission of the African Union or the Director General of UNESCO who shall transmit the same to the State parties, within thirty (30) days of receipt thereof.
3. The Assembly[not defined-which body is this?] shall examine these proposals within a period of one (1) year following notification of State Parties, in accordance with the provisions of 21.2 of this article.
4. Amendments shall be adopted by the Convention Committee by a two-thirds majority.
5. Amendments or revisions shall enter into force for each State Party which has accepted them thirty (30) days after the Chairperson of the Commission of the

African Union and the Director General of UNESCO have received notice of adoption by the Convention Committee.

Article 22-

1. The Chairperson of the Commission of the African Union and the Director-General of UNESCO shall be the depositaries of this Convention.
2. The depositary with whom an act, notification or communication has been deposited shall inform the State Parties referred to in Article 17, as well as the other depositary and the United Nations of the deposit of the instruments of ratification, acceptance, approval or accession provided for in Articles 17 and of the denunciations provided for in Article 20.

Article 23-

In conformity with Article 102 of the United Nations Charter, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of UNESCO.

IN WITNESS WHEREOF, the undersigned representatives, being duly authorised thereto, have signed the current Convention.

2011

Report of the first extraordinary
session of the African Union
conference of ministers of education
(Comedaf Iv) Windhoek, Namibia, 11 –
13 May 2011

African Union

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