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

### The Executive Council,

1. **TAKES NOTE** of the PRC recommendations on the Reports of its Sub-Committees;
2. **DECIDES** that a single report template should apply to all PRC Sub-Committees reports;
3. **DIRECTS** the Commission to fulfil its mandate of coordinating, preparing and holding of all PRC Sub-Committees to ensure that meetings are held timely and regularly ;
4. **ALSO DIRECTS** the Commission to fulfil its mandate of providing legal advice to all PRC Sub-Committees meetings to ensure memory and consistency of decisions.
5. **THE JOINT SITTING OF THE SUB-COMMITTEE ON GENERAL SUPERVISION AND COORDINATION ON BUDGETARY, FINANCIAL AND ADMINISTRATIVE MATTERS AND THE EXPERTS OF F15 - Doc. EX.CL/1104(XXXIV)i**
5. **ENDORSES** the recommendations contained in the Report<sup>1</sup> of the PRC on the Report of the Joint Sitting of the PRC Sub-Committee on General Supervision and Coordination on the Administrative, Budgetary and Financial Matters;
  - A. **ON THE 2020 BUDGET FRAMEWORK PAPER**
6. **RECOGNIZES** that the Budget Framework Paper is the basis for formulation of the 2020 Budget of the Union;
7. **ADOPTS** the 2020 Budget Framework Paper for the African Union;
8. **REQUESTS** the Commission and all other Organs to adhere to the priorities and thematic areas outlined in the Budget Framework Paper;
9. **DIRECTS** that emphasis must be given to result and delivery and **URGES** Organs of the Union to observe accountability and the oversight mechanism contained in the Golden Rules;

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<sup>1</sup> Report of the 37<sup>th</sup> Ordinary Session of the PRC and its Annex

10. **URGES** the Commission to enforce both the existing internal and external oversight and accountability mechanisms to ensure effective and prudent use of resources in accordance with relevant Assembly Decisions;

11. **DECIDES:**

- i) To institutionalize a 3 year budget cycle;
- ii) To base the annual budget ceiling on a three (3) year average execution rate;
- iii) To strengthen and embed “Monitoring & Evaluation” in the planning and budgetary processes;
- iv) To reinforce a culture of accountability and result based management;

**B. ON THE 2019 SUPPLEMENTARY BUDGET**

12. **ADOPTS** the 2019 supplementary budget of **\$10,686,666** broken down as follows:

- i) Pan African University (PAU) 2019 Supplementary budget of **\$5,830,600** to be funded as follows:
  - (a) **\$2,500,000** funded from the 2018 PAU unspent funds;
  - (b) **\$2,200,000** funded from the Reserve Fund; and
  - (c) **\$1,130,600** funded from the re-prioritization of activities following the mid-year performance review in July 2019; and
- ii) The African Peer Review Mechanism (APRM) transition budget of **\$4,856,066** in relation to the 1<sup>st</sup> and 2<sup>nd</sup> quarter cash flow projection to be funded from the Reserve Fund.

13. **DIRECTS** the Commission to introduce a Mid-year budget review to ensure better budget performance and avoid supplementary budgets as much as possible;

**C. ON THE RESERVE FUND**

14. **AUTHORIZES** the creation of the Asset Reserve to be embedded in the Financial Rules and Regulations to represent the Asset component of the Reserve Fund;

15. **REQUESTS** the Commission to present the report on the asset valuation exercise conducted in 2018 to the 35<sup>th</sup> Ordinary Session of the Executive Council in July 2019.

**D. ON ARREARS AND DEBTS OF THE UNION**

16. **RECALLS** the decision Ext/EX.CL/Dec.1 (XX) during its 20<sup>th</sup> Extraordinary Session held in November 2018 in Addis Ababa, Ethiopia approving the payment of US\$11 million salary arrears that the AU owes its staff;
17. **AUTHORIZES** the setting up of an accrual of salary arrears in the Financial Statements of 2018 in compliance with the requirements of the International Public Sector Accounting Standards (IPSAS) as adopted in January 2013 - Decision EX.CL/Dec.728(XXII);
18. **DIRECTS** the F15 to look into funding options to clear the salary arrears and submit them for consideration and decision by the 35<sup>th</sup> Ordinary Session of the Executive Council in July 2019;
19. **REQUESTS** the Commission to work out modalities and a plan of payment of debt owed by the Union including to Member States and report to the 35<sup>th</sup> Ordinary Session of the Executive Council in July 2019;

**E. ON THE ROADMAP**

20. **ADOPTS** the Administrative Reforms Road Map referenced EX/CL/1104(XXXIV) iRM and **DIRECTS** the Commission, in collaboration with the PRC, to ensure its implementation in line with the deadlines therein and report on progress in each Ordinary Session of the Executive Council;

**F. ON THE PREFERENTIAL EXCHANGE RATE**

21. **REQUESTS** the Commission to:
- i) Draft, in consultation with the AU Permanent Missions in Brussels and Geneva and submit to the Sub-Committee for review and input a consultant's Terms of Reference regarding a study on the preferential rate for Geneva and Brussels Missions; and hire a consultant to undertake the study in accordance with the TORs by end of April 2019;
  - ii) Maintain the status quo on preferential rate pending the outcome of the study and a decision by the policy organs.

## G. ON THE REVISION OF THE AU FINANCIAL RULES AND REGULATIONS (FRR)

22. **TAKES NOTE** of the progress made in the review of the FRR to be in tandem with IPSAS and the implementation of Agenda 2063;
23. **DIRECTS** the Commission to present the revised FRR to the Specialized Technical Committee on Justice and Legal Affairs prior to their consideration by the Executive Council.

## H. ON HUMAN RESOURCES MANAGEMENT AND MEMBER STATES QUOTA

24. **REITERATES** the moratorium on recruitment of Short, Fixed Term and Special Service Contracts and **REQUESTS** the Commission to handle exceptions on a case by case basis; and finalise the report on resolving the Non-Regular Staffing matter;
25. **REQUESTS** the Commission to communicate regularly to Member States an update on their respective quotas;
26. **ALSO REQUESTS** the Commission to speed up the work of the internal Task Force to review the Staff Regulations and Rules and submit them to the Executive Council for consideration;
27. **FURTHER REQUESTS** the Commission to report on the implementation of this Decision to the 35<sup>th</sup> Ordinary Session of the Executive Council in July 2019.

## II. THE SUB-COMMITTEE ON AUDIT MATTERS Doc.EX.CL/1104(XXXIV)ii

### A. ON THE REPORT OF FACTUAL FINDINGS ON THE OPERATIONS AND RECRUITMENT PROCESSES OF THE PAN AFRICAN PARLIAMENT (PAP)

28. **REQUESTS** the PAP to:
- i) Implement the recommendations contained in the Board of External Auditors' Report, and any other recommendations made on its operations, Human Resource and Financial management by auditors in previous reports;
  - ii) Abide by the Policy Organs decisions on allowances, and stop the payment of "Special Allowances" to staff members, as well as allowances to the Members of the Parliament (MPs) and the PAP Bureau, which were not approved by the Policy Organs;

- iii) Ensure that the PAP Bureau abide strictly by its mandate and refrain from interfering with the day to day management of the operations of the Secretariat;
- iv) Refrain from undertaking any reform activity as the ongoing institutional reform process encompasses all Organs of the Union;
- v) Ensure that the PAP Secretariat abides by the relevant rules and regulations while implementing any decision of the PAP Bureau that carries financial implications;
- vi) Refrain from paying imprest for missions and abide by the AU Staff Regulations and Rules and AU Financial Rules and Regulations on DSA;
- vii) Strictly abide by the Union's rules and regulations, as well as, its mandate as an advisory and consultative Organ of the Union.

**29. ALSO REQUESTS** the Commission to:

- i) Take disciplinary and legal actions against the persons responsible for illegal payments including allowances, as per AU Financial Rules and Regulations and AU Staff Regulations and Rules;
- ii) Speed up the renewal process of the Host Agreement of PAP with the South African Government, in close collaboration with PAP;
- iii) Periodically audit all AU Organs and report on a regular basis to the Executive Council;

**30. FURTHER REQUESTS** the same Board of External Auditors who did the PAP audit to complete their task by engaging and collecting additional information from other key stakeholders, who were not interviewed, including the host country, the other members of the PAP Bureau, the dismissed PAP clerk and other staff who were dismissed or resigned under unclear circumstances; and **ALSO REQUESTS** the same Auditors who audited the African Court on Human and Peoples' Rights (AfCHPR) to complete the task that they started at the AfCHPR by carrying out interviews, including with the staff who might have left the Court under unclear circumstances;

**B. OTHER AUDIT MATTERS:**

**31. CALLS UPON** AU Organs to adhere to AU Rules and Regulations pertaining to Financial and Human Resources Management, and **DIRECTS** as follows:

- i) AU Organs should not adopt or apply any rules that are not in line with the AU Constitutive Act, AU Financial Rules and Regulations, and Staff



Regulations and Rules, and any breach shall be accounted for as per the provisions of these Rules;

- ii) AU Organs should strictly adhere to the requirements of AU Financial Rules and Regulations and Staff Regulations and Rules, and any breach shall be accounted for as per provision of these rules;
- iii) The Office of the Legal Counsel should examine the legal instruments of AU Organs and identify those that contravene the AU supreme legal instruments;
- iv) AU Organs should ensure that drafts of new or revised Rules of Procedure and other instruments are submitted to the Office of the Legal Counsel at the Commission for vetting before approval by the Organs, and any inclusion with financial, structural and legal implications should be submitted through the established procedure to the Executive Council for approval.

**32. REQUESTS** the Commission to follow up on the implementation of this decision and report to the 36<sup>th</sup> Ordinary Session of the Executive Council in February 2020;

**C. ON THE BUDGET PERFORMANCE FOR THE PERIOD JANUARY - JUNE 2018**

**33. REQUESTS** the Commission to address the issues raised by the Sub-Committee and report to the 36<sup>th</sup> Ordinary Session of the Executive Council in February 2020;

**D. ON THE INTERNAL AUDIT REPORTS OF OTHER AU ORGANS ON PERFORMANCE AUDIT AND RECRUITMENT AUDIT**

**34. DEFERS** the consideration of the internal audit reports of other AU organs and AUDA/NEPAD Agency on performance and recruitment audits to allow for a more in-depth analysis and for recommendations thereof to be submitted to 35<sup>th</sup> Ordinary Session of the Executive Council in July 2019;

**III. THE SUB-COMMITTEE ON MULTILATERAL COOPERATION**  
Doc.EX.CL/1104(XXXIV)iii

**35. TAKES NOTE** of the absence of consensus on AU representation in partnership meetings;

**36. DECIDES** to refer the item back to the PRC Sub-Committee on Multilateral Cooperation for further consideration. In the meantime, the existing decisions on partnerships should continue to apply;

37. **REQUESTS** the PRC to report on the implementation of this decision to the 35<sup>th</sup> Ordinary Session of the Executive Council in July 2019;

**IV. THE SUB-COMMITTEE ON HEADQUARTERS AND HOST AGREEMENTS - Doc. EX.CL/1104(XXXIV)iv**

38. **COMMENDS** the Sub-Committee on Headquarters and Host Agreements for its efforts in ensuring the resolution of pending matters in implementation of the Headquarters Agreements;

39. **ALSO COMMENDS** the efforts of the Government of the Federal Democratic Republic of Ethiopia in making significant progress in resolving the outstanding matters in the “Matrix of Pending Issues”; and **REQUESTS** the Commission in collaboration with the Sub-Committee on Headquarters and Host Agreements to continue its consultation with the Government of the Federal Democratic Republic of Ethiopia in addressing the remaining matters regarding the Headquarters;

40. **ENCOURAGES** the Government of the Federal Democratic Republic of Ethiopia to find solutions to the withheld sums of money that resulted from failure to declare foreign currency at the airport, as well as personal jewellery seized in line with the decision made previously by the Government of Ethiopia on the matter;

41. **REQUESTS** the Government of the Federal Democratic Republic of Ethiopia to formally communicate to Embassies and banks, the authorized amount of foreign currency withdrawal;

42. **ALSO REQUESTS** the Republic of South Africa to speed up the finalization of the Host Country Agreements with the AU institutions hosted by South Africa;

43. **URGES** the Commission in collaboration with the PRC Sub-Committee on Headquarters and Host Agreements and Ad Hoc Working Group on Equitable Geographical Distribution to urgently finalize the studies on Host Country Agreements and the Guidelines for Implementation of the Headquarters Agreement, which includes matters related to taxation of salaries of nationals, local staff or holders of permanent residence permits;

44. **REQUESTS** the Commission to report on the implementation of this decision to the 35<sup>th</sup> Ordinary Session of the Executive Council in July 2019;

**V. THE SUB-COMMITTEE ON ECONOMIC AND TRADE MATTERS - Doc. EX.CL/1104(XXXIV)vii**

45. **CALLS ON** Member States to expedite ratification of the legal instruments of the African financial Institutions to accelerate entry into force;

46. **URGES** Member States to abide by Decision Assembly/AU/Dec.692(XXXI) adopted in Nouakchott, Mauritania, in July 2018, requesting Member States to

abstain from entering into third party bilateral trading arrangements until the entry into force of the Agreement establishing the AfCFTA;

47. **CONGRATULATES** the Arab Republic of Egypt on the successful hosting of the First Intra-African Trade Fair and **URGES** Member States to participate in the second one scheduled to be held in Kigali, Rwanda in 2020;

**VI. THE SUB-COMMITTEE ON AUDA/NEPAD – Doc. EX.CL/1104(XXXIV)viii**

48. **DECIDES** that:

- i) The briefing by the Chief Executive Officer of AUDA/NEPAD to the PRC is to be institutionalized and held on a bi-annual basis;
- ii) The Chairperson of the PRC Sub-Committee on AUDA/NEPAD shall participate in the AUDA/NEPAD Steering Committee meetings. He shall be accompanied by one (1) member of the Bureau of the Sub-Committee selected on a regional rotational basis. Both shall attend as observers;
- iii) The PRC Sub-Committee continue to be involved in the on-going process of the transformation of the NEPAD Planning and Coordinating Agency into AUDA/NEPAD.



## DECISION ON THE REPORTS OF THE SPECIALISED TECHNICAL COMMITTEES (STCs)

The Executive Council,

1. **TAKES NOTE** of the Reports of the Specialized Technical Committees (STCs);
2. **DECIDES** that a single report template should apply to all STC reports;
3. **NOTES WITH CONCERN** the numerous proposals by STCs for the establishment of new bodies without submitting their financial, legal and structural implications and **DECIDES** on a moratorium on any initiatives by STCs thereof;
4. **REQUESTS** the Commission to circulate comprehensive information, in a timely manner, on convening STC sessions in order for Member States to take measures towards participation in the STC sessions to ensure the attainment of quorum and ownership of outcomes;
5. **URGES** STCs to streamline proclamation of commemorative Days to avoid proliferation;
6. **DIRECTS** the Commission to fulfil its mandate of coordinating, preparing and holding of all STCs to ensure that meetings are held timely and regularly;
7. **ALSO DIRECTS** the Commission to fulfil its mandate of providing legal advice to all STCs meetings to ensure memory and consistency of decisions;
- I. **THE 11<sup>TH</sup> ORDINARY SESSION OF THE STC ON DEFENSE, SAFETY AND SECURITY, 8-12 OCTOBER 2018, ADDIS ABABA, ETHIOPIA – Doc. EX.CL/1105(XXXIV)**
8. **TAKES NOTE** of the Declaration of the 11<sup>th</sup> Ordinary Session of the STC on Defense, Safety and Security held from 8 to 12 October 2018, in Addis Ababa, Ethiopia;
9. **RECOMMENDS** that the Assembly adopt the two policies for Peace Support Operations (PSOs) as annexed to the Declaration referred to in paragraph 8 above to be implemented by all Member States;
10. **RECOMMENDS** the Declaration to the Assembly for consideration and adoption;

**II. THE 3<sup>RD</sup> ORDINARY SESSION OF THE STC ON YOUTH, CULTURE AND SPORTS, 21-25 OCTOBER 2018, ALGIERS, ALGERIA - Doc. EX.CL/1106(XXXIV)**

**11. WELCOMES** the successful holding of the 3<sup>rd</sup> STC-YCS from 21 to 25 October 2018 in Algiers, Algeria, and **ADOPTS** the recommendations of the session;

**A. On Culture and Sports**

**12. ADOPTS** the following:

- i) The International Day of “African and Afro Descendant Culture” to be celebrated by African Union Member States and the Diaspora annually on 24 January, and **REQUESTS** the Republic of Mali to work with the African Union Commission to identify the theme of the year of the International Day of African and Afro Descendant Culture to be transmitted to Member States<sup>2</sup>;
- ii) The Algiers’ Call to Action on Heritage in Africa and **CALLS UPON** the Republic of South Africa to broaden the consultation on the process and include the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage 2003 in relation to languages and category II centres and **WELCOMES** the establishment of a category II centres for the Safeguarding of Intangible Cultural Heritage in Africa (CRESPIAF) in Algiers under the auspices of UNESCO;
- iii) The Plan of Action for the African Decade on Technical, Professional, Entrepreneurial Training and Youth Employment and requests Member States to avail resources to fully implement the Decade Plan of Action and to integrate it into their respective TVET and Youth Employment Plans;
- iv) The Implementation Guide of the Charter for African Cultural Renaissance, **HAILS** the efforts of the Champions of the Charter for African Cultural Renaissance, African Union Commission and the Observatory of Cultural Policies of Africa (OCPA) in developing a pedagogical tool which will guide Member States in the Implementation of the Charter and **CALLS UPON** the Member States that have not yet ratified the Charter for African Cultural Renaissance to expedite their ratification processes;
- v) The “African Para Games” as an official qualification multi-sport event for the African Para athletes every four years in the lead up of the Paralympic Games and **ENCOURAGES** Member States to volunteer to host the first Edition of the African Para-Games in the first quarter of 2020;

<sup>2</sup> Morocco rejected this decision on account of violation of rules of procedure

## B. On the African Plan of Action for Youth Empowerment (APAYE)

13. **CALLS UPON** the Commission, in collaboration with partners, to accelerate the development of the African Plan of Action for Youth Empowerment (APAYE) towards the implementation of Agenda 2063, and the AU Demographic Dividend Roadmap and support Member States in its implementation;
14. **ALSO CALLS UPON** Member States to submit biennial report on youth development, in line with the standardized African Youth Charter indicators and data collection tools, towards the development of the Status of African Youth Report;

## C. On Promoting Youth Volunteerism and Exchange Programs in Africa

15. **CALLS UPON** the Commission to develop a guiding framework to define minimum standards for volunteerism in Africa that will strengthen Member States commitment to promoting youth volunteerism and exchange initiatives on the continent through increased finance, partnerships and reporting;

## D. On Youth Connekt Africa

16. **REQUESTS** the Commission, in collaboration with the Government of Rwanda and relevant partners, to establish Youth Connekt Africa as a continental initiative that promotes youth linkages and knowledge sharing. The initiative will be led by an administrative hub hosted by a Member State;

## E. On the African Games

17. **ENDORSES** the offer by the Kingdom of Morocco to host the 2019 African Games and **DECIDES** that, in accordance with article 7 of the Rules of the African Games, that all Member States of the African Union will be invited by the local organizing committee, the COJA, to participate in the Games on the instructions of the AU Sports Council without conditions<sup>3</sup>.
18. **ALSO ENDORSES** the offer by the Republic of Ghana to host the 2023 African Games;
19. **REQUESTS** the Commission to submit the structure of any proposed body to be established to the relevant PRC Sub-Committees taking into account the relevant structural, financial and legal implications as well as the ongoing reform process of the Union;

<sup>3</sup> The Kingdom of Morocco has highlighted that invitations will be sent according to article 7 of the basic rules of the African Games.

III. **THE 1<sup>ST</sup> EXTRAORDINARY SESSION OF THE STC ON MIGRATION, REFUGEES AND IDPs, 29 OCTOBER - 3 NOVEMBER 2018, EQUATORIAL GUINEA, MALABO - Doc. EX.CL/1107(XXXIV)**

**A. On the Guidelines for the Design, Production and Issuance of the African Passport:**

20. **ADOPTS** the Guidelines for the Design, Production and Issuance of the African Passport and its two Annexes:

Annex 1 - Minimum Technical Specification and Security Features; and  
Annex 2 - Agreed Colours, Categories and Features of the African Passport;

21. **DECIDES** that the production and issuance of the African passport will be undertaken by the relevant national authorities at Member States level and **CALLS UPON** Member States who are ready to produce and issue the African passport to their citizens to do so using the guidelines and their annexes for the design, production and issuance of the African passport;

22. **URGES** Member States to expedite ratification of the Protocol on Free Movement of Persons, Right of Residence and Right of Establishment and **REQUESTS** the Commission to popularize the said Protocol and the Guidelines on the production and issuance of the African passport among Member States for better understanding and technical support for their implementation;

**B. On the Draft Protocol to the African Charter on Human and Peoples' Rights on the Specific Aspects of the Right to Nationality and the Eradication of Statelessness in Africa;**

23. **REQUESTS** the Commission to transmit the amended Draft Protocol to the African Charter on Human and Peoples' Rights on the Specific Aspects of the Right to Nationality and Eradication of Statelessness in Africa to the STC on Justice and Legal Affairs for consideration and onward transmission to the AU policy organs;

IV. **THE 4<sup>TH</sup> ORDINARY SESSION OF THE STC ON JUSTICE AND LEGAL AFFAIRS, 23-30 NOVEMBER 2018, ADDIS ABABA, ETHIOPIA - Doc. EX.CL/1108(XXXIV)**

24. **ADOPTS** the Draft Rules of Procedure of the Specialized Technical Committee on Finance, Monetary Affairs, Economic Planning and Integration;

25. **RECOMMENDS** the following draft legal instruments to the Assembly for consideration and adoption:

- i) Draft Treaty for the Establishment of the African Medicines Agency;
  - ii) Draft Statute of the African Audio Visual and Cinema Commission;
  - iii) Draft Statutes of the African Union International Centre for Girls' and Women's Education in Africa (AU/CIEFFA);
  - iv) Consideration of the Draft Amendment to Article 35 of the Charter for African Cultural Renaissance; and
  - v) Draft African Union Transitional Justice Policy;
26. **REQUESTS** the Commission to take concrete measures to ensure the authenticity of draft Legal Instruments in the four (4) AU working languages;
27. **EXPRESSES** the need to streamline the excessive number of legal instruments so as to avoid their proliferation;
28. **RECOMMENDS** the consideration of the challenges leading to the low levels of ratification of legal instruments, as a strategic issue, at the 33<sup>rd</sup> Ordinary Session of the Assembly in February 2020;
29. **REQUESTS** the Commission to urgently draft the Statute of the African Peer Review Mechanism (APRM);
30. **DIRECTS** the STC on Justice and Legal Affairs to hold an Extraordinary Session, to consider the following instruments before the 35<sup>th</sup> Ordinary Session of the Executive Council in July 2019:
- i) Draft Statute of AUDA/NEPAD;
  - ii) Draft Rules of Procedures of AUDA/NEPAD; and
  - iii) Draft Statute of APRM;
31. **APPROVES** in principle a supplementary budget to conduct the Extra-ordinary Session of the STC and **DIRECTS** the PRC, assisted by its relevant Sub-Committee, to identify the required budget;
32. **REQUESTS** the African Union Commission on International Law to undertake a study on the legal implications of amending Article 5(1) of the Protocol on the Establishment of the African Court on Human and Peoples' Rights to grant the African Committee of Experts on the Rights and Welfare of the Child direct access to the Court;
- V. **THE 3<sup>RD</sup> ORDINARY SESSION OF THE STC8 ON PUBLIC SERVICE, LOCAL GOVERNMENTS, URBAN DEVELOPMENT AND DECENTRALIZATION, 5-7 DECEMBER 2018, ADDIS ABABA, ETHIOPIA – Doc. EX.CL/1109(XXXIV)**



33. **TAKES NOTE** of the need to strengthen the human resources capacity of the Department of Political Affairs and **REQUESTS** the Commission to address the issue within the framework of the ongoing reform process;
34. **REQUESTS** the Commission to speed up the implementation of decision EX.CL/Dec. 993(XXXII) of January 2018 in relation to the operationalization process of the High Council of Local Authorities (HCLA) and **REPORTS** to the 35<sup>th</sup> Ordinary Session of the Executive Council in July 2019;
35. **TAKES NOTE** of the Declaration adopted by the STC and **RECOMMENDS** its consideration and adoption by the Assembly;
- VI. **THE 7<sup>TH</sup> MEETING OF AFRICAN MINISTERS OF TRADE (AMOT), 12-13 DECEMBER 2018, CAIRO, EGYPT - Doc. EX.CL/1110(XXXIV)**
36. **ADOPTS** the Guidelines for Development of Schedules of Specific Commitments and Regulatory Cooperation Framework for Trade in Services;
37. **ALSO ADOPTS** the revised Road Map for finalization of AfCFTA Negotiations to be concluded before June 2020;
38. **REQUESTS** the Commission to submit the following legal instruments, through the STC on Justice and Legal Affairs, to the 36<sup>th</sup> Ordinary Session of the Executive Council before February 2020:
- i) Schedules of Tariff Concessions; and
  - ii) Schedules of Specific Commitments on Trade in Services for the five priority sectors and the Regulatory Framework;
39. **ALSO REQUESTS** the Commission to facilitate the conclusion of the negotiations by June 2020 and subsequently the submission of the following draft protocols to the STC on Justice and Legal Affairs on:
- i) Investment, Competition Policy and Intellectual Property Rights; and;
  - ii) Trade in Services on the other seven (7) sectors beyond the five (5) priority services sectors;
40. **RECOMMENDS** to the Assembly to adopt the Final Declaration on WTO Issues of the 7<sup>th</sup> Meeting of the African Ministers of Trade, in Cairo, Egypt, from 12 to 13 December 2018;
- VII. **THE 2<sup>ND</sup> ORDINARY SESSION OF THE STC ON TRADE, INDUSTRY AND MINERALS, 08-12 JANUARY 2019, ADDIS ABABA, ETHIOPIA - Doc. EX.CL/1111(XXXIV)**

41. **ADOPTS** the following strategy documents:
- i) the African Union SME Strategy;
  - ii) the Geological and Minerals Information Systems (GMIS) Strategy;
  - iii) the African Minerals Governance Framework (AMGF); and
  - iv) the Africa Mining Vision Private Sector Compact;
42. **REQUESTS** the Commission in collaboration with the AU Sub-Committee of Directors General of Customs and the Sub-Committee of Trade Facilitation, Customs Cooperation and Transit to finalize the Commodity and Trade Facilitation Strategies for consideration by the First Extraordinary session of STC on Trade, Industry and Minerals before the 33<sup>rd</sup> Ordinary Session of the Assembly in February 2020;
43. **WELCOMES** the progress on the ratification by the Member States of the AfCFTA Agreement, and **REQUESTS** the Commission to fast track the establishment of the Interim AfCFTA Secretariat, in order to facilitate the implementation of the AfCFTA Agreement, upon its entry into force;
44. **URGES** Member States to build and strengthen the capacity of all strategic institutions involved in industry and trade governance to enhance efficient implementation of the AfCFTA Agreement, upon its entry into force at national, regional and continental levels;
45. **REITERATES** the need for Member States to ratify the Statute of the African Minerals Development Centre (AMDC) in order to facilitate the effective operation of the AMDC hosted by the Republic of Guinea;
46. **TAKES NOTE** of the ongoing digital trade and related initiatives on the continent and **STRESSES** that Member States participation in the Digital ID Initiative shall be demand-driven;
47. **MANDATES** the Commission, in collaboration with Member States, UNECA and other relevant stakeholders to develop a comprehensive AU Digital Trade and Digital Economy Development Strategy to enable Member States to fully benefit from the 4<sup>th</sup> industrial revolution and facilitate the AfCFTA implementation, and ultimately Africa's economic and structural transformation, for eventual adoption by the 33<sup>rd</sup> Ordinary Session of the Summit in February 2020;
48. **URGES** the Commission and Member States to explore mechanisms to mobilize financing for the development of SMEs in the continent, and explore the development of innovative instruments, such as business development services to enhance access to finance, and markets to boost the survival and viability of SMEs;

49. **WELCOMES** the Afreximbank Pan African Payment platform as an important initiative to Boost Intra African Trade, and **REQUESTS** the Afreximbank to work with the Commission and Member States to accelerate its implementation and encourage similar initiatives;
50. **URGES** the Commission to develop a programme of work on the Presidential Fashion Initiative as an initiative for the promotion of the African Fashion Value Chain and as a tool for employment and wealth creation in African Economies;
51. **CONGRATULATES** the Arab Republic of Egypt on the successful hosting of the first Intra Africa Trade Fair, jointly organized by the African Union, the Afreximbank and the Government of Egypt, held in Cairo, Egypt, from 11 to 17 December 2018;
52. **ALSO CONGRATULATES** the Government of Rwanda on its successful bid to host the 2<sup>nd</sup> edition of the Intra Africa Trade Fair to be held in 2020, to be co-organized by Afreximbank and the Commission and **URGES** all Members States to participate in order to boost intra-African trade.



**DECISION ON THE CONCEPT NOTE ON THE THEME OF THE YEAR: “REFUGEES, RETURNEES AND INTERNALLY DISPLACED PERSONS: TOWARDS DURABLE SOLUTIONS TO FORCED DISPLACEMENT IN AFRICA”**

**Doc. EX.CL/1112(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Concept Note on the Theme of the Year 2019: “Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced displacement in Africa” and the ensuing debate;
2. **RECALLS** its Decision EX.CL/Dec.968(XXXI) on the Theme of the Year 2019 and Decision Assembly/AU /Dec.707(XXXI) of July 2018 requesting the Commission to develop a roadmap, in collaboration with the PRC, for the implementation of the 2019 theme;
3. **REQUESTS** Member States and the Commission to:
  - i) Plan and organise activities on the Theme of 2019, working closely with AU Organs, RECs and partners, in line with the roadmap on the Theme of the year 2019 and relevant Decisions of the AU Policy Organs; and
  - ii) Mark the 50<sup>th</sup> Anniversary of the adoption of the 1969 OAU Refugee Convention, as well as the 10<sup>th</sup> Anniversary of the Kampala Convention in 2019, with activities that aim to promote their ratification, domestication and implementation.
4. **RECOMMENDS** to the Assembly to adopt the outcomes of the debate on the Theme of the year 2019;
5. **REQUESTS** the Commission to report on the implementation of this Decision to the 36<sup>th</sup> Ordinary Session of the Executive Council in February 2020.

**DECISION ON THE STATUS OF IMPLEMENTATION OF PREVIOUS  
DECISIONS OF THE EXECUTIVE COUNCIL AND THE ASSEMBLY  
Doc. EX.CL/1113(XXXIV)**

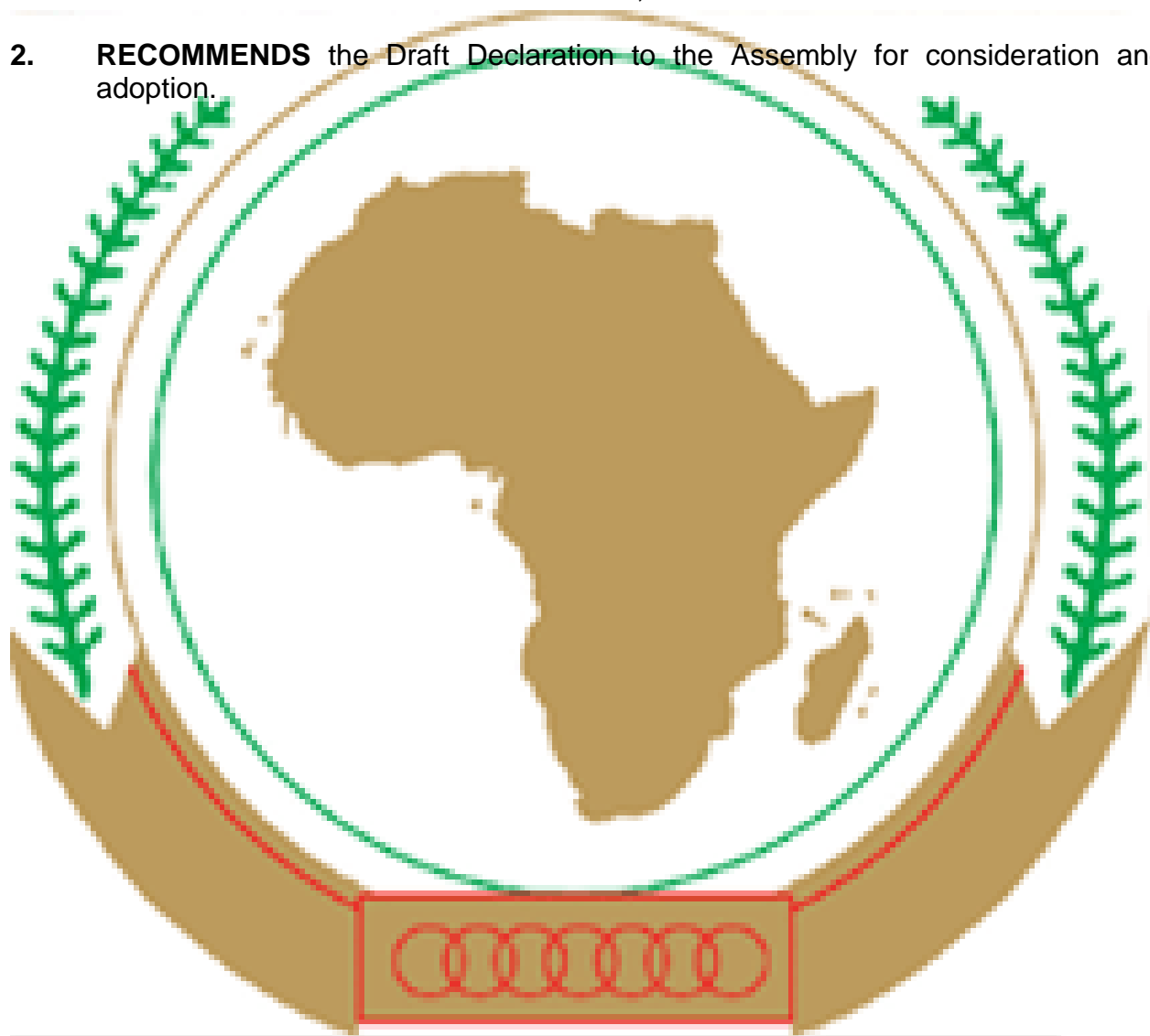
**The Executive Council,**

1. **TAKES NOTE** of the Report on Implementation of the previous decisions of the Ordinary Sessions of the Executive Council and the Assembly for 2018;
2. **COMMENDS** the Republic of Mali, the Republic of Mauritius and the Kingdom of Morocco for having reported on the implementation of decisions of the Policy Organs, and **URGES** all Member States to report on the implementation of decisions on a regular basis;
3. **REQUESTS** the Commission to:
  - i) take stock of all previous decisions adopted on the implementation of decisions with a view to improving and strengthening the existing mechanism on the follow-up of implementation of Policy Organs' decisions;
  - ii) ensure that the financial resources are allocated, in a timely manner, to enable the implementation of decisions of the Policy Organs;
  - iii) ensure that all draft decisions are submitted along with their financial, legal and structural implications, if any;
  - iv) vet the legal aspect of draft decisions prior to their consideration by the Policy Organs; and
  - v) strengthen the capacity of departments in the field of decision drafting.
4. **REITERATES** the need to rationalise the agendas of Policy Organs in order to reduce the number of decisions.

**DECISION ON THE SITUATION IN PALESTINE AND THE MIDDLE EAST**  
**Doc. EX.CL/1115(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Report of the Commission and the Draft Declaration on the Situation in Palestine and the Middle East;
2. **RECOMMENDS** the Draft Declaration to the Assembly for consideration and adoption.



**DECISION ON THE HUMANITARIAN SITUATION IN AFRICA**  
**Doc. EX.CL/1116(XXXIV)**

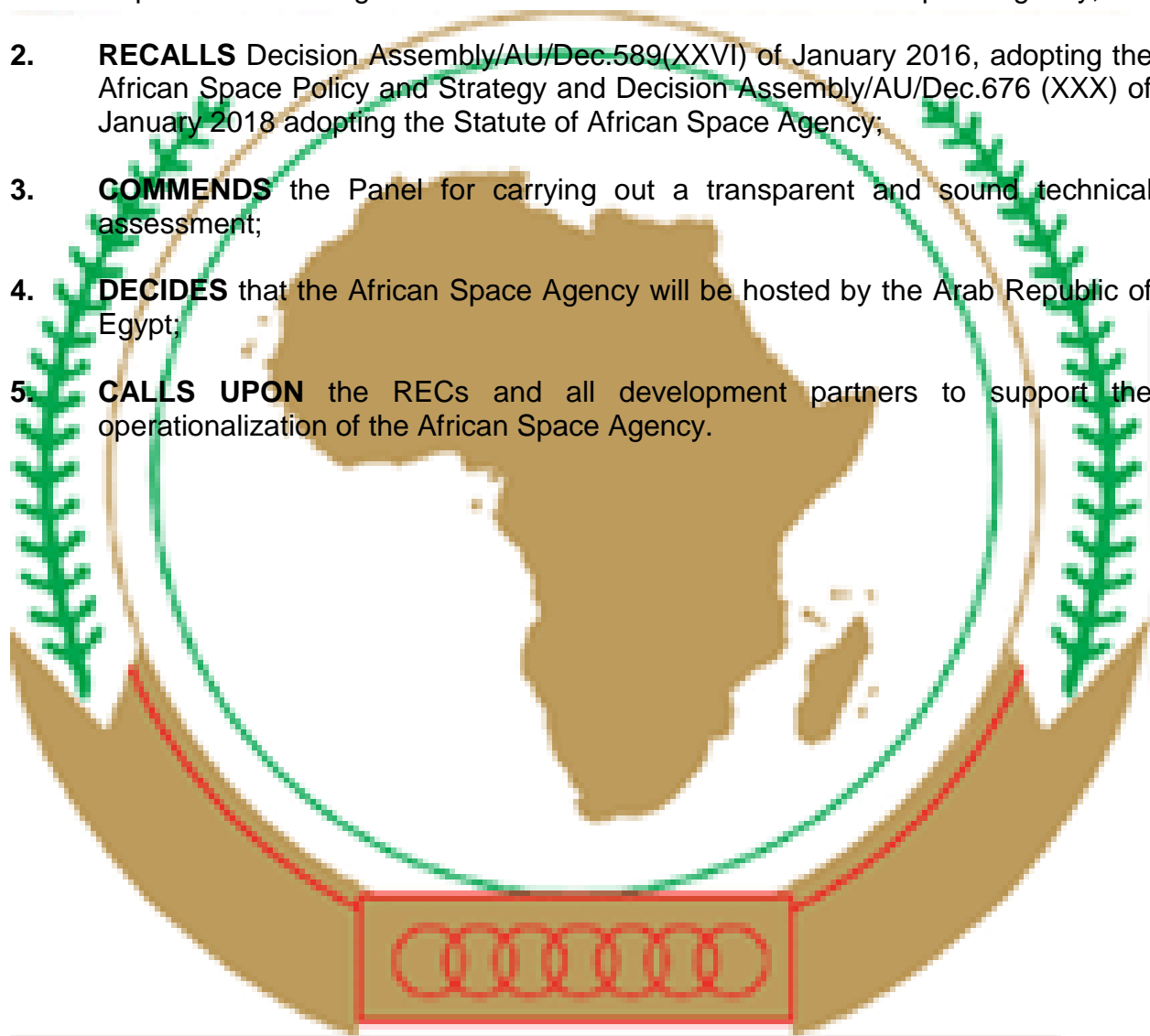
**The Executive Council,**

1. **TAKES NOTE** of the Report of the Commission on the humanitarian situation in Africa;
2. **REITERATES** the principles enshrined in AU treaties on the protection of refugees and internally displaced persons (IDPs);
3. **RECALLS** Assembly/AU/Dec.604(XXVI) adopted by the 26<sup>th</sup> Ordinary Session of the Assembly in Addis Ababa, Ethiopia, 30-31 January 2016, establishing the African Humanitarian Agency and **REQUESTS** the Commission to take measures towards its operationalization;
4. **COMMENDS** Member States and communities hosting refugees and **CALLS** for continuous assistance;
5. **ALSO COMMENDS** stakeholders financially supporting initiatives and projects intended to alleviate the humanitarian crisis in Africa;
6. **CALLS UPON** Member States to maintain the civilian character of refugee camps;
7. **ALSO CALLS UPON** Member States to put in place concrete measures towards addressing the root causes of the humanitarian crisis;
8. **APPEALS** to Member States that are yet to sign, ratify and implement the 1969 OAU Refugee Convention, and the Kampala Convention, to do so, without delay;
9. **ENCOURAGES** Member States and the Commission to take concrete actions towards addressing the root causes of forced displacements.

**DECISION ON THE HIGH-LEVEL PANEL'S REPORT FOR ASSESSING  
CANDIDATE COUNTRIES TO HOST THE AFRICAN SPACE AGENCY  
Doc. EX.CL/1118(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Report of the Commission on the High-Level Panel's Report for Assessing Candidate Countries to Host the African Space Agency;
2. **RECALLS** Decision Assembly/AU/Dec.589(XXVI) of January 2016, adopting the African Space Policy and Strategy and Decision Assembly/AU/Dec.676 (XXX) of January 2018 adopting the Statute of African Space Agency;
3. **COMMENDS** the Panel for carrying out a transparent and sound technical assessment;
4. **DECIDES** that the African Space Agency will be hosted by the Arab Republic of Egypt;
5. **CALLS UPON** the RECs and all development partners to support the operationalization of the African Space Agency.





**DECISION ON THE ESTABLISHMENT OF THE CONTINENTAL  
OPERATIONAL CENTRE ON HUMAN TRAFFICKING AND  
SMUGGLING OF MIGRANTS IN KHARTOUM  
Doc. EX.CL/1122(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Report of the Commission on the establishment of the Continental Operational Centre on Human Trafficking and Smuggling of Migrants in Khartoum;
2. **RECOMMENDS** to the Assembly to endorse the establishment of the Continental Operational Centre in Khartoum for Combatting Irregular Migration as a specialized technical office of the AU for combatting irregular migration, specifically human trafficking and migrant smuggling on the Continent;
3. **REQUESTS** the Commission to:
  - i) prepare the governing legal instrument of the Centre through the established procedure;
  - ii) submit the structural, financial and legal implications to the relevant sub-committees for assessment prior to submission of same to the Executive Council for consideration and decision; and
  - iii) expedite the conclusion of the Host Agreement of the Centre with the Republic of Sudan.



**DECISION ON THE IMPLEMENTATION OF DECISION  
ASSEMBLY/AU/Dec.710(XXXI) ON HOSTING THE AFRICAN UNION CENTRE FOR  
POST-CONFLICT RECONSTRUCTION AND DEVELOPMENT (AUCPCRD)  
Doc. EX.CL/1119(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Progress Report of the Commission on the Implementation of Decision Assembly/AU/Dec.710(XXXI) of July 2018 on the African Union Centre for Post-Conflict Reconstruction and Development;
2. **REQUESTS** the Commission to:
  - i) prepare the governing legal instrument of AUCPCRD through the established procedures;
  - ii) submit the structural, financial and legal implications to the relevant Sub-Committees for assessment, prior to submission of same to the Executive Council for consideration and decision; and
  - iii) finalize the Host Agreement of the AUCPCRD with the Arab Republic of Egypt, expedite the implementation of Decision Assembly/AU/Dec.710(XXXI) and report on the implementation of this Decision to the 35th Ordinary Session of Executive Council in Niamey, Niger, in July 2019.



**DECISION ON THE REALIGNMENT OF THE LEGAL INSTRUMENTS  
WITH THE DECISION ON THE INSTITUTIONAL REFORM  
Doc. EX.CL/1121(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of Decision Ext/Assembly/AU/Dec.1(XI) adopted by the Eleventh Extraordinary Session held in Addis Ababa, Ethiopia, from 17 to 18 November 2018, requesting the Commission to align all relevant legal instruments, in line with the Institutional Reform;
2. **COMMENDS** the Commission for the progress report on the alignment of the Rules of Procedures of the Assembly, Executive Council, Permanent Representative Committee and the Statute of the Commission;
3. **TAKES NOTE** of the discrepancy highlighted in the Commission report and emphasises the need to review and harmonize all relevant legal instruments;
4. **REQUESTS** the Commission to further review and finalize all relevant legal instruments and submit a report, as well as, the amended version of the legal instruments through the PRC and its Sub-Committee on Rules, Standards and Credentials to the 36<sup>th</sup> Ordinary Session of the Executive Council in February 2020.



**DECISION ON THE REPORT OF THE COMMISSION ON  
RE-ESTABLISHING THE DRAFTING COMMITTEE  
Doc. EX.CL/1123(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Report of the Commission on re-establishing the Drafting Committee;
2. **RECOMMENDS** to the Assembly to re-establish the Drafting Committee, this time at Ambassadorial level, and **FURTHER RECOMMENDS** that:
  - i) the Drafting Committee shall be composed of fifteen (15) members:
    - a) the five (5) members of the Bureau of the Union, and
    - b) two (2) Member States per region.
  - ii) the tenure of the Drafting Committee shall be one (1) year;
  - iii) the Drafting Committee assisted by the Commission should elaborate its draft Rules of Procedure for consideration and adoption by the 35<sup>th</sup> Ordinary Session of the Executive Council to be held in Niamey, Niger, in July 2019.



**DECISION ON THE ACTIVITY REPORT OF THE  
PAN-AFRICAN PARLIAMENT (PAP)  
Doc. EX.CL/1124(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Activity Report of the Pan-African Parliament;
2. **CONGRATULATES** Member States that have ratified the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament of 2014 and **CALLS UPON** those that have not done so to speed up the ratification process;
3. **DIRECTS** PAP to operate strictly within its mandate in accordance with the relevant legal instruments in force;
4. **ALSO DIRECTS** PAP to include in its annual activity report a section on the implementation of Administrative and Management actions taken in accordance with decisions of AU Policy Organs;
5. **FURTHER DIRECTS** that proposals with financial implications should systematically be submitted to the relevant PRC Sub-Committee;
6. **REQUESTS** the Commission to work in collaboration with PAP and the Government of South Africa to resolve any outstanding issues relating to the review and implementation of the Host Country Agreement.



**DECISION ON THE ACTIVITY REPORT OF THE AFRICAN COMMITTEE OF  
EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC)  
Doc. EX.CL/1125(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Activity Report of the African Committee of Experts on the Rights and Welfare of the Child;
2. **URGES** Member States which have not yet ratified the Charter, to expedite the ratification process; and State Parties which have placed reservations on the application of the provisions of the Charter to consider their withdrawal;
3. **COMMENDS** the State Parties which have submitted their Reports on the implementation of the African Children's Charter and **CALLS UPON** those that have not done so to submit their reports;
4. **ADOPTS** the theme for the Day of the African Child 2020: "**Access to a Child Friendly Justice System in Africa**" and **REQUESTS** Member States, to commemorate the DAC and report on the implementation of the recommendations of the Committee;
5. **URGES** the Federal Democratic Republic of Ethiopia, the Republic of Madagascar and the Republic of Mozambique to fully implement the Recommendations, included in the ACERWC Report concluding observations;
6. **RECALLS** Article 44 of the African Children's Charter which gives the ACERWC the mandate to receive and consider Communications/Complaints and **URGES** the Republic of Cameroon and the Republic of the Sudan to fully implement the Recommendations included in the ACERWC Decisions;
7. **WELCOMES** the ACERWC's findings and recommendations of the continental study on children on the move, and **ENCOURAGES** Member States to widely disseminate the outcome of the study and work towards their implementation;
8. **URGES** Member States to fully implement the "Africa's Agenda for Children 2040: Fostering an Africa Fit for Children" adopted by Decision EX.CL/Dec.977(XXXI) of June 2018 and **COMMENDS** the efforts of the ACERWC in the successful finalization of a continental study on 'mapping the situation of children on the move within Africa;
9. **REQUESTS** the Commission, in consultation with the AUCIL, to expedite the required study concerning the suggested amendment of Article 5(1) of the Protocol on the African Charter on Human and Peoples' Rights on the Establishment of the African Court on Human and Peoples' Rights to grant ACERWC direct access to AfCHPR;

10. **DECIDES** to fund the programme budget of ACERWC from Member States contributions starting from the 2020 budget year, in accordance with Decision Assembly/AU/Dec.561(XXVI) of January 2015;
11. **REQUESTS** the Commission, in collaboration with the Kingdom of Lesotho, to expedite the process of implementing Executive Council Decision EX.CL/Dec.1010(XXXIII) on the Relocation of the Secretariat;
12. **CALLS UPON** the Kingdom of Lesotho to speed up the construction of the Headquarters of the ACERWC.



**DECISION ON THE 2018 ACTIVITY REPORT OF THE AFRICAN  
COURT ON HUMAN AND PEOPLES' RIGHTS  
Doc. EX.CL/1126(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Activity Report of the African Court on Human and Peoples' Rights (the Court) for the period 1 January to 31 December 2018;
2. **CONGRATULATES** the Republic of Tunisia on the successful hosting of the 51<sup>st</sup> Ordinary Session, held in Tunis, Tunisia, from 12 November to 7 December 2018;
3. **RECOMMENDS** the Draft Framework for the implementation of judgments of the Court to the STC on Justice and Legal Affairs, for consideration, prior to its submission to the Executive Council;
4. **TAKES NOTE** of the Court's request to suspend the establishment of a Trust Fund for the Court pending the outcome of the AU Institutional Reform Process;
5. **URGES** the Commission to take all necessary measures in conformity with previous Executive Council Decisions to operationalize the Legal Aid Fund in 2019, and to this end, **ENCOURAGES** all Member States of the Union as well as other relevant human rights stakeholders on the continent, to make generous voluntary contributions to the Fund to ensure its sustainability and success;
6. **URGES** Member States which are yet to ratify the Protocol on the Establishment of the Court to do so, and **CALLS UPON** State Parties to deposit the Declaration required under Article 34 (6) allowing individuals and NGOs to bring cases before the Court;
7. **REQUESTS** the Court to report at the 36<sup>th</sup> Ordinary Session of the Executive Council in February 2020, on the implementation of this Decision.



**DECISION ON THE FORTY-FIFTH ACTIVITY REPORT OF THE AFRICAN  
COMMISSION ON HUMAN AND PEOPLES' RIGHTS  
Doc. EX.CL/1127(XXXIV)**

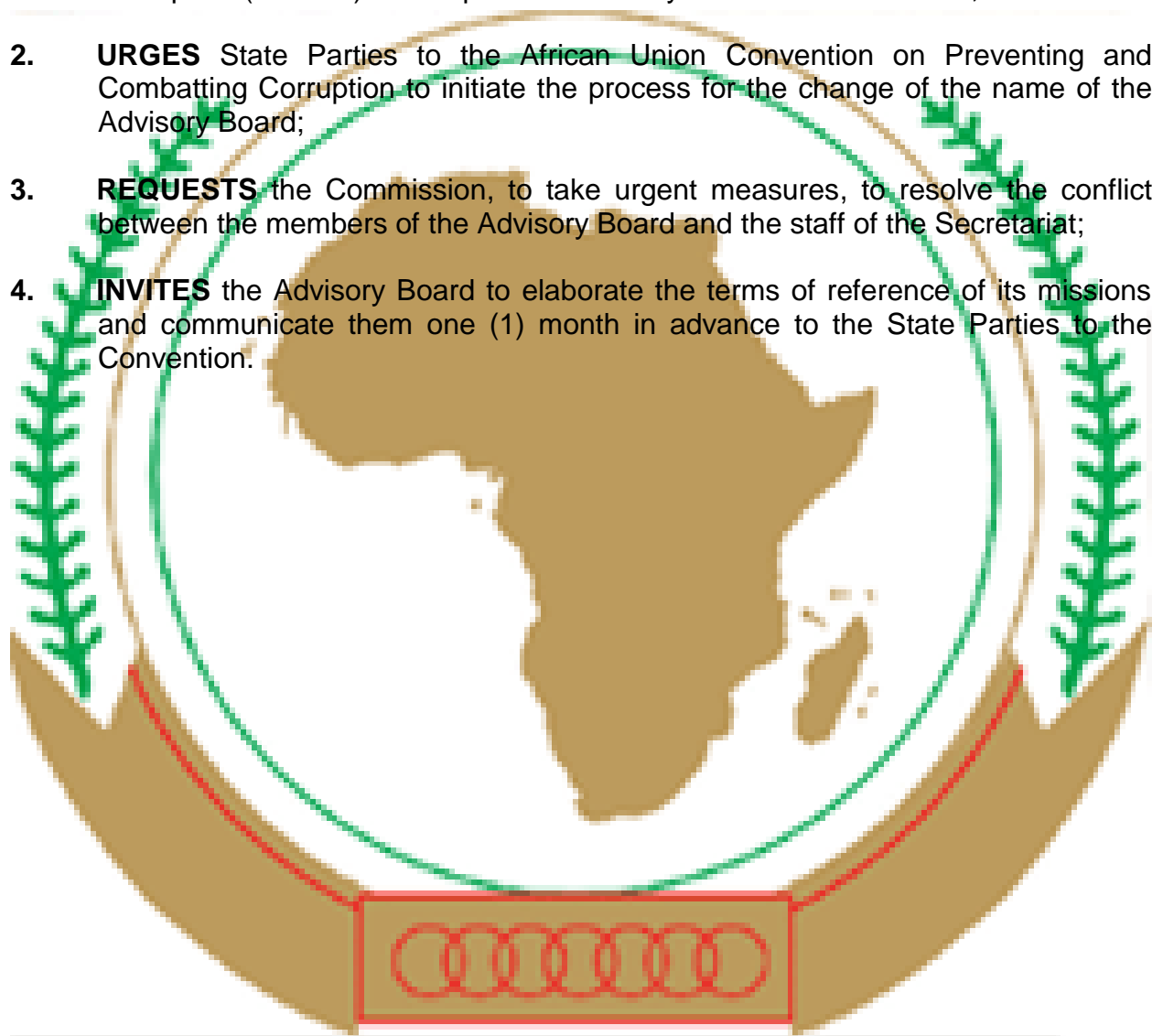
**The Executive Council,**

1. **TAKES NOTE** of the Forty-Fifth (45<sup>th</sup>) Activity Report of the African Commission on Human and Peoples' Rights (ACHPR);
2. **ALSO TAKES NOTE** that the ACHPR has implemented Executive Council Decision EX.CL/Dec.887(XXVII) of June 2015 on the withdrawal of observer status to the Coalition of African Lesbians (CAL) and **REQUESTS** ACHPR to stop any cooperation with this organisation;
3. **REQUESTS** ACHPR to include in its annual report a specific section on the implementation of the recommendations of the Joint Retreat of the PRC and ACHPR held in Nairobi, Kenya in June 2018;
4. **ALSO REQUESTS** that the Joint Retreat of the PRC and ACHPR will be held annually;
5. **FURTHER REQUESTS** ACHPR to include names and responsibilities of its members in its Activity Report;
6. **REITERATES** the need to urgently and fully operationalize the PRC Sub-Committee on Democracy, Human Rights and Governance;
7. **REQUESTS** the Commission to establish a Support Group for the Government of the Republic of The Gambia charged with mobilizing the necessary funds for the construction of the ACPHR Headquarters;
8. **WELCOMES** the offer by the Arab Republic of Egypt to host the 64<sup>th</sup> Ordinary Session, and the Kingdom of Lesotho, the Republic of Malawi and the Kingdom of Eswatini that have also offered to host subsequent ACHPR Sessions, and **CALLS ON** Member States, particularly those that have not yet done so, to consider hosting one of the Sessions of the ACHPR;
9. **REQUESTS** the ACHPR to attach to its report the submission of Member States as annexes prior to its publication.

**DECISION ON THE ACTIVITY REPORT OF THE AFRICAN UNION  
ADVISORY BOARD ON CORRUPTION  
Doc. EX.CL/1128(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Activity Report of the African Union Advisory Board on Corruption (AUABC) for the period 1 January to 31 December 2018;
2. **URGES** State Parties to the African Union Convention on Preventing and Combatting Corruption to initiate the process for the change of the name of the Advisory Board;
3. **REQUESTS** the Commission, to take urgent measures, to resolve the conflict between the members of the Advisory Board and the staff of the Secretariat;
4. **INVITES** the Advisory Board to elaborate the terms of reference of its missions and communicate them one (1) month in advance to the State Parties to the Convention.



**DECISION ON THE ACTIVITY REPORT OF THE AFRICAN UNION  
COMMISSION ON INTERNATIONAL LAW  
Doc. EX.CL/1130(XXXIV)**

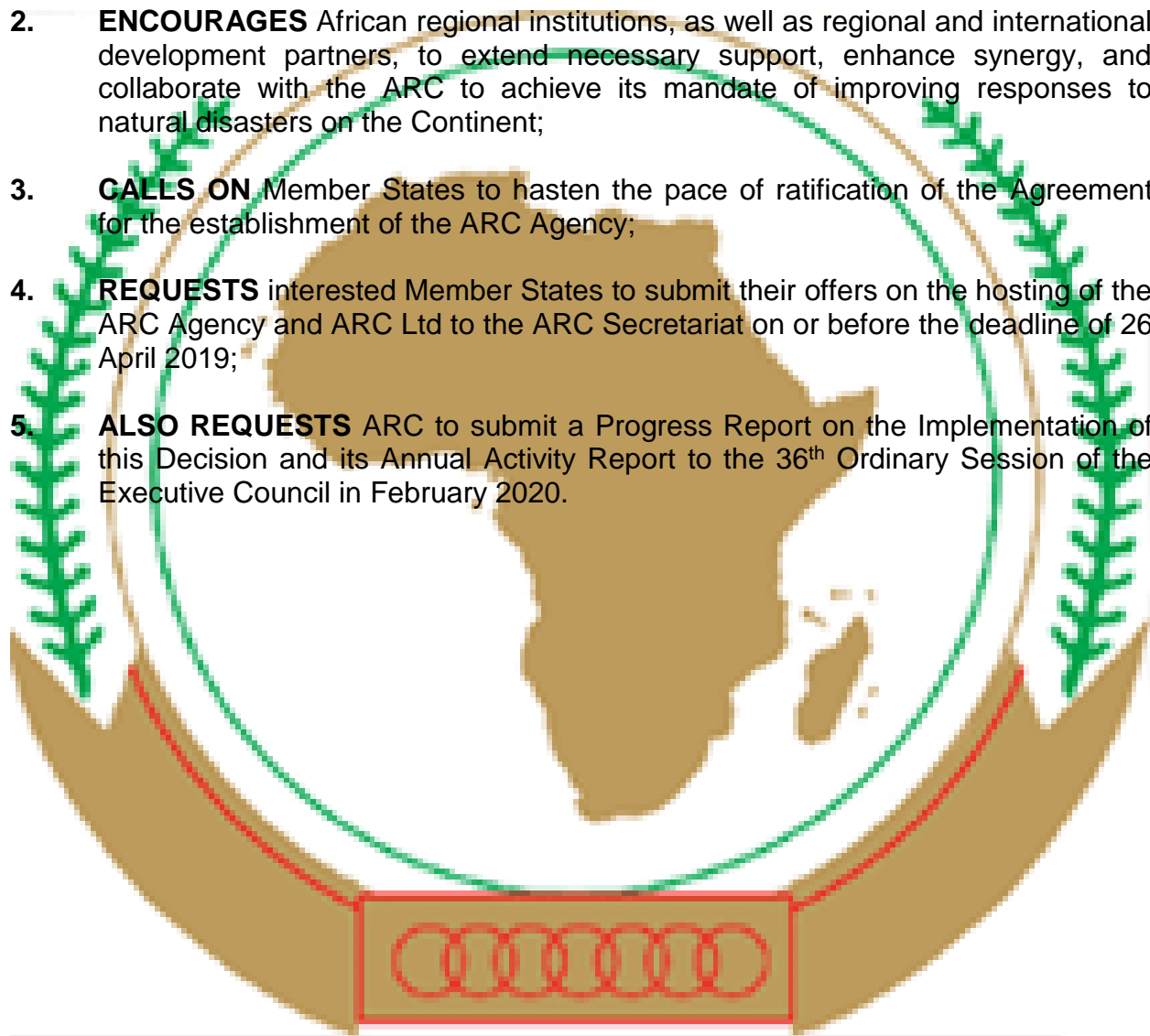
The Executive Council,

1. **TAKES NOTE** of the Activity Report of the African Union Commission on International Law (AUCIL), for the period June to December 2018, together with the recommendations contained therein;
2. **DECIDES** that the AUCIL be provided with adequate resources under the budget of the Union funded from Member States contributions to carry out its functions as per Article 23 of the AUCIL Statute; and **URGES** all AU Organs to submit their draft budget in accordance with the established procedure through the PRC Sub-Committee on General Supervision and Coordination on Budgetary, Financial and Administrative Matters;
3. **TAKES NOTE** of the offer by Equatorial Guinea to host the Secretariat of AUCIL and **REQUESTS** the Commission to formally inform the Government of Equatorial Guinea of the procedure on hosting AU Organs and the conditions for the relocation of the Secretariat of AUCIL;
4. **NOTES** the wide range of legal topics in the diverse studies being undertaken by AUCIL towards the codification and implementation of African International Law and **COMMENDS** the AUCIL for the several studies on international law so far finalised;
5. **COMMENDS** the theme of the 7<sup>th</sup> Edition of the Forum as: “The Management of Africa’s Natural Resources” in line with the objectives set under Agenda 2063 and requests the AUCIL to disseminate the proceedings of the Forum to all Member States and other relevant bodies;
6. **ENCOURAGES** Member States, Regional Economic Communities (RECs) and other Organs of the Union to extend necessary support to the AUCIL in the preparation of its Studies by, *inter alia*, providing information that AUCIL may need for this purpose on issues of International Law of interest to the African Union.

**DECISION ON THE ACTIVITY REPORT  
OF THE AFRICAN RISK CAPACITY AGENCY  
Doc. EX.CL/1131(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Activity Report of the African Risk Capacity (ARC) Agency;
2. **ENCOURAGES** African regional institutions, as well as regional and international development partners, to extend necessary support, enhance synergy, and collaborate with the ARC to achieve its mandate of improving responses to natural disasters on the Continent;
3. **CALLS ON** Member States to hasten the pace of ratification of the Agreement for the establishment of the ARC Agency;
4. **REQUESTS** interested Member States to submit their offers on the hosting of the ARC Agency and ARC Ltd to the ARC Secretariat on or before the deadline of 26 April 2019;
5. **ALSO REQUESTS** ARC to submit a Progress Report on the Implementation of this Decision and its Annual Activity Report to the 36<sup>th</sup> Ordinary Session of the Executive Council in February 2020.



**DECISION ON THE ACTIVITY REPORT  
OF THE AFRICAN CAPACITY BUILDING FOUNDATION  
Doc. EX.CL/1132(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Activity Report of the African Capacity Building Foundation (ACBF);
2. **ACKNOWLEDGES** the effective contribution made by the ACBF to Africa's development since its inception in 1991;
3. **REQUESTS** the Commission, in collaboration with ACBF, to assess the annual financial contribution that the AU could make to the operation of ACBF and report to the Executive Council;
4. **ENCOURAGES** the Commission, within the framework of the cooperation with the international partners of the Union, to promote the use of ACBF for the implementation of capacity development activities and programmes on the Continent;
5. **ALSO ENCOURAGES** ACBF to continue engaging the Government of Ethiopia, with the support of the Commission, on the Host Country Agreement for an ACBF Office in Addis Ababa and **INVITES** the Government of Ethiopia to give this request favourable consideration in line with the privileges and immunities accorded to the African Union.



**DECISION ON THE REPORT OF THE UNION AND ITS ORGANS FOR  
THE YEAR 2018 AND THE INTRODUCTORY NOTE OF  
THE CHAIRPERSON OF THE COMMISSION  
Doc. EX.CL/1134(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Annual Report on the Activities of the Union and its Organs for the year 2018, as well as the Introductory Note of the Chairperson of the Commission, covering the period from July 2018 to January 2019;
2. **COMMENDS** the Chairperson of the Commission and the Heads of other AU Organs and Specialized Agencies for the comprehensive account of their activities and, in particular, for the focus on results and the impact of these actions on the lives of African people;
3. **WELCOMES** the efforts exerted by the Commission and other relevant stakeholders, in furtherance of the flagship projects of the First Ten-Year Implementation Plan of Agenda 2063, notably the African Continental Free Trade Area (AfCFTA), the Single African Air Transport Market (SAATM), and the Protocol on Free Movement of Persons, the Right of Residence, and the Right of Establishment; and **ENCOURAGES** the acceleration of these efforts, and **CALLS FOR** the early operationalization of the African financial institutions, as a key element for the successful implementation of the integration process;
4. **REITERATES** its support to the Ministerial Committee on Agenda 2063 and looks forward to the leadership of President Alassane Dramane Ouattara, in his capacity as the Leader, to help accelerate the implementation of all aspects of Agenda 2063, including its domestication by all Member States, as well as monitoring, evaluation and domestic resource mobilization;
5. **COMMENDS** the Commission, and other AU Organs, for their concrete contributions towards the development of the Continent in areas, such as education and research, public and animal health, infrastructure and energy, agriculture and food safety, trade and investment, as well as, on the transversal issues of gender and youth and, **WELCOMES** the appointment of the Youth Envoy, Ms. Aya Chebbi of Tunisia, together with the establishment of a Youth Advisory Council, and looks forward to the implementation of the envisaged steps highlighted in the reports submitted to the Assembly;
6. **NOTES WITH SATISFACTION** the efforts made during the period under review towards the enhancement of democracy, respect for human rights, and promotion of good governance; and **COMMENDS** the Leader of the Theme of the Year 2018, President Muhammadu Buhari of Nigeria, for his commitment and initiatives taken in the fight against corruption.

7. **WELCOMES** the progress made towards Silencing the Guns by 2020 and the efforts of the High Representative, and **CALLS FOR** renewed support in order to achieve this goal;
8. **TAKES NOTE** with satisfaction of the follow-up made by the Commission on specific decisions of the Policy Organs, namely the decolonization of the Chagos Archipelago, the relationship with the International Criminal Court, and the Hissene Habre trial, and **ENCOURAGES** the pursuit of these efforts;
9. **REQUESTS** the Chairperson of the Commission to pursue and intensify his efforts towards enhancing the visibility and increase awareness within Member States and the African public in general of the concrete actions mentioned in paragraphs 2, 3, 5, 7 and 8 of this Decision; **WELCOMES** the submission to the PRC of specific reports on the programmes and activities of the Commission and other AU Organs and **URGES** the continuation of this practice;
10. **CALLS ON** Member States, to continue to work closely with the Commission and other AU Organs and Specialized Agencies to address the challenges and issues raised in the Report and the Introductory Note, including the ratification and domestication of legal instruments, the implementation of the decisions and policies of the Union, and the provision of adequate funding to enable AU Organs and Specialized Agencies to carry out their mandates effectively while reducing their dependence on external sources.



**DECISION ON AFRICAN CANDIDATURES WITHIN  
THE INTERNATIONAL SYSTEM  
Doc. EX.CL/1136(XXXIV)**

The Executive Council,

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

2. **ENDORSES:**

i) **For the post of Regional Director of the World Health Organization**, during elections scheduled for August 2019 in the Republic of Congo, the candidature of:

- **Dr. Matshidiso Rebecca Nathalie Moeti** of the Republic of Botswana;

ii) **For the post of Judge at the International Tribunal for the Law of the Sea (ITLOS)**, during elections to be held at the 30<sup>th</sup> Meeting of States Parties in June 2020, the candidature of:

- **Dr. Maurice Kengne Kamga** of the Republic of Cameroon;

iii) **For the post of 3<sup>rd</sup> Vice-President of the World Meteorological Organization**, during elections scheduled from 3 to 14 June 2019 in Geneva, Switzerland the candidature of:

- **Dr Agnes Lawrence Kijazi** of the United Republic of Tanzania;

iv) **For the post of Deputy Director General of the Universal Postal Union (UPU)**, during elections scheduled for 2020, in the Republic of Côte d'Ivoire, the candidature of:

- **Mr. Younouss Djibrine** of the Republic of Cameroon;

v) **For the post of Director General of the Food and Agriculture Organization of the United Nations (FAO)**, during elections scheduled for June 2019, the candidature of.

- **Mr. Medi MOUNGUI** of the Republic of Cameroon;

vi) **For the post of Deputy Director General of the International Organization for Migration**, during elections scheduled for June/July 2019 in Geneva, Switzerland, the candidatures of:



- **Mr. Ashraf El Nour Mustafa** of the Republic of Sudan;
- vii) **For the post of President of Regional Association I, Africa, of the World Meteorological Organization** during elections scheduled from 20 to 23 February 2019, in Cairo, Egypt, the candidature of:
- **Mr. Konate Daouda** of the Republic of Côte d'Ivoire;
- viii) **For Membership of the International Narcotics Control Board for the period 2020-2025** during elections scheduled for 2019, the candidatures of:
- **Dr. Jonathan Lucas** of the Republic of Seychelles;
  - **Mr. Ogbonna Okechukwu Onovo** of the Federal Republic of Nigeria; and
  - **Mrs. Ana Dos Passos Mamede Graca** of the Republic of Angola;
- ix) **For Membership of the United Nations Joint Inspection Unit for the period 2021-2025**, during elections scheduled to hold in 2019, the candidature of:
- **Mr. Tesfa Alem Seyoum** of the State of Eritrea;
- x) **For Membership of the United Nations Committee on the Protection of the Rights of All Migrant Workers and Members of their Families** during elections scheduled for 30 June 2019 in New York, the candidature of:
- **Ambassador Lazhar Soualem** of the People's Democratic Republic of Algeria;
3. **ALSO TAKES NOTE** of and **DECIDES** to endorse the following candidatures:
- i) **For Membership of the United Nations Human Rights Council for the period 2020-2022**, during elections scheduled for October 2019, at the 74<sup>th</sup> Ordinary Session of the United Nations General Assembly, in New York, the candidatures of:
- **the State of Libya; and**
  - **the Republic of Sudan;**
- NB:** 2 posts to be filled by Southern Africa and the Committee requested the African Group in New York to carry out consultations for the nomination of representatives of the region;
- ii) **For Membership of the Council of the International Civil Aviation Organization (ICAO), for the period 2019-2022**, during elections scheduled for the 40<sup>th</sup> Session of the ICAO Assembly in October 2019 in Montreal, Canada:

**Under Part II**, namely, States which make the largest contribution to the provision of facilities and services for international civil air navigation, the candidatures of:

- Northern Region: **Arab Republic of Egypt;**
- Southern Region: **Republic of South Africa; and**
- Western Region: **Federal Republic of Nigeria;**

**Under Part III**, namely, States whose designation will ensure geographic representation, the candidatures of:

- Central Region: **Gabonese Republic;**
- Eastern Region: **Republic of Sudan;**
- Northern Region: **Republic of Tunisia;**
- Southern Region: **Republic of Zambia; and**
- Western Region: **Republic of Côte d'Ivoire;**

iii) ***For Membership of the Executive Council of the World Tourism Organization (UNWTO) for the period 2020-2023***, during elections scheduled for the second half of 2019, at the 23<sup>rd</sup> Session of the UNWTO General Assembly in Saint-Petersburg, Russian Federation, the candidature of:

- **the Republic of Tunisia;**

iv) ***For Membership of the Council of the International Maritime Organization, Under Category C, for the period 2020-2021***, during elections scheduled from 25 November to 6 December 2019, in London, United Kingdom, the candidatures of:

- **the Republic of South Africa**
- **the Kingdom of Morocco; and**
- **the Arab Republic of Egypt;**

v) ***For the post of President of the United Nations General Assembly for the period 2019-2020***, during elections scheduled for September 2019 in New York, the candidature of:

- **the Federal Republic of Nigeria;**

vi) ***As Non-Permanent Member of the United Nations Security Council for the period 2020-2021***, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidature of:

- **the Republic of Niger;**

**NB:** The candidature of the Republic of Niger is endorsed, in addition to, that of the Republic of Tunisia, which was endorsed by the Executive Council in Nouakchott, in July 2018.

vii) ***As Non-Permanent Member of the United Nations Security Council for the period 2021-2022***, during elections scheduled for the Seventy-Fifth Session of the United Nations General Assembly in 2020, the candidatures of:

- the Republic of Kenya; and
- the Republic of Djibouti;

viii) ***For Membership of the United Nations Economic and Social Council for the period 2020-2021***, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidatures of:

- the Republic of Benin;
- the Republic of Botswana;
- the Republic of Congo; and
- the Gabonese Republic;

ix) ***For Membership of the Commission on the Status of Women for the period 2020-2021***, during elections to be held at the Coordination and Management Meetings of the Economic and Social Council scheduled for April 2019, in New York, the candidatures of:

- the Republic of Senegal; and
- the Federal Republic of Somalia;

x) ***For Membership of the United Nations Committee on Conferences*** during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidature of:

- the People's Democratic Republic of Algeria;

**NB:** 1 post remaining to be filled by the East African region and the Committee requested the African Group in New York to carry out consultations for the nomination of a representative of the region;

xi) ***For the post of Chairperson of the United Nations General Assembly Second Committee***, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidature of:

- the Republic of Senegal;

- xii) ***For Membership of the Commission for Social Development***, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidatures of:
- the Democratic Republic of Congo;
  - the Federal Democratic Republic of Ethiopia;
  - the State of Libya; and
  - the Federal Republic of Nigeria;
- xiii) ***For Membership of the Statistical Commission***, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidatures of:
- the Republic of Madagascar; and
  - the Republic of Sierra Leone;
- xiv) ***For Membership of the Commission on Population and Development***, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidatures of:
- the Republic of Madagascar;
  - the State of Libya; and
  - the Federal Republic of Somalia;
- NB: 1 seat remaining to be filled by the Southern African region and*** the Committee requested the African Group in New York to carry out consultations for the nomination of a representative of the region;
- xv) ***For Membership of the Commission on Narcotic Drugs***, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidature of:
- the Republic of Angola;
- NB: 6 posts to be filled (2 by the Central African region, 3 by the East African region and 1 by Southern Africa)*** and the Committee requested the African Group in New York to carry out consultations for the nomination of representatives of the said regions;
- xvi) ***For Membership of the Commission on Science and Technology for Development***, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidature of:
- the Republic of Madagascar;
- xvii) ***For Membership of the Committee for Programme and Coordination***, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidatures of:

- the Republic of Liberia; and
- the Islamic Republic of Mauritania;

**NB: 1 post to be filled by East Africa** and the Committee requested the African Group in New York to carry out consultations for the nomination of a representative of the region;

xviii) **For Membership of the Governing Council of the Commission on Human Settlements**, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidatures of:

- the Republic of Burundi;
- the Republic of Kenya; and
- the Republic of Senegal;

**NB: 2 posts to be filled by Southern Africa** and the Committee requested the African Group in New York to carry out consultations for the nomination of representatives of the region;

xix) **For Membership of the Executive Board of the United Nations Children's Fund**, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidature of:

- the Republic of Zimbabwe;

xx) **For Membership of the Executive Board of UNDP (Common to the following organs: UNDP/UNFPA-United Nations Office for Project Services)**, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidature of:

- the Federal Republic of Somalia;

xxi) **For Membership of the Executive Board of the United Nations World Food Programme**, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidatures of:

- the Republic of Burundi; and
- the Republic of Madagascar;

xxii) **For Membership of the Joint United Nations Programme on HIV/AIDS (UNAIDS)**, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidatures of:

- the Republic of Kenya; and

- the Republic of Tunisia

xxiii) ***For Membership of the Executive Board of UN Women***, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidatures of:

- the Republic of Burundi;
- the Democratic Republic of Congo;
- the Republic of Madagascar;
- the Federal Republic of Nigeria; and
- the Republic of Sierra Leone;

***NB: 1 post remaining to be filled by Southern Africa*** and the Committee requested the African Group in New York to carry out consultations for the nomination of a representative of the region;

xxiv) ***For Membership of the Committee for the United Nations Population Award***, during elections scheduled for the Seventy-Fourth Session of the United Nations General Assembly in 2019, the candidatures of:

- the Republic of Côte d'Ivoire;

***NB: 1 post remaining to be filled according to the rotation between the East and Southern African regions/1 post remaining to be filled according to the rotation between the Central and Northern African regions*** and the Committee requested the African Group in New York to carry out consultations for the nomination of representatives of the said regions;

xxv) ***For Membership of the Executive Council of the United Nations Educational, Scientific and Cultural Organization (UNESCO), for the period 2019-2023***, during elections scheduled to hold at the UNESCO General Conference in November 2019, in Paris, France, the candidatures of:

- the People's Democratic Republic of Algeria, under Group V (b);
- the Republic of Tunisia, under Group V (b); and
- the Republic of South Africa, under Group V (a);

xxvi) ***For Membership of the UNESCO World Heritage Committee***, during elections scheduled for November 2019 in Paris, the candidatures of:

- the Arab Republic of Egypt, under Group V (b)
- the Republic of South Africa, under Group V (a)

xxvii) ***For the post of Vice-President of the Seventy-Fourth Session of the United Nations General Assembly***, the candidatures of:

- the Republic of Cabo Verde;
- the Republic of Congo;
- the Federal Democratic Republic of Ethiopia;
- the Republic of Tunisia; and
- the Republic of Zimbabwe;

4. **REQUESTS**, with regard to the candidatures of the Republic of Kenya and the Republic of Djibouti as Non-Permanent Member of the United Nations Security Council for the period 2021-2022, during elections scheduled for the Seventy-Fifth Session of the United Nations General Assembly in 2020, that the two countries should continue consultations until June 2019, with a view to presenting a single candidate for the region and in case of failure, the Committee would take a decision at the next Summit in June 2019;
5. **DECIDES** with regard to the revision of the Rules of Procedure of the Committee to defer consideration of the Draft, until the June 2019 session, in order to continue consultations, including with the African Groups and **INSTRUCTS** the Secretariat to finalize the Draft and forward same to Member States for comments by latest 31 March 2019;
6. **REQUESTS** the Permanent Missions of the African Union concerned to invite, by Note verbale, the regions concerned to carry out consultations in order to nominate their representatives for the above-mentioned vacant posts;
7. **DECIDES** that the Chairs of the African Groups and the Chairs of the Committees on Candidatures within African Groups should participate in sessions of the Committee;
8. **RECOMMENDS** the Draft Motion of Support endorsed by the Executive Council, to Mr. Michel Sidibé, Executive Director of UNAIDS, whose term of office is coming to an end, to the Assembly for adoption.

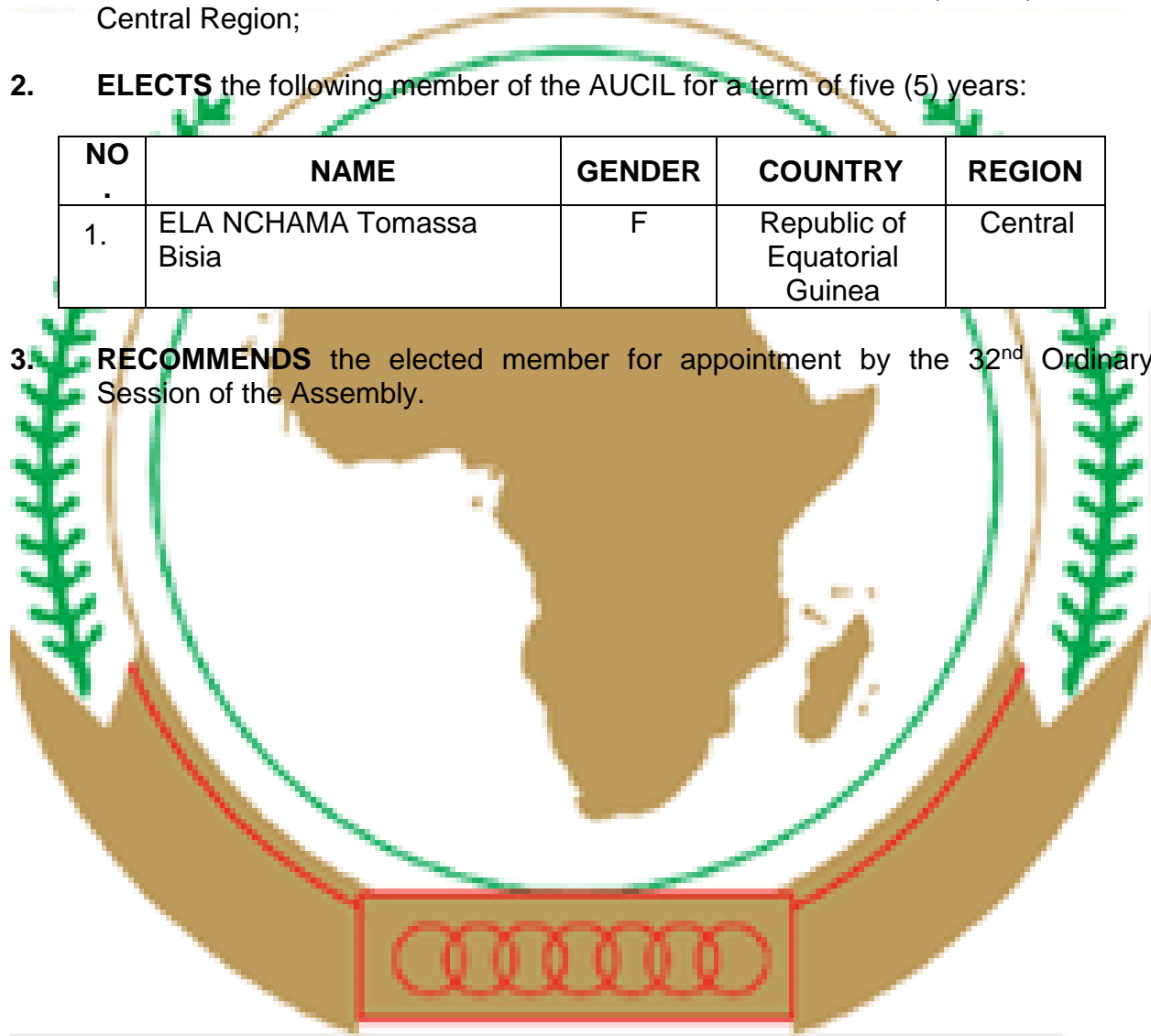
**DECISION ON THE ELECTION OF ONE (1) MEMBER  
OF THE AFRICAN UNION COMMISSION ON INTERNATIONAL LAW  
Doc. EX.CL/1146(XXXIV)**

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the election of one (1) female member of the African Union Commission on International Law (AUCIL) from the Central Region;
2. **ELECTS** the following member of the AUCIL for a term of five (5) years:

NO	NAME	GENDER	COUNTRY	REGION
1.	ELA NCHAMA Tomassa Bisia	F	Republic of Equatorial Guinea	Central

3. **RECOMMENDS** the elected member for appointment by the 32<sup>nd</sup> Ordinary Session of the Assembly.





**DECISION ON THE ELECTION OF ONE (1) MEMBER OF THE  
AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS  
AND WELFARE OF THE CHILD  
Doc. EX.CL/1147(XXXIV)**

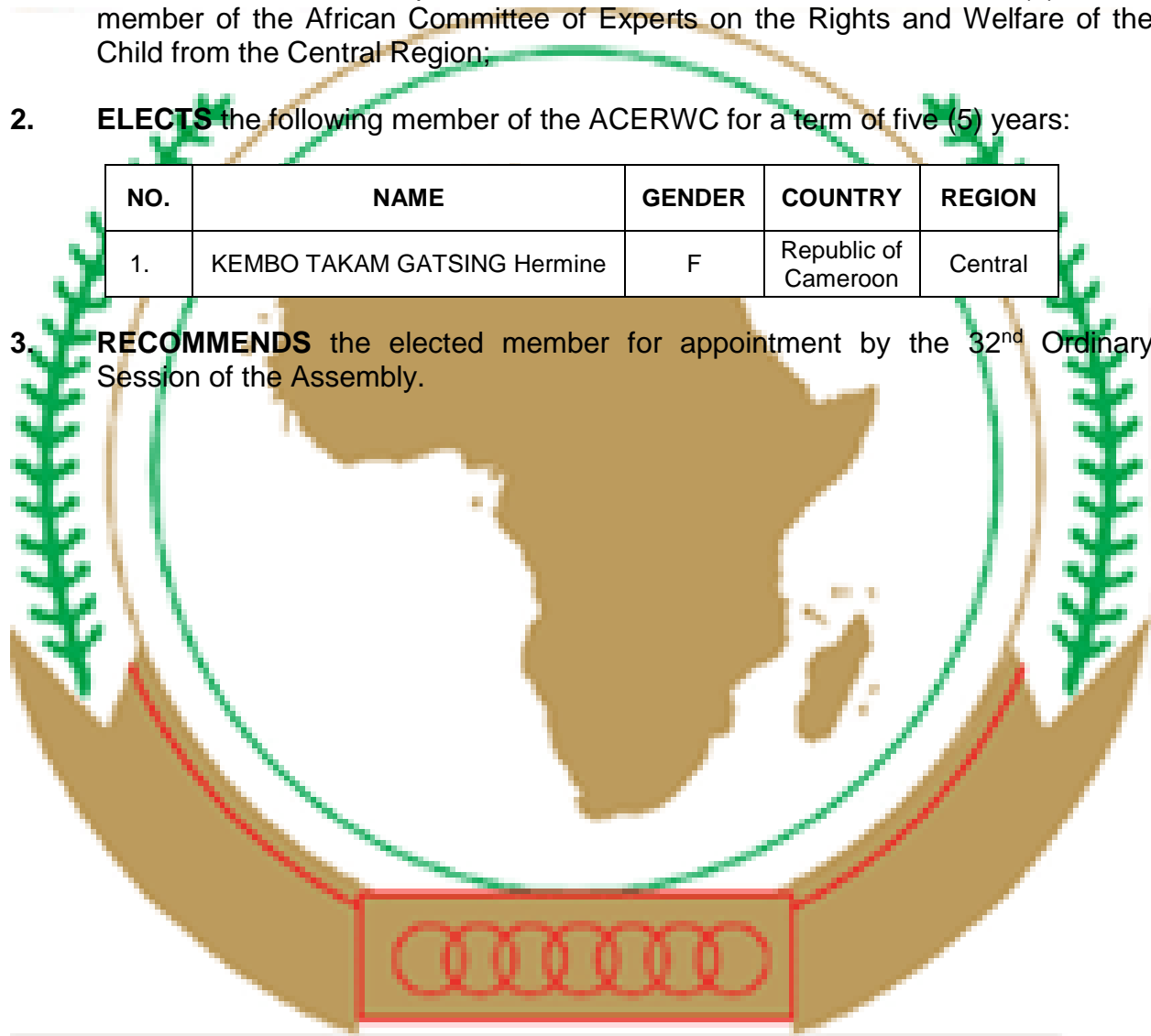
The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the election of one (1) female member of the African Committee of Experts on the Rights and Welfare of the Child from the Central Region;

2. **ELECTS** the following member of the ACERWC for a term of five (5) years:

NO.	NAME	GENDER	COUNTRY	REGION
1.	KEMBO TAKAM GATSING Hermine	F	Republic of Cameroon	Central

3. **RECOMMENDS** the elected member for appointment by the 32<sup>nd</sup> Ordinary Session of the Assembly.



**DECISION ON THE ELECTION OF SEVEN (7) MEMBERS  
OF THE AFRICAN UNION ADVISORY BOARD ON CORRUPTION  
Doc. EX.CL/1148(XXXIV)**

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the election of seven (7) members of the African Union Advisory Board on Corruption (AUABC);
2. **ELECTS** the following six (6) members of the AUABC for a term of two (2) years:

NO.	NAME	GENDER	COUNTRY	REGION
1.	ANDRIAMIFIDY Jean Louis	M	Republic of Madagascar	Eastern
2.	BAMOUNI Pascal	M	Burkina Faso	Western
3.	BEGOTO Miarom	M	Republic of Chad	Central
4.	GNANSOUNOU FOURN Elisabeth Afiavi	F	Republic of Benin	Western
5.	NG'ANDU Agness Kayobo	F	Republic of Zambia	Southern
6.	SEEMA Sefako Aaron	M	Kingdom of Lesotho	Southern

3. **RECOMMENDS** the elected members for appointment by the 32<sup>nd</sup> Ordinary Session of the Assembly;
4. **FURTHER RECOMMENDS** that the election of one (1) member of the AUABC for the floating seat be carried out during the 35<sup>th</sup> Ordinary Session of the Executive Council in July 2019.

**DECISION ON THE ELECTION OF FIVE (5) MEMBERS OF THE PEACE AND  
SECURITY COUNCIL OF THE AFRICAN UNION  
Doc. EX.CL/1149(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Report of the Commission on the election of five (5) members of the Peace and Security Council of the African Union;
2. **ELECTS** the following Member States of the Peace and Security Council for a term of three (3) years:

NO.	COUNTRY	REGION
1.	People's Democratic Republic of Algeria	Northern
2.	Republic of Burundi	Central
3.	Republic of Kenya	Eastern
4.	Kingdom of Lesotho	Southern
5.	Federal Republic of Nigeria	Western

3. **RECOMMENDS** the elected Members of the Peace and Security Council for appointment by the 32<sup>nd</sup> Ordinary Session of the Assembly.

**DECISION ON THE NOMINATION OF THREE (3) MEMBER STATES TO  
DESIGNATE JUDGES TO THE AFRICAN UNION  
ADMINISTRATIVE TRIBUNAL  
Doc. EX.CL/1150(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the Report of the Commission on the nomination of three (3) Member States to designate judges to the Administrative Tribunal;
2. **COMMENDS** the outgoing members of the Administrative Tribunal for their work;
3. **NOMINATES** the following Member States to each designate one (1) judge to the Administrative Tribunal for a term of four (4) years:
  - i) Kingdom of Morocco;
  - ii) Republic of Mozambique; and
  - iii) Republic of Namibia.
4. **CALLS UPON** the nominated Member States to designate judges to the Administrative Tribunal by the end of February 2019;
5. **REQUESTS** the Commission to review the Statute and the Rules of Procedure of the Administrative Tribunal for consideration by the 36<sup>th</sup> Ordinary Session of the Executive Council in February 2020.

