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**REPORT ON THE ELECTION OF THE
DEPUTY CHAIRPERSON OF THE AFRICAN UNION COMMISSION**

REPORT ON THE ELECTION OF THE DEPUTY CHAIRPERSON OF THE AFRICAN UNION COMMISSION

I. INTRODUCTION

1. The election process of the Deputy Chairperson of the African Union Commission (the Commission) is based on the provisions of the Rules of Procedure of the Assembly of the Union, the Statutes of the African Union Commission, Modalities for Election of the Members of the Commission of the African Union decision **EX.CL/Dec.906 (XXVIII)** adopted by the Executive Council, January 2016, Addis Ababa, Ethiopia and Assembly Decision **Ext/Assembly/AU/Dec.1(XI)** on the Institutional Reform of the Commission adopted by the 11th Extra Ordinary Session of the Assembly in November 2018, Addis Ababa, Ethiopia.

2. In accordance with Article 10 of the Statutes of the Commission, the term of office of the Members of the Commission shall be four (4) years. The Members may be eligible to compete for re-election for another term of four (4) years.

3. It will be recalled that the current Deputy Chairperson of the Commission was elected in Addis Ababa, Ethiopia in January 2017 for a four-year term.

II. COMPOSITION OF THE COMMISSION

4. In November 2018, the 11th Extraordinary Session of the Assembly, Meeting in Addis Ababa, Ethiopia, adopted Decision **Ext/Assembly/AU/Dec.1(XI)** on the Institutional Reform, hereinafter referred to as “the Decision”. Through this Decision, the Assembly introduced new modalities for the election of senior leadership of the Commission.

5. First, the Assembly revised the structure and portfolios of the Senior Leadership of the AU Commission and decided as follows:

- (i) *That the new structure of the AU Commission shall be composed of eight (8) members as follows: Chairperson, Deputy Chairperson and six (6) Commissioners;*¹

6. According to Para 12(iv) of the Decision, the regions with candidates that are elected to the position of the Chairperson or the Deputy Chairperson shall not be eligible for consideration for the six remaining Commissioner posts.

III. RESPONSIBILITIES OF THE DEPUTY CHAIRPERSON

7. In accordance with Article 9 of the Statutes of the Commission, the Deputy Chairperson shall be accountable to the Chairperson. He /She shall have the following functions:

¹ Para 3 of the Decision

- (a) assist the Chairperson in the exercise of his/her functions;
- (b) exercise the functions delegated to him/her by the Chairperson;
- (c) be in charge of the administration and finance of the Commission;
- (d) act as Chairperson in case of death or permanent incapacity of the Chairperson, pending the appointment of a new Chairperson;
- (e) act as Chairperson in the absence or in case of temporary incapacity of the latter.

IV. MODALITIES FOR SELECTION OF CANDIDATES

a) The Panel of Eminent Africans

8. The Assembly, in the Decision, provided for the establishment of the Panel of Eminent Africans to oversee the pre-selection process of the candidatures of the senior leadership as follows:

HEREBY ESTABLISHES a Panel of Eminent Africans, composed of five (5) eminent personalities, one per region, to oversee the pre-selection of candidatures of the senior leadership of the Commission;

REQUESTS Member States to propose their regional nominations for the Panel of Eminent Africans to the Commission by January 2019. The Commission shall present such nominations to the 32nd Ordinary Session of the Assembly from 10 to 11 February 2019 in Addis Ababa, Ethiopia;

DECIDES that the Panel of Eminent Africans shall be technically assisted by an independent African consultancy firm, to be selected by the Panel;

9. Accordingly, the Commission invited the Regional Deans of the African Union to carry out, within their respective regions, consultations and submit one (1) name per region to constitute the Panel of Eminent Africans.

10. The Panel was endorsed by the Assembly vide decision **Assembly/AU/Dec. 761(XXXIII)** adopted by the 33rd Ordinary Session of the Assembly on 10 February 2020 in Addis Ababa, Ethiopia. It is composed as follows:

- a) Central Africa: H.E Yang Philemon (**Cameroon**)
- b) East Africa: Amb. Konjit Sinigiorgis (**Ethiopia**)
- c) Southern Africa: Amb. Tuliameni Kalomoh (**Namibia**)
- d) West Africa: Hon. Hassan Bubacar Jallow (**The Gambia**)

11. In the same decision, the Assembly urged the Northern Region to conclude their consultations and nominate an Eminent Person to the Panel, however, the Northern Region did not manage to nominate a representative.

12. Pricewaterhouse Coopers Associates Limited (Mauritius) is the independent African consultancy firm that was selected by the Panel of Eminent Africans, through an open tender process, to provide technical assistance.

13. With regards to the election of the Deputy Chairperson, the main Term of Reference for the Panel, as contained in the Decision is the development of job profiles and competency requirements for the position.

b) Nominations of candidatures for the post of Deputy Chairperson

14. The Commission through Note Verbal No. **BC/OLC/217/5031.20** dated 4 June 2020 informed Member States that the election of the Deputy Chairperson would be conducted during the January/February Summit in 2021.

15. In the same Note Verbal, the Commission circulated the job profile as generated by the Panel of Eminent Persons and specified competency requirements including the need for candidates to provide curriculum vitae, along with vision statements outlining how they intend to address the most pressing issues facing the AU as mandated by Para 18(a) of the Decision.

16. The Commission informed Member States that the deadline for submission of candidatures was on or before 04 September 2020.

17. The Commission, through Note Verbal No. BC/OLC/217/6052.20 dated 13 August, 2020, reminded Member States of the call for submission of candidatures and the fixed deadline of 4 September 2020.

18. Upon expiry of the deadline, the Commission through Note Verbal No. BC/OLC/217/7014.20 dated 09 September 2020 circulated a list of all admissible candidates to Member States.

19. Subsequent to the circulation of the list of admissible candidatures, the Republic of South Africa withdrew the admissible candidatures of Edward Maloka and Ndumiso Ndimma Ntshinga, and Member States were notified accordingly.

20. The final list of candidates for the post of Deputy Chairperson and curricula vitae are attached hereto as Annexes.

V. KEY PRINCIPLES

21. In electing the Deputy Chairperson of the Commission, due consideration should be given to the following key principles as provided for under paragraph 12 of the Decision:

- a) Equitable regional representation:** the regions with candidates that are elected to the position of the Chairperson or the Deputy Chairperson

shall not be eligible for consideration for the six remaining Commissioner posts.² The Chairperson of the Commission and his/her Deputy shall not be from the same region;³

- b) **Rotational gender parity:** if the Chairperson is male then the Deputy Chairperson shall be a female and vice versa;⁴
- c) **Predictable inter and intra-regional rotation following the English alphabetical order;**⁵
- d) **Attracting and retaining Africa's top talent;**⁶
- e) **Accountable and effective leadership and management;**⁷
- f) **Transparent and merit-based selection.**⁸

VI. ELECTION OF THE DEPUTY CHAIRPERSON

22. Rule 38 of the Rules of Procedure of the Assembly, as amended by the Decision provides as follows:

1. *The Assembly shall elect the Chairperson of the Commission and his or her Deputy by secret ballot and two thirds majority of Members eligible to vote.*
2. *The Chairperson of the Commission and his/her Deputy shall be competent women or men with proven experience, commensurate leadership qualities and a good track record in government, parliament, international organizations, or other relevant sectors of society.*
3. *Candidatures for the Office of the Chairperson and his/her Deputy shall be circulated to Member States at least ten (10) months before the election.*⁹
4. *The Chairperson of the Commission and his/her Deputy shall not be from the same region.*
5. *Further, para 18 (c) of the Decision provides that prior to election, each candidate shall make a formal presentation to the AU Assembly outlining their vision and the proposed priorities for their term of office.*

VII. VOTING PROCEDURES

² Para 12(iv) of the Decision

³ Para 17(4) of the Decision

⁴ Para 12 (ii) of the Decision

⁵ Para 12 (i)(b) of the Decision

⁶ See Para 12 (i)(c) of the Decision

⁷ Para 12 (i)(d) of the Decision

⁸ Para 12 (i)(e) of the Decision

⁹ Para 17(3) of the Decision

23. Rule 42 of the Rules of Procedure of the Assembly provides as follows:

1. The voting shall commence with the election of the Chairperson of the Commission, followed by the Deputy Chairperson, thereafter the Assembly shall appoint Commissioners elected by the Executive Council.

2. In any election of the Chairperson of the Commission or his/her deputy, the balloting shall continue until one (1) of the candidates obtains the two-thirds majority required. Provided that, if the third ballot remains inconclusive, the next ballot shall be restricted to the two (2) candidates who obtain the highest number of votes in the third ballot.

3. If after three (3) further ballots neither of the two (2) candidates obtains the majority required, the candidates with fewer votes shall withdraw.

4. Where there are only two (2) candidates initially and neither candidate obtains the majority required after the third ballot, the candidate with fewer votes shall withdraw and the remaining candidate shall proceed to the next round.

5. If the remaining candidate fails to obtain the two-thirds majority required in that round, the Chairperson shall suspend the election.

6. Where there is only one (1) candidate initially and he or she fails to obtain the two-thirds majority required after the third ballot the Chairperson shall suspend the election.

7. The Deputy Chairperson of the Commission shall take over the Chairmanship of the Commission on an interim basis until new elections are held. If the impasse is in respect of the Deputy Chairperson, the most senior Commissioner by length of tenure, or by age where length of tenure is the same, shall be designated to act as the Deputy Chairperson until new elections are held..."

ANNEX 1

CANDIDATES FOR THE POST OF DEPUTY CHAIRPERSON OF THE COMMISSION

ANNEX 2

Curriculum Vitae of Candidates

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