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**REPORT OF THE COMMISSION ON THE ELECTION
OF THE COMMISSIONERS
OF THE AFRICAN UNION COMMISSION**

REPORT OF THE COMMISSION ON THE ELECTION OF THE COMMISSIONERS OF THE AFRICAN UNION COMMISSION

I. INTRODUCTION

1. The election process of Commissioners of the African Union Commission (the Commission) is based on the Rules of Procedure of the Assembly of the Union, the Rules of Procedure of the Executive Council, the Statutes of the Commission, Modalities for Election of the Members of the Commission vide decision **EX.CL/Dec. 906(XXVIII)** adopted by the Executive Council in 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. The Commission is composed of Eight (8) members, namely, the Chairperson, the Deputy Chairperson and Six (6) Commissioners.¹

3. In accordance with Article 10 of the Statutes of the Commission, the terms 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.

4. It will be recalled that six(6) of the current college of Commissioners were elected in Addis Ababa, Ethiopia in January 2017 and two(2) were elected in Addis Ababa, Ethiopia in July 2017 for four-year terms.

II. STRUCTURE AND PORTFOLIOS

5. 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.

6. First, the Assembly revised the structure and portfolios of the Senior Leadership of the 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**;²
- (ii) That the portfolios of the Commissioners shall be as follows:
 - (a) Agriculture, Rural Development, Blue Economy and Sustainable Environment;
 - (b) Economic Development, Trade, Industry and Mining;
 - (c) Education, Science, Technology and Innovation;

¹ Para 3 of the Decision

² Para 3 of the Decision

- (d) Infrastructure and Energy;
- (e) Political Affairs, Peace & Security;
- (f) Health, Humanitarian Affairs and Social Development.

7. The six (6) Commissioner level posts shall be equally distributed by gender and across the three regions that are not represented at Chairperson and Deputy Chairperson level,³ 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.⁴

III. 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 Sinegiorgis (**Ethiopia**)
- c) Southern Africa: Amb. Tuliameni Kalomoh (**Namibia**)
- d) West Africa: Hon. Hassan Bubacar Jallow (**The Gambia**)

³ Para 12(iii) of the Decision

⁴ Para 12(iv) of the Decision.

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. Price water house 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. The Terms of Reference for the Panel as contained in the Decision is as follows:

- i. Development of job profiles and competency requirements for the senior leadership of the Commission.⁵
- ii. Undertake skills and competency-based assessment and shortlisting of candidates to generate a ranked pool of pre-qualified candidates.⁶

b) Nominations of candidatures for the Commissioners Positions

14. The Commission through Note Verbal No. **BC/OLC/217/5032.20** dated 4 June 2020 informed Member States that the election of the Commissioners of the African Union Commission would be conducted during the January/February Summit in 2021.

15. In the same Note Verbal, the Commission circulated job profiles as generated by the Panel of Eminent Persons; and 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. In conformity with Article 13 of the Statutes of the Commission, the Commission requested that candidatures be submitted through the regional deans.

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

18. 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.

19. Upon expiry of the deadline, the Commission through Note Verbal No. **BC/OLC/217/7015.20** dated 09 September 2020, circulated the list of all admissible candidates to Member States;

20. The Commission further informed Member States that the list of admissible candidatures would be forwarded to the Panel of Eminent Africans for the shortlisting

⁵ Para 16 of the Decision

⁶ Para 19 of the Decision

process and that the Commission would circulate the final list of the shortlisted candidates once shortlisting was complete.

21. The Commission, through its Note Verbal reference number **BC/OLC/217/8005.20** dated 07 October 2020 circulated the list of ranked pool of prequalified candidatures as generated and transmitted by the Panel of Eminent Africans.

22. Subsequent to the circulation of the list of ranked pool of prequalified candidatures, the Republic of Uganda withdrew the pre-qualified candidature of **Dr. Godfrey Bahigwa** (male) for the post of Commissioner for Agriculture, Rural Development, Blue Economy and Sustainable Environment **and the Republic of Rwanda withdrew the pre-qualified candidature of Mme Coletha Uwineza Ruhamy** (Female) for the post of Commissioner for Infrastructure and Energy. Member States were notified accordingly.

23. In view of the above, the final list of candidates for the posts of Commissioners and *curricula vitae* are attached hereto as Annexes.

IV. KEY PRINCIPLES

24. In electing the Members 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 six (6) Commissioner level posts shall be equally distributed by gender and across the three regions that are not represented at Chairperson and Deputy Chairperson level.⁷The 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.⁸
- b) **Gender parity:** The six (6) Commissioner level posts shall be equally distributed by gender and across the three regions that are not represented at Chairperson and Deputy Chairperson level.⁹ Accordingly the members of the Commission will be composed of three (3) men and three (3) women.
- c) **Predictable inter and intra-regional rotation following the English alphabetical order;**¹⁰
- d) **Attracting and retaining Africa's top talent;**¹¹
- e) **Accountable and effective leadership and management;**¹² and

⁷ Para 12(iii) of the Decision

⁸ Para 12(iv) of the Decision

⁹ Para 12(iii) of the Decision

¹⁰ Para 12 (i)(b) of the Decision

¹¹ See Para 12 (i)(c) of the Decision.

¹² Para 12(i) (d) of the Decision.

f) Transparent and merit-based selection.¹³

V. VOTING PROCEDURES

25. The voting procedure is governed by Rule 38 of the Rules of Procedure of the Executive Council, which stipulates as follows:

1. In any election of the Commissioners, the balloting for each portfolio shall continue until one 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.
2. If after three (3) further ballots neither of the two (2) candidates obtains the majority required, the candidates with fewer votes shall withdraw.
3. 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.
4. If the remaining candidate fails to obtain the two-thirds majority required in that round, the Chairperson shall suspend the election.
5. 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.
6. This voting procedure shall be applicable to all elections conducted by the Executive Council in respect of other Organs of the Union.”

VI. ELECTION PROCESS

26. Rule 42 (1) of the Rules of Procedure of the Assembly provides as follows:

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

27. Based on this provision, the Assembly after electing the Chairperson and the Deputy Chairperson, it should remain in session until the Executive Council reconvenes in its ordinary session to elect the Commissioners and submit the outcome, namely the newly elected Commissioners’ list to the Assembly for appointment.

¹³ Para 12(i) (e) of the Decision.

28. In case the Assembly will not be in session, **per its Rules of Procedure, it can decide to delegate the appointment of the newly elected Commissioners to the Executive Council.**

ANNEX I

**FINAL LIST OF RANKED POOL OF PREQUALIFIED CANDIDATURES FOR THE SIX
(6) POSITIONS OF COMMISSIONERS OF THE COMMISSION**

ANNEX 2 : CVS OF THE RANKED POOL OF PREQUALIFIED CANDIDATURES FOR THE SIX (6) POSITIONS OF COMMISSIONERS OF THE COMMISSION

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