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EXECUTIVE COUNCIL
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DECISIONS

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, taking into account observations made by Member States;

I. THE JOINT SITTING OF THE SUB-COMMITTEE ON GENERAL SUPERVISION AND COORDINATION ON BUDGETARY, FINANCIAL AND ADMINISTRATIVE MATTERS AND THE TECHNICAL EXPERTS OF THE F15

ON THE 2022 AFRICAN UNION SUPPLEMENTARY BUDGET

2. APPROVES a total supplementary budget of **US\$1,596,873** broken down below and entirely to be financed from the Reserves:

- i) Provisional budget of **US\$375,000** for the Office of Director General so that it begins to operate while awaiting a resubmission of the proposal to be considered during the 2022 midyear budget review;
- ii) **US\$343,554** to support the R10 activities;
- iii) **US\$878,318.88** to cover salaries and activities of the Reforms Unit till 31st March 2023; and
- iv) **US\$680,000** to be used for the recruitment of an independent African Consultancy Firm.

3. RECALLS Executive Council Decision EX.CL/Dec.1074(XXXVI) para 64 in February 2020 and Executive Council Decision EX.CL/Dec.1126(XXXIX) of October 2021 recommending to the Assembly that the structure and the staffing of the AfCFTA Secretariat should be done in two phases, namely:

- i) First Phase be initial recruitment of the Secretary General, four (4) Directors and essential staff; and
- ii) Second phase be the positions to be filled after adoption of a permanent structure and budget, reviewing the appropriate functions of the appointed Directors and their exact number

4. REQUESTS the AfCFTA in collaboration with the Commission's department of Finance to reduce the 104 staff earmarked for recruitment in 2022 to the number that can feasibly be incorporated in the budget, and report its progress to the PRC;

5. **APPROVES** the 2021 operational balance of **US\$ 2.9 million** for AfCFTA to be carried forward to 2022 to cover expenses of the phased staff recruitment.

II. JOINT SUB-COMMITTEE ON STRUCTURAL REFORMS AND THE SUB-COMMITTEE ON GENERAL SUPERVISION AND COORDINATION ON BUDGETARY, FINANCIAL AND ADMINISTRATIVE MATTERS

6. **TAKES NOTE** of the Briefing made by H.E the Deputy Chairperson regarding the progress made on the structural reforms;
7. **RECALLS** the Executive decision of EX.CL/Dec.1097(XXXVII) deciding that the Staff Skills Audit and Competency Assessment shall be applied to all AUC staff;
8. **ALSO RECALLS** the Executive Council Decision EX.CL/Dec.1126(XXXIX) which **REQUESTED** that such audit shall be performed over the same period for all Regular and Non-regular staff of the Commission excluding Elected, Political and Special Appointee Officials;
9. **DIRECTS** the Commission to present to the Policy Organs after the summit, an analysis and report on the outcome of the Skills Audit and Competency Assessment.

III. THE SUB-COMMITTEE ON AUDIT MATTERS

10. **TAKES NOTE** of the Report of the PRC Sub-Committee on Audit Matters and, **ENDORSES** the recommendations contained therein.

ON THE INTERNAL AUDIT SPECIAL REPORT ON REVIEW OF OUTSTANDING PAYMENTS OWED TO THE REPUBLIC OF SENEGAL AND THE REPUBLIC OF UGANDA

11. **EXPRESSES** concerns on the non-implementation of Executive Council decision reference number EX.CL/Dec.1057 (XXXV) and **DIRECTS** AUC to put in place measures to expedite the implementation of Executive Council decisions with financial obligations owed to the Member States to ensure honoring them on time.
12. **DIRECTS** the AUC to ensure that Member States concerned with issues discussed by various PRC Sub-Committees are invited to such meetings for their inputs on required information in accordance with paragraph 5. 2 of the ToR of the Sub-Committee on Audit Matters.

13. **DIRECTS** the AUC to put in place effective systems for early verifications of troop claims and compensation of the military equipment deployed by the Member States so as to ensure that they are compensated and paid their dues well on time

14. **CALLS UPON** the AUC to address the issues raised in the audit reports and **DIRECTS** as follows: -

1.1. On the Obligations Owed to Senegal and its Deceased Citizens:

i) **RECALLS** the provisions of paragraph 22 of the EX.CL/Dec 1057 (XXXV) which instructs the Commission to verify and pay the debts due to Senegal before the end of December 2019

ii) **REITERATES** that, AU Commission should adequately engage Troop Contributing Countries on issues concerning their troops and payments owed to them should be paid timely,

iii) The AUC should ensure that employment contracts are clear on what is eligible to the staff on fixed and short term, including the separation packages,

iv) **RECALLS** paragraph 43.ix of the EXCL/Dec.1126(XXXIX) and Requests the AUC to pay the dues owed to the Late Caporal-Chef Mouhamadou Abdallah NDIAYE and Requests the Commission to immediately pay the indemnities due;

v) **ALSO REQUESTS** the AUC to pay any other military or civilian police who saved under any other AU Missions are paid accordingly without further delay.

vi) Additional information should be provided to the Subcommittee on the legality of AU paying the IPED staff arrears to avoid creating a wrong precedent as these occurred before the Institution was adopted by the AU,

vii) The AUC should calculate the entire outstanding debts to all staff and creditors of IPED and submit for the consideration of the PRC Subcommittee on Audit Matters to make recommendations to PRC by May 2022.

viii) The AUC should assist in following up the contribution areas from IPED Member States to enable the clearance of the outstanding obligations of the Institution.

ix) **REQUESTS** the AUC to pay without delay the compensation due to the Late Colonel Abdoul Selly NIANE and report back to the Subcommittee on

the implementation of this decision in the next Ordinary Session of the Executive Council

- x) *The AUC should put in place mechanisms to ensure that once an organization is closed or/ and adopted into the AU Institutions, all staff arrears and other outstanding obligations are established, audited and timely cleared to avoid legal liabilities to the AU.*

1.2. On Obligations Owed to the Republic of Uganda:

- i) **RECALLS** paragraph 22 of the EX.CL/Dec 1057 (XXXV) and **REITERATES** that the AUC should prioritise and make payments to the Republic of Uganda without any further delay from budget savings or other sources where funds are available under AMISOM.
- ii) **DIRECTS** the AUC to make payments to the Republic of Uganda by May 2022 and report back to the Sub-Committee on Audit Matters.

ON THE REPORT ON THE DETAILED ANALYSIS OF ALL DORMANT SPECIAL FUNDS

15. TAKES NOTE of the Report and **CALLS UPON** the AUC to ensure that the findings in the audit report are acted upon accordingly to enhance effective management of special funds and **DIRECTS** as follows:

- i) The AU Commission should periodically report to the PRC and Executive Council on all special funds in line with relevant articles of the AU-FRR, these reports should include information on achievements and challenges of the funds;
- ii) The AU Commission should enhance the institutional memory mechanisms by upgrading its digital systems such that all management reports including those on Special Funds and other Funds are maintained in central portals for ease of retrieval by authorized officials, and report back to subcommittee on the progress made in this regard;
- iii) The AU Commission should ensure that audits are done at the closure of all projects so as to assess the achievement of objectives and verify the closing balances of the funds. Further audits should be done before the closure of the Dormant Funds in line with the AU rules and standard accounting practices.

16. APPROVES the closure of the following seven (7) dormant Special Funds in line with the AU Financial Rules and Regulations.

Description	Ledger Balances USD	Actual Bank Balances USD
Member States -High Level Panel & Ministerial	823,530.69	19,994.50
Work on Union Govt. Proposal	55,059.81	19,994.50
Solidarity fund (SF007)	3,189,907.43	19,994.50
Acquisition of Washington Office Premises	90,959.68	19,994.50
AFISMA Trust Fund	15,000,000.00	19,994.50
Horn of Africa Famine Relief Contributions	2,729,646.70	-
High Level Panel on Alternative Sources of Financing	209,350.00	19,994.50
Total	22,098,454.31	139,961.5

ON THE OFFICE OF INTERNAL OVERSIGHT (OIO) REPORT ON AUC BUDGET PERFORMANCE FOR 6 MONTHS - JANUARY TO JUNE 2021

17. **TAKES NOTE** of the Report and **EXPRESSES** concerns on the low rate of implantation of programmes and **CALLS UPON** AUC managers to ensure that implementation of programmes is enhanced.

18. **RECALLS** the Executive Council decisions reference numbers; *EX.CL/Dec 815 (XXX); EX.CL/Dec.1031 (XXXIV) paragraph 11; 1057(XXXV) paragraph 39 (b & h); 1069(XXXV) paragraphs 10, 11, 12; EX.CL/Dec.1071(XXXV) paragraph 9; EX.CL/Dec.1073(XXXVI) paragraph 40; and EX.CL/Dec.1097(XXXVII) paragraph 18, and REITERATES that: -*

i) AUC should take the necessary measures to reinforce the existing mechanisms for the relevant Departments to regularly submit their reports in AMERT and improve the implementation rate of the programmes during the year failing which, the AUC management shall hold accountable, as appropriate, the personnel in relevant departments responsible for underperformance, in accordance with the SRR;

ii) Recalls paragraph 66(iii) of Decision EX.CL/Dec.1073 (XXXVI) and paragraph 39(b) of EX.CL/Dec.1057(XXXV) that directed the release and allocation of budget to be in proportion with the performance in line with the AU Golden Rules on Budgeting and an average budget execution rate of the previous three years well as implementation rate of audit recommendations,

iii) A minimum rate of implementation threshold should also be set up and submitted for consideration by the Sub-Committee on General Supervision and Coordination on Budgetary, Financial, and Administrative Matters, so as to prevent departments from making high budget proposals and align budget proposals based on the available capacity and human resources;

iv) Partners with low funding as compared to the pledges made should be engaged early during the budget year and strong commitments should be sought from Partners before programmes are put in budget proposals, so as to avoid budgets with funding gaps in line with Golden Rule number two (2),

The AUC should work on the AMERT system to enhance the effectiveness and efficiency of the system, and if AMERT is no longer fit for the purpose, finance should start using the project module in SAP for planning, monitoring, evaluation and reporting projects performance, or look for any other suitable system.

v) The AUC should develop effective mechanisms on quarterly allocation of funds and not on the current system of equal share without considering cost and size of programmes to be implemented by departments.

19. RECALLS Executive Council decisions 1107(XXXVIII) and 1126(XXXIX) and **DIRECTS** the Commission to make an overall implementation report to the PRC on the implementation of the audit recommendations taken in 2021-2022 before the July 2022 session”.

20. ALSO RECALLS Executive Council decision 1126(XXXIX) and **REQUESTS** the AUC to submit to the budget session for the financial year 2023 next May / June, a prior review of the rate of implementation of the audit recommendations of the AUC and AU Organs, affirming that no budget proposals will be considered if not accompanied with audit execution rates.

21. REQUESTS the AUC to expedite the study on the challenges causing low budget execution rate and report to PRC before the June/July 2022 Executive Council Session.

22. RECALLS section I of the Executive Council decision reference number EX.CL/Dec 1057 (XXXV) on the Transitional Plan and **DIRECTS** the AUC to submit a request to Policy Organs on how effective it can implement the filling of the positions in the new structure at all levels so as not to hamper the work of some departments who need more staff at lower levels than at managerial levels.

23. **ALSO DIRECTS** the AUC to collaborate with the League of Arab States Secretariat to find alternative ways of having the work plan on Africa-Arab Partnership approved, in case of further delays in holding of Africa–Arab Summit.
24. **FURTHER DIRECTS** the AUC to provide the program implementation plan and draft plan of future programmes on AUPD-LAS for consideration of the Sub-Committee on General Supervision and Coordination on Budgetary, Financial, and Administrative Matters by May 2022.

ON THE OIO REPORTS ON RESERVE FUND & SPECIAL FUNDS AND MAINTENANCE & WORKING CAPITAL FUNDS

25. **TAKES NOTE** of the Report and **CALLS UPON** AUC to put in place effective systems in the prudent management of Reserve, General and other Special Funds in line with AU Financial Rules and Regulations, and further **DIRECTS** as follows:
- i) The AUC should ensure that the 3% is transferred from AU Acquisition of Properties Fund to AU Maintenance Fund in line with the Executive Council Decision reference number Ex.Cl.877 (XXVII),
 - ii) The AUC should put in place effective mechanisms to ensure that the fund balances match with the related dedicated bank balances as per required effective financial management and in line with the relevant Executive Council Decision.,

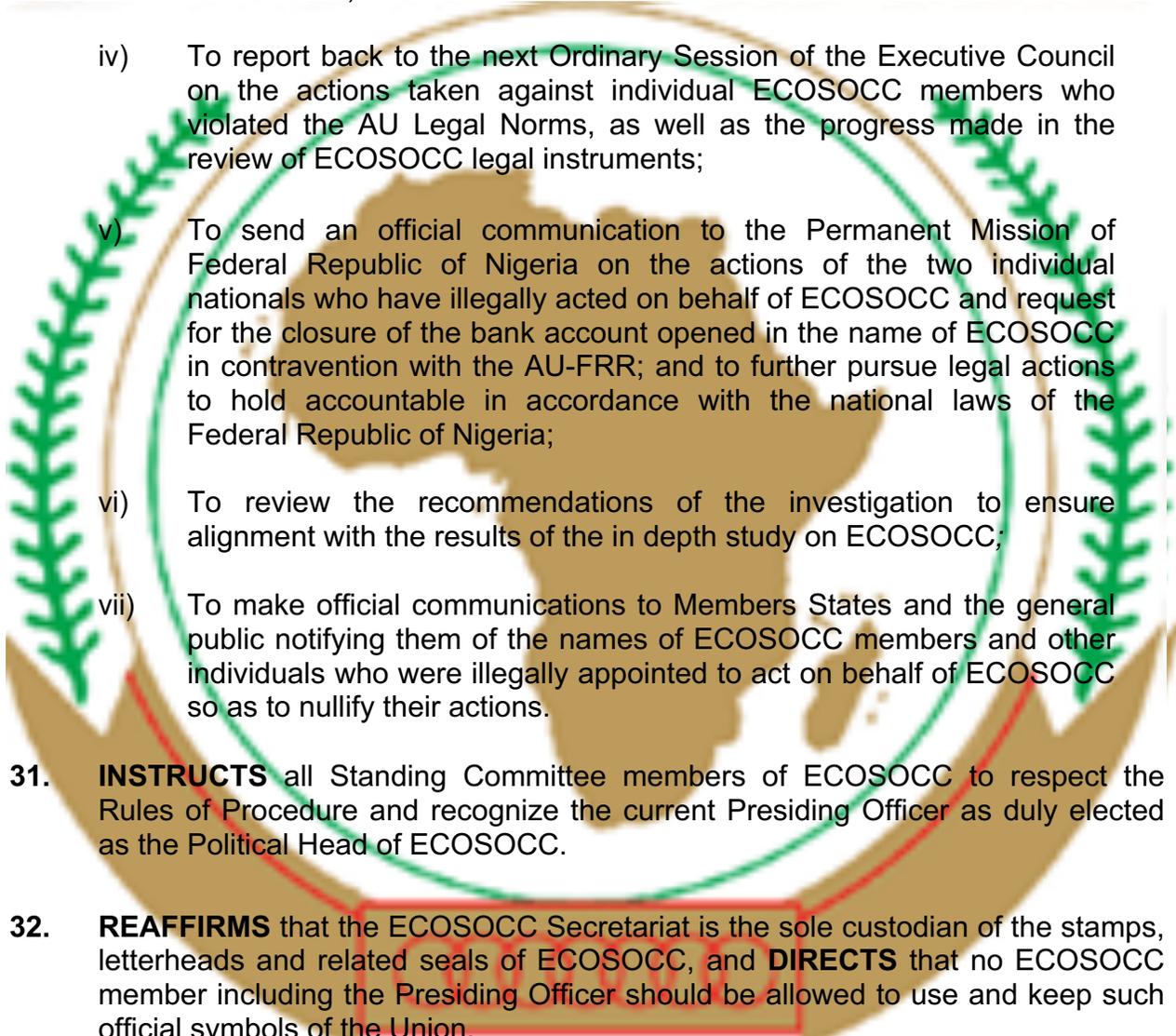
Put in place effective systems of internal controls to ensure that posting errors are eliminated on transaction postings and that approvals are sought from the Chairperson and Commissioner of Political Affairs, Peace and Security before funds in Peace Fund are used.
 - iii) The AUC Leadership through the DCP should ensure management engagement in the meetings of the subcommittee with the level of Directors/Deputy Directors and Management responses are provided to all audit findings, the OIA should not submit any report without management responses for consideration by the Sub-Committee.,
 - iv) A special audit engagement should be conducted to look at the persistent challenge of missing vouchers including the whole filling and archiving system so as to establish the root cause of such gaps,
 - v) AUC management should ensure that monthly reconciliations on fund balances are done so as to reflect correct amounts.

- vi) "Request the AUC to take, within the framework of the approved budget lines, the necessary measures for the improvement of digital documentation and archiving systems and expedite this project as a prerequisite for the traceability of internal control » so that the documents could be available on line whenever needed for audit reviews.

ON THE OFFICE OF INTERNAL OVERSIGHT (OIO) INVESTIGATION REPORT ON ECOSOCC MEMBERS

26. **TAKES NOTE** of the Report and **EXPRESSES** concerns on audit findings and **CALLS UPON** the ECOSOCC members to operate within the provisions of the AU Legal Norms.
27. **EXPRESSES GRAVE CONCERN** on the recurring nature of the violations and lack of actions by the ECOSOCC General Assembly against those alleged to have violated Legal norms of the Union.
28. **TAKES NOTE** of the Legal Brief submitted by the OLC on the legal basis for imposing sanctions against ECOSOCC members found in the report to have violated provisions of AU rules and regulations requiring professionalism, honesty, integrity and highest standard of conduct as members of ECOSOCC;
29. **RECALLS** the Executive Council decision *EX.CL/Dec. 1115(XXXVIII) of February 2021*, paragraph 3 (ii) which requested *"The Commission to conduct an independent investigation by the relevant Department of the Commission into current and future alleged violations of the African Union Code of Ethics and Conduct by members of the ECOSOCC General Assembly, and to recommend appropriate sanctions through the Bureau of the Chairperson of the Commission and Assembly decision Assembly/AU/Dec.757(XXXIII) of February 2020 which directed the Commission "...to continue to take effective actions to address all acts of misconduct in the African Union, and to use his financial and administrative statutory oversight authority over all non-Policy Organs and Institutions of the Union, including the Pan-African Parliament, the African Court of Human and Peoples' Rights, the African Commission on Human and Peoples Rights, and their elected officials."*
30. **DIRECTS** the AUC Chairperson as follows: -
- i) To ensure that any acts of ECOSOCC members in violation of AU Legal Norms which mislead the general public and expose the AU to legal, financial and reputational risks are cancelled by issuance of public notices from the Office of the Chairperson through the OLC;
 - ii) To expedite actions to prevent further damage on reputation and asset

of the Union including; to immediately and indefinitely suspend individuals found to have committed misconducts or any breach of AU legal norms including the infringement of AU Intellectual Property Rights and act of forgery;

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- iii) To further communicate officially to their respective Member States to prevent the implicated individuals from participating in future activities of the Union;
 - iv) To report back to the next Ordinary Session of the Executive Council on the actions taken against individual ECOSOCC members who violated the AU Legal Norms, as well as the progress made in the review of ECOSOCC legal instruments;
 - v) To send an official communication to the Permanent Mission of Federal Republic of Nigeria on the actions of the two individual nationals who have illegally acted on behalf of ECOSOCC and request for the closure of the bank account opened in the name of ECOSOCC in contravention with the AU-FRR; and to further pursue legal actions to hold accountable in accordance with the national laws of the Federal Republic of Nigeria;
 - vi) To review the recommendations of the investigation to ensure alignment with the results of the in depth study on ECOSOCC;
 - vii) To make official communications to Members States and the general public notifying them of the names of ECOSOCC members and other individuals who were illegally appointed to act on behalf of ECOSOCC so as to nullify their actions.
31. **INSTRUCTS** all Standing Committee members of ECOSOCC to respect the Rules of Procedure and recognize the current Presiding Officer as duly elected as the Political Head of ECOSOCC.
32. **REAFFIRMS** that the ECOSOCC Secretariat is the sole custodian of the stamps, letterheads and related seals of ECOSOCC, and **DIRECTS** that no ECOSOCC member including the Presiding Officer should be allowed to use and keep such official symbols of the Union.
33. **ALSO DIRECTS** all ECOSOCC members to exercise a highest degree of confidentiality in the discharge of their mandate and duties as directed in the oath of office, failing which they shall be held accountable.
34. **RECALLS** Executive Council EX/CL 924 (XXVI) of June 2015 on the establishment of ECOSOCC National Chapters and **DIRECTS** ECOSOCC to finalise the *Framework on the National Chapters in Member States*.

35. **ALSO REAFFIRMS** that ECOSOCC MOUs with Third Parties are initiated by the ECOSOCC Secretariat and vetted by the OLC and any MOU signed outside the required processes should be declared null and void.
36. **WELCOMES** the election of Mr. Denise Kodhe as the Presiding Officer of ECOSOCC. **INSTRUCTS** all members of ECOSOCC to be mindful of their legal obligation and recognize Presiding Officers, duly elected as the Political Head of ECOSOCC.

IV. SUB-COMMITTEE ON MULTILATERAL COOPERATION

A. On the Development of the AU Partnerships Strategy and Policy Framework

37. **TAKES NOTE** of the progress made towards the finalization of the AU Partnerships Strategy and Policy Framework;
38. **REQUESTS** the PRC, in close collaboration with the AU Commission, to ensure that the AU Partnerships Strategy and Policy Framework is finalized for submission to the Executive Council in June/July 2022.

B. AU – EU Partnership

39. **EXPRESSES** Appreciation to the Government and People of Rwanda for the successful holding of the 2nd AU – EU Ministerial Meeting held in Kigali, on 25 – 26 October 2021;
40. **ENDORSES** the Communiqué of the 2nd AU – EU Ministerial Meeting^{1 2};
41. **REQUESTS** the AU Commission in collaboration with the European Commission to operationalize the Ministerial Follow-up Committee for the AU-EU Partnership in consultation with member states from both sides, particularly through the subcommittee on multilateral cooperation from the AU side.

¹ The Federal Democratic Republic of Ethiopia and the State of Eritrea registered reservation on the first line of paragraph Twenty-five (25) of the Communiqué of the 2nd AU-EU Ministerial Meeting, as an amended was requested by the Ethiopian Delegation as follows: “Ministers pledged to cooperate to ensure timely (mutually agreed) and unrestricted principled humanitarian access, the safety and security of humanitarian and medical workers and facilities, protect education from attack” .

² The State of Eritrea dissociated itself from on paragraph Thirty-five (35), line 12 of the Communiqué of the 2nd AU-EU Ministerial Meeting which reads “They committed to abide with the obligation of States to readmit their own nationals illegally present on the territory of another state”.

42. **URGES** the PRC in close collaboration with the Commission and the European Union to finalize the outcome documents for the 6th AU – EU Summit to be held physically on 17 – 18 February 2022, in Brussels, Belgium, and to ensure that the preparatory process of all the Statutory Meetings are inclusive;
43. **RECALLS** that participation in the upcoming 6th AU - EU Summit will be in accordance with Assembly Decision Assembly/AU/Dec.762(XXXIII), of February 2020, which: “REAFFIRMS the right of all AU Member States to participate in Statutory Meetings, related to partnerships between the African Union/African Continent and another Continent or Regional Organization;

C. Africa – Arab Partnership

44. **TAKES NOTE** of the work undertaken by the AU with regard to the development of the AU priorities as well as the proposals of draft working documents for the 5th Africa – Arab Summit;
45. **RECALLS** Executive Council Decision No. EX.CL/Dec.1126(XXXIX) of October 2021, which requested the PRC in close collaboration with the Commission, the General Secretariat of the League of Arab States and the host country of the 5th Africa–Arab Summit, the Kingdom of Saudi Arabia, to agree on suitable dates in May 2022, for the holding of the 5th Africa–Arab Summit and its statutory preparatory Meetings, in Riyadh, Saudi Arabia, subject to the improvement in Public health conditions caused by the COVID-19 pandemic;
46. **RECALLS** that participation in the upcoming 5th Africa Arab Summit will be in accordance with Assembly Decision Assembly/AU/Dec.762(XXXIII), of February 2020, which: “REAFFIRMS the right of all AU Member States to participate in Statutory Meetings, related to partnerships between the African Union/African Continent and another Continent or Regional Organization.

D. Africa – Türkiye Partnership

47. **EXPRESSES** Appreciation to the Government and People of Türkiye for the Successful organization of the 3rd Africa – Türkiye Summit held in Istanbul, Türkiye, on 17 – 18 December 2021;
48. **RECOMMENDS** to the Assembly to endorse the Outcome documents of the 3rd Africa – Türkiye Summit including the “Africa-Türkiye Declaration” and the “Africa-Türkiye Partnership Joint Action Plan 2022-2026”, which contains proposed actions to be implemented jointly by Türkiye, the African Union and its Member States;
49. **TAKES NOTE** on the proposed establishment of appropriate follow-up mechanisms to ensure a regular Monitoring and Evaluation of the Africa - Türkiye

partnership agreed areas of cooperation, through a consultative process between the PRC, the African Diplomatic Corps in Ankara, the AU Commission and the Government of Türkiye;

50. **FURTHER TAKES NOTE** of the proposed dates for the holding of the Third Ministerial Review Conference of the Africa – Türkiye Partnership in Africa in 2024, and the Fourth Africa - Türkiye Partnership Summit also to be convened in Africa in 2026;

51. **RECALLS** Assembly Decision No. Assembly/AU/Dec.762(XXXIII), of February 2020, which “REAFFIRMS the right of all AU Member States to participate in Statutory Meetings, related to partnerships between the African Union/African Continent and another Continent or Regional Organization”; and “DECIDES that African Union/African Continent shall be represented at the Statutory Meetings of partnership between the African Union/African Continent and a partner country by the Members of the Bureau of the Assembly of the Union, the Chairpersons of Regional Economic Communities (RECs), the Chairperson of the Heads of State and Government Orientation Committee (HSGOC) of AUDA-NEPAD and the Chairperson of the AU Commission”.

E. Tokyo International Conference on African Development (TICAD)

52. **TAKES NOTE** of the virtual Meeting of the TICAD Co-Organisers, held on 6 November 2021, to discuss the TICAD Ministerial Meeting, preparations for the TICAD 8 Summit as well as Reporting on the Yokohama Plans of Actions 2019;

53. **ENDORSES** the dates of 26-27 March 2022, for the holding of the TICAD Ministerial Meeting through a complete virtual process and **REQUEST** the PRC to work in close collaboration with the Commission, Japan, the African Diplomatic Corps in Tokyo and the other Co-Organizers to finalize the working documents for the Meeting;

54. **ALSO ENDORSES** the dates of 27 – 28 August 2022, for the holding of the TICAD 8 Summit in Tunisia, subject to the improvement in public health conditions caused by the Covid-19 pandemic;

55. **RECALLS** Assembly Decision No. Assembly/AU/Dec.762(XXXIII), of February 2020, which “REAFFIRMS the right of all AU Member States to participate in Statutory Meetings, related to partnerships between the African Union/African Continent and another Continent or Regional Organization”; and “DECIDES that African Union/African Continent shall be represented at the Statutory Meetings of partnership between the African Union/African Continent and a partner country by the Members of the Bureau of the Assembly of the Union, the Chairpersons of Regional Economic Communities (RECs), the Chairperson of the Heads of State and Government Orientation Committee (HSGOC) of AUDA-NEPAD and the Chairperson of the AU Commission”.

F. Africa – Korea Partnership

56. **ENDORSES** the proposed date of 3 March 2022, for the holding of the 5th Korea-Africa Forum in Seoul, Korea, subject to the improvement in public health situation caused by the COVID-19 pandemic;
57. **REQUESTS** the PRC in close collaboration with the African Diplomatic Corps in Seoul, the Commission and Korea to finalise the outcome documents for the Meeting;
58. **RECALLS** Assembly Decision No. Assembly/AU/Dec.762(XXXIII), of February 2020, which decided that: “African Union/African Continent shall be represented at the Statutory Meetings of partnership between the African Union/African Continent and a partner country by the Members of the Bureau of the Assembly of the Union, the Chairpersons of Regional Economic Communities (RECs), the Chairperson of the Heads of State and Government Orientation Committee (HSGOC) of AUDA-NEPAD and the Chairperson of the AU Commission”.

G. Forum on China-Africa Cooperation(FOCAC)

59. **EXPRESSES** Appreciation to the Government and the People of Senegal for the successful holding of the 8th Ministerial Conference of the Forum on China – Africa Cooperation;
60. **TAKES NOTE** of the commitment made in the Dakar Declaration to hold the 9th FOCAC Ministerial Conference in the People’s Republic of China in 2024;
61. **REQUESTS** the African Diplomatic Corps in Beijing and the AU Representational Office in Beijing, in close collaboration with the Commission and China, to follow-up on the implementation of the FOCAC Dakar Action Plan 2022 – 2024.
62. **RECALLS** Assembly Decision No. Assembly/AU/Dec.762(XXXIII), of February 2020, which “**REAFFIRMS** the right of all AU Member States to participate in Statutory Meetings, related to partnerships between the African Union/African Continent and another Continent or Regional Organization”; and “**DECIDES** that African Union/African Continent shall be represented at the Statutory Meetings of partnership between the African Union/African Continent and a partner country by the Members of the Bureau of the Assembly of the Union, the Chairpersons of Regional Economic Communities (RECs), the Chairperson of the Heads of State and Government Orientation Committee (HSGOC) of AUDA-NEPAD and the Chairperson of the AU Commission”.

H. Africa – India Partnership

63. **REQUESTS** the Chairperson of the Commission to undertake further consultations with India and the Islamic Republic of Mauritania, with the view to making proposals on the dates on which the 4th Africa - India Summit can be held in 2023;
64. **RECALLS** Assembly Decision No. Assembly/AU/Dec.762(XXXIII), of February 2020, which decided that: “African Union/African Continent shall be represented at the Statutory Meetings of partnership between the African Union/African Continent and a partner country by the Members of the Bureau of the Assembly of the Union, the Chairpersons of Regional Economic Communities (RECs), the Chairperson of the Heads of State and Government Orientation Committee (HSGOC) of AUDA-NEPAD and the Chairperson of the AU Commission”.

V. SUB-COMMITTEE ON AUDA-NEPAD

65. **Recalling** the vision of the founding members of NEPAD and the commitments made by AU Member States at the inception of NEPAD in Lusaka, Zambia, on 23 October 2001 to give them a fresh impetus and bring them into line with the current international context, notably through:
- Investment in African citizens through a meaningful and comprehensive human resources strategy;
 - Increased investment in the information and communication technology sector, with a view to bridging the digital divide;
 - Infrastructure development, including transport and energy; and
 - Member States’ capacity building, particularly in the preparation of development projects;
66. **Further recalling** Decision No. Assembly/AU/Dec.635 (XXVIII) of the Twenty-Eighth Ordinary Session of the AU Assembly held in January 2017 in Addis Ababa, Ethiopia, on the reform of the AU which, among others, integrates NEPAD as an African Union Development Agency (AUDA-NEPAD), aligned with agreed priorities and underpinned by an enhanced results-monitoring framework;
67. **Recalling also** Decision No. Ext/Assembly/AU/Dec.1 (XI) of the Eleventh Extraordinary Session of the AU Assembly held in November 2018 in Addis Ababa, Ethiopia, which endorses the AUDA-NEPAD Terms of Reference and calls for the implementation of the roadmap on the clarification of the division of labour, as well as effective collaboration between the African Union, Regional Economic Communities and the Regional Mechanisms;
68. **Lastly, recalling** the mandate given to AUDA-NEPAD by the previous decisions of the Assembly of Heads of State and Government of the AU and the Statutes of AUDA-NEPAD, to undertake “the full range of resource mobilization” as well as

that of coordinating and executing priority regional and continental projects to promote regional integration towards the accelerated realization of Agenda 2063, including that of coordinating, facilitating and promoting cooperation with Africa's strategic stakeholders and partners to ensure effective resource mobilization,

The Council

69. **TAKES NOTE** of PRC recommendations relating to the NEPAD Programme;
70. **WELCOMES** the outstanding achievements of AUDA-NEPAD over the past 20 years and **NOTES WITH SATISFACTION**, in particular, the results obtained in the COVID-19 pandemic response;
71. **REQUESTS** the Commission and AUDA-NEPAD to take the necessary steps to strengthen their coordination in order to promote the synergy of efforts, the optimal use of resources and the facilitation of procedures for financing and implementing triangular cooperation projects (Partners/African Union/relevant Member States);
72. **NOTES WITH CONCERN** the budgetary challenges facing AUDA-NEPAD and in this regard:
- i. **REQUESTS** AUDA-NEPAD to accelerate steps for the operational establishment of the Development Fund by the end of 2023 including through the provision of a study on the financial and programmatic aspects of the fund for further discussion in the AU policy organs;
 - ii. **ALSO REQUESTS** AUDA-NEPAD, in conjunction with the relevant departments of the African Union Commission and other stakeholders, to work out a feasibility study and submit a proposal, for approval by the Council, on the establishment of a basket fund for unused funds from partners, to support the financing of NEPAD-related programmes;
 - iii. **URGES** Member States and international partners to increase their contributions to the AUDA-NEPAD budget to enable it to better deliver its mandate, particularly the effective implementation of development and cooperation projects with Member States of the African Union;
73. **EXPRESSES SATISFACTION** over the progress made in the implementation of the flagship projects of Agenda 2063 and, as such, **RECALLS** Decision 798 and **REQUESTS** the Commission to proceed with finalization of the framework documents of the Great Museum of Africa (GMA), including the Headquarters Agreement and the Statute which have already been validated by the GMA Advisory and Technical Committee.

- i) **RECOMMENDS** to AUDA-NEPAD to strengthen its Communication Strategy in order to increase the visibility of its programmes among Member States and African citizens;
- ii) **PAYS ELOQUENT TRIBUTE** to **Dr Ibrahim Assane Mayaki**, Chief Executive Officer of AUDA-NEPAD, for the outstanding work and exemplary leadership he demonstrated throughout his mandate.

VI. SUB-COMMITTEE ON HUMAN RIGHTS, DEMOCRACY AND GOVERNANCE

74. **TAKES NOTE** of the Report of the Activities of the Sub-Committee on Human Rights, Democracy and Governance for the period of January to December 2021;
75. **URGES** the PRC, through its relevant Sub-Committees, to finalise and submit the AU Guidelines on Elections During COVID-19 and Other Public Health Emergencies; the African Union Strategic Plan on the Promotion and Protection of Human and Peoples' Rights; and the African Charter on Democracy, Elections and Governance (ACDEG) School Curriculum Strategy; to the Executive Council in June/July 2022;
76. **DIRECTS** that the PRC, through Sub-Committee on General Supervision and Coordination on Budgetary Financial and Administrative Matters, to consider the allotment of a budget of USD \$1.6 Million dollars per year for a period of three (3) years for the implementation of the African Union Human Rights Memorial (AUHRM) project;
77. **FURTHER DIRECTS** the PRC to continue its engagement with the AU Organs and Institutions with Human Rights and Governance mandate with a view to enhancing coordination and collaboration, especially in enhancing the synergy between the African Governance Architecture and the African Peace and Security Architecture (APSA).

DECISION ON THE REPORTS OF THE SPECIALIZED TECHNICAL COMMITTEES (STCs) AND OTHER MINISTERIAL MEETINGS

The Executive Council,

1. **TAKES NOTE** of the Reports of the Specialized Technical Committees (STCs) and other Ministerial Meetings;
2. **RECALLS** Decision EX.CL/Dec.1032(XXXIV), adopted at the 34th Ordinary Session of the Executive Council, held in Addis Ababa, Ethiopia, in February 2019, regarding the moratorium on the creation of new bodies and offices;
3. **STRESSES** that the following Decisions should not bear any financial, legal and structural implications to the AU and **FURTHER CALLS UPON** the STCs and all technical ministerial councils and meetings to refrain from adopting any structures or budgets that were not considered by the AU policy Organs through the due process.
4. **REQUESTS** that all STCs adopt their Reports at the end of their meetings.
1. **THE 3RD ORDINARY SESSION OF THE STC ON TRANSPORT, TRANSCONTINENTAL AND INTERREGIONAL INFRASTRUCTURE, AND ENERGY (STC-TTIIE), 28-30 JUNE 2021**
5. **TAKES NOTE** of the Report of the 3rd Ordinary Session of the Specialized Technical Committee on Transport, Transcontinental and Interregional Infrastructure, and Energy (STC-TTIIE) held from 28th to 30th June 2021;
6. **COMMENDS** the Ministers responsible for Transport and Energy for the successful holding 3rd Ordinary Session of the Specialized Technical Committee on Transport, Transcontinental and Interregional Infrastructure, and Energy (STC-TTIIE) and achieving notable outcomes for the development of the Transport, Transcontinental and Interregional Infrastructure, and Energy in Africa.

In the Transport Sector

7. **URGES** all remaining Member States to join the Single African Air Transport Market (SAATM);
8. **REQUESTS** the AUC to work together with the Bureau of the STC-TTIIE to convene an extraordinary meeting of the STC-TTIIE by 31st March 2022 to consider the draft YD/SAATM Dispute Settlement Mechanism and the YD draft guidelines for negotiation of air service agreements with third countries and regions;

9. **ADOPTS** SAATM policy and regulatory instruments including YD Key Performance Indicators (KPIs), the recommendations on reduction of air transport cost and the revised Windhoek aviation security and facilitation targets;
10. **COMMENDS** AUC/IED close collaboration with Africa CDC in COVID-19 recovery efforts and calls for harmonization of public health requirements and credentials across the continent;
11. **ENCOURAGES** Member States to update information on AU trusted travel platform;
12. **TAKES NOTE** of the assessment report of the African Action Plan of the Decade 2011-2020 of Road Safety and adopt the African Road Safety Action plan of the Decade 2021-2030 of Road safety and the Concept note towards the creation of the African Road Safety Observatory (ARSO);
13. **REQUESTS** the AUC in collaboration with the Africa Transport Policy Programme (SSATP), UNECA civil society, private sector and all relevant institutions to take all appropriate measures towards the implementation and monitoring of the African Road Safety Action plan of the Decade 2021-2030 of Road Safety;
14. **ADOPTS** technical specifications of the African Railway network as well as its norms and standards and the roadmap towards the development of the African common market of railway;
15. **REQUESTS** AUC in collaboration with AfreximBank, AfDB, RECs, UNECA and other relevant stakeholders to develop the African Common Market of Railway and to promote inter-african collaboration and exchange of expertise in railway cars manufacturing and maintenance;
16. **CALLS** on Member States to accelerate the implementation of the road safety charter;
17. **REQUESTS** AUC to expedite arrangements to establish ARSO in accordance with the criteria for hosting the AU Organs adopted through EX.CL/Dec.229(VII) of July 2005;
18. **TAKES NOTE** and **WELCOMES** the proposal by the Kingdom of Morocco to host the African Road Safety Observatory (ARSO);

In the Transcontinental and Interregional Infrastructure

19. **CALLS UPON** Member States, Regional Economic Communities multilateral financial institutions and partners to support the implementation of the second

Priority Action Plan of the Programme for Infrastructure Development in Africa (PIDA PAP II);

20. **ADOPTS** the Financing Strategy for PIDA PAP II and urge Members States to increase financial commitment for infrastructure development especially for infrastructure project preparation;
21. **WELCOMES** the newly developed SDM PIDA Quality Label (PQL) for excellence in Early-Stage Project Preparation and encourage adoption and application across the regions and the infrastructure sub-sectors as Africa's standard for early-stage appraisal of infrastructure project;
22. **TAKES NOTE** of the work of the PIDA PAP II Task Force and recommendation to extend its mandate and **DIRECTS** the PIDA Steering Committee to consider the continuity and/or role of the Task Force going forward.

In the Energy Sector

23. **REQUESTS** the AUC and AUDA-NEPAD in collaboration with all relevant Pan African Continental and Regional Institutions to take appropriate steps towards full implementation of the African Single Electricity Market (AfSEM) and the Continental Power System Master Plan (CMP) including establishment of their respective Strategic Governance and Institutional structures;
24. **ALSO REQUESTS** the UNECA in collaboration with the AUC, regional and continental organizations, the Africa-EU Energy Partnership (AEEP) and other partners to determine the feasibility of the establishment of an African School of Regulation to build capacity and enhance good regulatory practices across the continent;
25. **FURTHER REQUESTS** the AUC and the Africa Energy Commission (AFREC) to mobilise resources for implementing programmes that will accelerate green energy investments for increased energy access and climate ambition including, among others: (i) wind and solar energy development; (ii) mini-grid market expansion; (iii) Oil and natural gas market expansion, and (iv) clean cooking fuels and technologies;
26. **REQUESTS** the AFREC to provide necessary support to the Member States to establish National Energy Information Systems while ensuring their sustainability and call on the Member States to adopt the data collection tools/questionnaires developed by AFREC;
27. **ALSO REQUESTS** the AUC to conduct a feasibility study on the potential for production and trade of green hydrogen in Africa and its economic, social and political implications for the continent;

28. **FURTHER REQUESTS** the AFREC/AUC, the AfDB, regional and continental organizations, and development partners to mobilize the necessary financial and technical resources to implement the African Energy Transition, the African Efficiency and the Energy Sector Capacity Building Programmes;
29. **REQUESTS** the AUC and AfDB to facilitate an inclusive working group that will coordinate ongoing, prioritised Africa-focused activities that are aligned with the COP26 Green Grids Initiative (GGI), with the objective of accelerating access to technical assistance and financing resources, in support of scaling up renewable energy generation through continental and regional grid capacity investments and related initiatives;
30. **ALSO REQUESTS** AFREC/AUC to fast track the recruitment of the staff in the new approved AFREC structure and call on Member States that have not ratified the AFREC Convention to do so;
31. **ACKNOWLEDGES** the health, environmental and socio-economic benefits of clean fuels and recommend that Member States adopt the AFRI Fuels Specifications Roadmap;
32. **ADOPTS** an Action Plan for 2021-2023 to guide implementation of the priorities agreed upon;
33. **ALSO ACKNOWLEDGES** and **COMMENDS** all multilateral financial institutions and development partners including the AfDB, KfW, the World Bank, the EU and GIZ for their support to various AU projects and programmes;
34. **COMMENDS** the spirit of openness and cordiality that prevailed in the deliberations of the meeting.

II. THE 4TH ORDINARY SESSION OF THE STC ON COMMUNICATION AND ICT (STC-CICT), 25-27 OCTOBER 2021

The Executive Council:

35. **TAKES NOTE** of the Report of the Fourth Ordinary Session of the Specialized Technical Committee on Communication and Information & Communication Technologies (**STC-CICT-4**) held by videoconferencing from 25 to 27 October 2021 and the 2021 Declaration;
36. **COMMENDS** the Ministers responsible for Communication, Information and Communication Technology and Postal Services for the successful holding of the Fourth meeting of their Specialized Technical Committee (STC) and achieving

notable outcomes for the development of the Communication, Information and Communication Technology and Postal Services sectors in Africa;

37. **ENDORSES** the AU Interoperability Framework for Digital ID and the AU Data Policy Framework following feedback received from Member States

38. **REQUESTS:**

➤ **The AUC to:**

1. Pursue the development of the following digital strategies, policy frameworks and projects:
 - (i) AU Digital Education Strategy and Implementation Plan, AU Digital Education and Implementation Plan AU Digital Agriculture Strategy and Implementation plan, E-commerce strategy and Continental AI Strategy;
 - (ii) a Continental Cybersecurity Strategy;
 - (iii) Continental Child Online Safety and Empowerment Policy;
 - (iv) Digital Transformation of the Postal Sector in Africa;
 - (v) Continental Strategy to enhance Harmonization of Digital Policy, Legal and Regulatory Frameworks to support the establishment of Africa's Digital Single Market;
 - (vi) DTS Implementation Architecture and M&E Framework and
 - (vii) Re-design of the Pan African e-Network to deliver e-health and e-education services;
 - (viii) Continental AI strategy;
 - (ix) Statistics on digital connectivity and e-readiness of African countries;
2. Ensure that the Brand & Communication Style Guide and the Communication Policies and Procedures are instituted within the organization and the organs and institutions of the African Union;
3. Allocate realistic financial resources to capacitate the ICD to enable it to better and effectively communicate to various stakeholders and audiences on different media platforms in a strategic and consistent manner;
4. Implement Executive Council Decision EX.CL/Dec.1069 (XXXV) of July 2019 that all AU activities relating to communications shall be managed by the of Information and Communication Directorate.

➤ **AUDA-NEPAD to:**

- (i) Expedite the implementation of the PIDA –PAP2 projects on ICT and work towards the development of the necessary policies and regulations to facilitate cross borders connectivity and regional integration;
- (ii) Expand in collaboration with the GFCE and other stakeholders the cybersecurity assessments and capacity building to all AU Member States and to work with Member States to design country-specific action plans for cybersecurity and cyber-resilience;

- (iii) Expand the PIDA Job Creation Toolkit to cover all ICT sub-sectors, train Member States on its usage and undertake detailed analysis of the job potential of PIDA and other significant ICT projects on the continent;
- (iv) In line with the PIDA-PAP 2 Integrated Corridor Approach, incorporate ICTs, Digitalisation and Cybersecurity in the implementation of Agenda 2063 flagship projects such as the African Integrated High Speed Rail Network, the Single African Air Transport Market (SAATM), the African Continental Free Trade Area, The Free Movement of people as well as continental initiatives such as the African Single Electricity Market (AfSEM);

➤ **Pan African Postal Union (PAPU) to:**

Put in place and implement, in coordination with the AUC, a systematic and coordinated digital transformation program to ensure that African posts are up-to-date;

➤ **African Telecommunication Union (ATU) to:**

Put in place and implement, in coordination with the AUC, programmes and initiatives to facilitate a harmonized and optimum use of radio spectrum across the continent to effectively contribute to close the digital connectivity gap in Africa

39. CALLS UPON the African Development Bank (AfDB), United Nations Economic Commission for Africa (UNECA) and other Development Partners to support the implementation of this decision.

III. THE 6TH ORDINARY SESSION OF THE STC ON JUSTICE AND LEGAL AFFAIRS, 22-24 SEPTEMBER 2021

The Executive Council,

- 40. TAKES NOTE** of the Report and recommendations of the Sixth Ordinary Session of the Specialized Technical Committee on Justice and Legal Affairs held via video-conference from 23 -27 November 2020 and 22-24 September 2021.
- 41. ALSO TAKES NOTE** of the draft revised SRR, the proposals of the Commission and the recommendations of the PRC therein, and **DECIDES** to postpone consideration of the draft revised SRR to the 41st Ordinary Session of the Executive Council pending submission of an independent report by the Chairperson of the Commission on the conditions of service and remuneration of African Union staff;

42. **FURTHER TAKES NOTE** of the following Draft Legal Instruments and **DECIDES** to recommend the same to the Assembly for consideration and adoption:

- a) Proposed amendment of Article 22(1) of the African Union Convention on Preventing and Combating Corruption;
- b) Draft Protocol to the African Charter on Human and Peoples' Rights on the Rights of Citizens to Social Protection and Social Security.
- c) Proposed amendments to the Statute of the African Union Commission on International Law.

43. **APPROVES** the following Draft Legal Instruments:

- a) Draft Rules of Procedure of the Ministerial Committee on Implementation of Agenda 2063; and
- b) Draft Model Law on Protection of Cultural Property and heritage

IV. THE 4TH ORDINARY SESSION OF THE STC ON AGRICULTURE, RURAL DEVELOPMENT, WATER AND ENVIRONMENT (ARDWE), 13-17 DECEMBER 2021

The Executive Council,

44. **TAKES NOTE** of the Report of the Fourth Specialized Technical Committee meeting on Agriculture, Rural Development Water and Environment held on 13-16 December 2021 and **ENDORSES** the recommendations therein;
45. **COMMENDS** the Ministers responsible for Agriculture, Rural Development, Water and Environment for the successful holding of the 4th STC on Agriculture, Rural Development, Water and Environment;
46. **COMMENDS** the African Union Commission for the establishment of the Africa Multi-Hazard Early Warning System and Early Action Situation Room for Disaster Risk Reduction and **WELCOMES** its official launch by Hon. Al-Sayed el-Quseir, *Minister of Agriculture and Land Reclamation* of the Arab Republic of Egypt and Chair of the 4th STC on Agriculture, Rural Development, Water and Environment.
47. **ENDORSES** the 3rd Comprehensive African Agriculture Development Programme (CAADP) Biennial Review Report for submission to the 35th Ordinary Session of the Heads of State and Government in February 2022;

48. **ALSO ENDORSES** the following frameworks, guidelines and strategies to accelerate agricultural transformation Rural Development, Water and Environmental management:
- i. The CAADP Business Plan 2022-2025
 - ii. The Food Safety Strategy for Africa
 - iii. The Plant Health Strategy for Africa
 - iv. The Strategy for Managing Invasive Species in Africa
 - v. The Continental Guidelines On the Use of Biotechnology in Food and Agriculture
 - vi. The Guidelines for The Harmonisation of Seed Regulatory Frameworks in Africa
 - vii. The African Agribusiness Youth Strategy
 - viii. The Investment Guidelines for Youth in Agri-Food Systems in Africa
 - ix. The AU Land Governance Strategy
 - x. The Guidelines for Securing Pastoralism and Preventing Conflict in Africa: Secure, Peaceful and Sustainable Pastoralism
 - xi. The African Union Climate Change and Resilient Development Strategy and Action Plan (2022-2032)
 - xii. the Africa Framework for Multi-Hazard Early Warning and Early Action and its Delivery Programme 2022-2030
 - xiii. the COVID-19 Disaster Recovery Framework;
 - xiv. the Africa Sanitation Policy Guidelines (ASPG)
49. **ADOPTS** the Revised Integrated African Strategy on Meteorology (Weather and Climate Services) (2021-2030) which provides strategic direction on the development and application of weather and climate services in Africa;
50. **FURTHER ADOPTS** the reports from the African Ministerial Conference on Environment (AMCEN) on the 17th, 8th Special Session, and first part of the 18th Session held in October 2019, 30 November-1 December 2020 and September 2021 respectively;
51. **ENDORSES** the convening of the Africa Fertiliser and Soil Health Summit II in 2022- 2023 and; development of the Soils Initiative for Africa and an African Fertiliser and Soil Health Action Plan;
52. **REQUESTS** the Commission to submit a proposal with financial, legal and structural implications, to the relevant PRC Sub-Committees to establish a Sub-Committee on Agriculture, Food security, Nutrition and Rural development to oversee the implementation of the programs in agriculture, food security, nutrition and rural development;
53. **ALSO REQUESTS** the Commission to submit a proposal for the establishment of the AU Food Safety Agency to the relevant PRC Sub-Committees within the

framework of the current AU reforms detailing structural, legal and financial implications;

54. **ENDORSES** the proposal to establish the ALPC as a Specialised Technical Office of the AU and **CALLS UPON** the AUC, UNECA and AFDB to provide technical, human, financial, and operational support to the interim ALPC pending its formal establishment by the AU Policy Organs for a defined duration, minimum of two years and maximum of five years, after following the due process detailing the financial, legal and structural implications;
55. **FURTHER ENDORSES** the creation of a continental civilian capacity for disaster preparedness and response which will draw from individual African Member States' capacities to provide timely assistance to disaster stricken countries and **DIRECTS** the AUC Commission to organize a meeting of national services of AU Member States in charge of civil defense and response to disasters, which will aim at agreeing on modalities, including financial, legal and structural implications, to establish the civilian capacity;
56. **ENCOURAGES** Member States and RECs to take into consideration the endorsed continental Strategies, frameworks and guidelines and **URGES** partners to support the Member States, RECs and the Commission to implement these frameworks.

V. THE 4TH ORDINARY SESSION OF THE STC ON FINANCE, MONETARY AFFAIRS, ECONOMIC PLANNING AND INTEGRATION AND THE 2ND EXTRAORDINARY SESSION OF THE STC ON FINANCE, 17 DECEMBER 2021

The Executive Council,

57. **TAKES NOTE** of the Reports and the Declarations of the fourth (4th) Specialized Technical Committee on Finance, Monetary Affairs, Economic Planning and Integration, May 2021 and the second (2nd) Specialized Technical Committee on Finance, Monetary Affairs, Economic Planning and Integration held in December 2021;
58. **COMMENDS** the STC on the deliberating on the critical theme of Developing Integrated and Complementary Value Chains for sustainable recovery and Reinforcing operationalization of the AfCFTA as the continent grapples with the adverse effects of the COVID-19 pandemic;
59. **ADOPTS** the Reports and the Declarations of the 4th ordinary session of the STC and the 2nd Extraordinary session of the STC;
60. **ALSO ADOPTS** the establishment of a Continental Platform on African Tax Issues to improve Domestic Resources Mobilization and fight against IFFs on the continent and requested the Commission and the stakeholders involved to

commence preparation of annual Sub-Committee meetings; **ENCOURAGES** the Member States to utilize the Sub-Committee in discussing and agreeing on a common approach when negotiating for taxing rights and issues with the international community; and **REQUESTS** the AUC, the African Tax Administration Forum (ATAF) and other relevant stakeholders to strengthen their collaboration in providing the required technical assistance to Member States to improve DRM and fight against IFFs;

61. **ADOPTS** the Statutes of the AIMEC and **REQUESTS** the AUC to finalise the structure and the budget of the AIMEC, working with the PRC and following due process.
62. **ALSO ADOPTS** the statutes of STATAFRIC and PANSTAT; **ENDORSES** the Terms of reference of the establishment of the Civil Registration and Vital Statistics (CRVS) Sub-Committee and **REQUESTS** the AUC to fast track the operationalization of the Sub-Committee of the CRVS;
63. **FURTHER ADOPTS** the Policy Framework on APRM support to Member States on Credit Rating Agencies and request the APRM and AUC to implement the support mechanisms of the Policy Framework to assist Member States to improve their credit ratings;
64. **REQUESTS** that the final version of the draft African Principles and Guidelines on Corporate Governance, which incorporates comments should be submitted to Member States by 4 February 2022 to enable Member States at least a month before the 5th STC for our consideration and endorsement;
65. **ALSO REQUESTS** the APRM in collaboration with AUC to resubmit the proposal for the AU annual theme, “improving access to global capital for accelerated transformative economic growth,” to the Ministerial Committee on Agenda 2063, which is mandated to consider AU annual themes;
66. **ADOPTS** the ‘Strategic, Business and Operational Framework for an African Diaspora Finance Corporation’ as the framework for the African Union legacy project on diaspora investment after consideration by the relevant PRC Sub-Committees;
67. **FURTHER REQUESTS** the AUC to undertake a feasibility study on the establishment of the African Diaspora Finance Corporation (ADFC) that will cover business operations, investment planning and criteria, and the application and administration of ADFC funds;
68. **COMMENDS** the AUC, the ATAF and the Organisation for Economic Co-operation and Development (OECD) for producing the 2021 Report on Revenue Statistics in Africa, an annual publication, which provides accurate, complete and reliable statistics on public revenues for tax policy development; and

69. **ENCOURAGES** Member States who are not part of the Revenue statistics initiative to join, as it contributes to improving domestic resource mobilisation as set out in the African Union's Agenda 2063.
70. **WELCOMES** with appreciation the launch of the Smart Finance and Digital Banking for MSMEs initiative which will provide access to affordable financial products and services at the grassroots level across the continent; and
71. **ALSO ENCOURAGES** the AU Commission and the AeTrade Group to promote and facilitate digital and financial inclusion in collaboration with the public and private sector, development finance institutions in Africa as well as relevant international organisations and **ENDORSES** the Memorandum of Understanding between the African Union and the AeTrade Group's objectives to implement digital capacity building initiatives including the Sokokuu platform as an enabler for SMES, women and youth to access regional, continental and global markets;
72. **CONGRATULATES** H.E. Hailemariam Desalegn, former Prime Minister of Ethiopia, for his appointment as the Chairman of the Board of the AeTrade Group and the foundation laid during the past three years under his leadership as the Patron.
73. **REITERATES** our support for the replenishment of US \$93 billion to the World Bank International Development Association (IDA20) and commit to continue advocating for two thirds of the funds to be dedicated to Africa.

VI. THE 3RD ORDINARY SESSION OF THE STC ON TRADE, INDUSTRY AND MINERALS

The Executive Council,

74. **WELCOMES** the convening of the 3rd Meeting of the STC on Trade, Industry and Minerals held virtually on 3rd September, 2021.
75. **TAKES NOTE** of the Report and Declaration of the 3rd Meeting of the STC on Trade, Industry and Minerals and the outcomes contained therein, as annexed.
76. **DIRECTS** the Commission in collaboration with relevant AU bodies and stakeholders to promote the implementation of the recommendations of the Report and Declaration.
77. **ALSO DIRECTS** that the Department of Economic Development, Trade, Industry and Mining (ETIM) of the African Union Commission be renamed as "the Department of Economic Development, Trade, Tourism, Industry and Minerals (ETTİM), its Directorate of Industry Mining and Entrepreneurship(IME) to:

“DIRECTORATE OF INDUSTRY, MINERALS, ENTREPRENEURSHIP AND TOURISM (IMET)” and its Division of Industry Mining and Innovation to **DIVISION OF INDUSTRY INNOVATION AND MINERALS** in line with Assembly Decision No. Ext/Assembly/AU/Dec.1-4(XI) of November 2018 on Institutional Reform.

78. **FURTHER DIRECTS** that the STC on Trade Industry and Minerals be renamed as the STC on Trade, Tourism Industry and Minerals in line with Assembly Decision No. Ext/Assembly/AU/Dec.1-4(XI) of November 2018 on Institutional Reform and that the STC amends its Rules of Procedure to include the new portfolios on Tourism, Oil and Gas.
79. **ENDORSES** the African Union Commodity Strategy, and Action Plan, Agenda 2063 Flagship Project under the 10 years’ implementation Plan the Africa Quality Policy, the Business Plan of the African Minerals Development Center (AMDC) and the African Minerals and Energy Resources Classification Framework and Management System and the Pan African Reporting Code (AMREC-PARC).



DECISION ON THE REPORT ON THE HUMANITARIAN SITUATION IN AFRICA**The Executive Council,**

1. **TAKES NOTE** of the Report of the Africa Union Commission on the Humanitarian situation in Africa covering the period January to December.
2. **ALSO TAKES NOTE WITH APPRECIATION** of the efforts of all Member States that are hosting refugees in their countries, in particular, the Republics of Ethiopia, Uganda and the Sudan who are hosting the largest numbers of refugees in Africa; the Islamic Republic of Mauritania for integrating refugees in the national Social Protection Program; and the Republics of Niger and Rwanda that provide an Emergency Transit Mechanism for refugees and irregular migrants from Libya, and **REMINDS** all state parties to the 1951 UN Convention on refugees, and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problem in Africa, adopted by the Assembly of Heads of State and Government on 10th September 1969 in Addis Ababa, Ethiopia, of their responsibility towards international protection for persons in need of that protection as provided for in the two treaties.
3. **EXPRESSES CONCERN** over the continued humanitarian challenges in Africa, caused by violent conflicts, terrorist attacks, political and economic crises, adverse impact of climate change and natural disasters, such as cyclones, volcanic eruptions, drought, famine, desertification, landslides, floods, animal diseases, pest infestations, epidemics and pandemics resulting in destruction of homes, social amenities, livelihoods, food insecurity, and forced displacement. These displacements have continued to exist for protracted periods with lasting consequences on the affected populations.
4. **RECALLS** the Executive Council Decision Ex.CL/Dec.1109(XXXVIII) of the Report of the Commission on the Humanitarian Situation in Africa for the period January - December 2020 and **REAFFIRMS** its February 2021 decision EX.CL/Dec.1109 (XXXVIII), requesting the Commission to expedite the operationalization of the African Humanitarian Agency.
5. **FURTHER RECALLS** the Peace and Security Council Resolution PSC/AHG/COMM.1042(2021) of its 1043rd PSC meeting held at the level of Heads of State and Government on 29 October 2021 on the theme: "Addressing Disaster Management issues in Africa: Challenges and Perspectives for Human Security" and **ENCOURAGES** Member States to reinforce their role in humanitarian action, especially in situations of disasters and climate induced displacements.
6. **COMMENDS** Member States, Africa CDC and the Commission for continued support and solidarity towards refugees, asylum-seekers, and displaced persons amidst the COVID-19 pandemic and its adverse socio-economic effects on

livelihoods, especially of vulnerable populations and **CALLS** on governments to continue extending COVID-19 related measures to refugees, asylum seekers, and displaced person in accordance with its Decision EX.CL.1109(XXXVIII) adopted in February 2021.

7. **FURTHER COMMENDS** the Peace Agreement between the Republics of **South Sudan** and the **Sudan** that has enabled the return of 400,000 refugees and IDPs to South Sudan; and the Republic of **Côte d'Ivoire** that has achieved national reconciliation, and the conditions for a safe and dignified return of Ivorian refugees and asylum-seekers, paving the way for the invocation of the cessation clause scheduled by 30 June 2022.
8. **CONGRATULATES** the Arab Republic of Egypt for hosting COP27 in 2022 and **ENCOURAGES** Member States to use the platform to highlight challenges of climate change and natural disasters and their impact on displacements in Africa.
9. **FURTHER REQUESTS** the Commission to work with Member States and partners such as WFP, UNHCR, FAO among others to establish modalities of addressing food security concerns among displaced populations AND to develop operational guidelines on climate induced displacements within the context of the 1969 OAU Convention on Refugees adopted by Assembly of Heads of States on 10th September 1969 in Addis Ababa, Ethiopia.
10. **CALLS ON** the international community to meet its international obligations of shared responsibility and burden sharing by availing much required humanitarian resources needed to support IDPs, refugees, asylum seekers and stateless persons in Africa.
11. **WELCOMES** the commitment of the Republic of Equatorial Guinea and **EXPRESSES APPRECIATION** for the progress made towards the organization of the AU Humanitarian Summit and Pledging Conference scheduled for 25-27 May 2022, in the city of Malabo; to raise the requisite financial resources and to seek sustainable durable solutions to the humanitarian challenges in Africa.
12. **CALLS ON** Member States, RECs, Humanitarian Partners, Private Sector, and International Community to support and participate in the Humanitarian Summit and Donors Pledging Conference scheduled for 25 and 27 May 2022 in Malabo, Equatorial Guinea as well as mobilize the necessary resources needed to implement humanitarian programs in Africa.

DECISION ON THE PROGRESS REPORT ON THE OPERATIONALIZATION OF AFRICA CDC

The Executive Council,

1. **WELCOMES** the Commission report on operationalization of Africa CDC and **ENDORSES** its recommendations;
2. **RECALLS** Assembly Decision/AU/Dec.554 (XXIV) adopted at the 24th Ordinary Session of the Assembly of the Union in January 2015 in Addis Ababa, Ethiopia, where the Assembly of the Union decided to establish the Africa Centers for Disease Control and Prevention (Africa CDC);
3. **ALSO RECALLS** the Executive Council Decisions EX.CL/Dec.1106(XXXVII) and EX.CL/Dec.1110(XXXVIII) which **REQUESTED** and **INSTRUCTED** the African Union Commission to: “prepare a report, including a road map and Framework of Operations, outlining the financial, legal and structural implications to fully operationalize the Africa CDC in line with its Statute, for submission to the Council through the AU Policy Organs”;
4. **REITERATES** its determination to strengthen the capacity and capability of Africa CDC, at both its Secretariat and Regional Collaborating Centers, for better preparedness and response to health emergencies and disease threats including the COVID-19 pandemic;
5. **RECOGNIZES** that a strong and autonomous Africa CDC is key to protecting Africa’s health, security, economic, and development agenda; and the urgency to fully operationalize Africa CDC;
6. **FURTHER RECALLS** its Decision EX.CL/Dec.970(XXXI) and **CALLS FOR** the implementation of 0.5% of the annual operational budget of the Union be allocated to Africa CDC as reserve funds for preparedness and response activities; and its Decision EX.CL/Dec.1106(XXXVII), for the budget of Africa CDC to be carried over to the subsequent calendar year.
7. **RECALLS** its Decision EX.CL/Dec.1130(XXXIX) of October 2021 and **DIRECTS** the Commission to submit the proposed amendments and recommendations together with the legal, financial and structural implications for consideration by the relevant Policy Organs via the competent Sub-Committees and STCs;
8. **DIRECTS** the Commission to put in place all necessary measures to expedite the full operationalization of Africa CDC, in line with the relevant decisions of the Policy Organs, including the completion of the implementation of the Phase I Taskforce recommendations provided there are no legal, structural and financial implications and report to the 41st Ordinary Session of the Executive Council in June/July 2022;

9. **REQUESTS** for delegation of the Assembly authority to the Executive Council to consider and approve the amendments at its next Session,
10. **DECIDES** to remain seized on the matter.



DECISION ON THE REPORT PROGRESS REPORT ON THE COVID-19 PANDEMIC AND ITS SOCIO-ECONOMIC IMPACT ON AFRICAN ECONOMIES

The Executive Council,

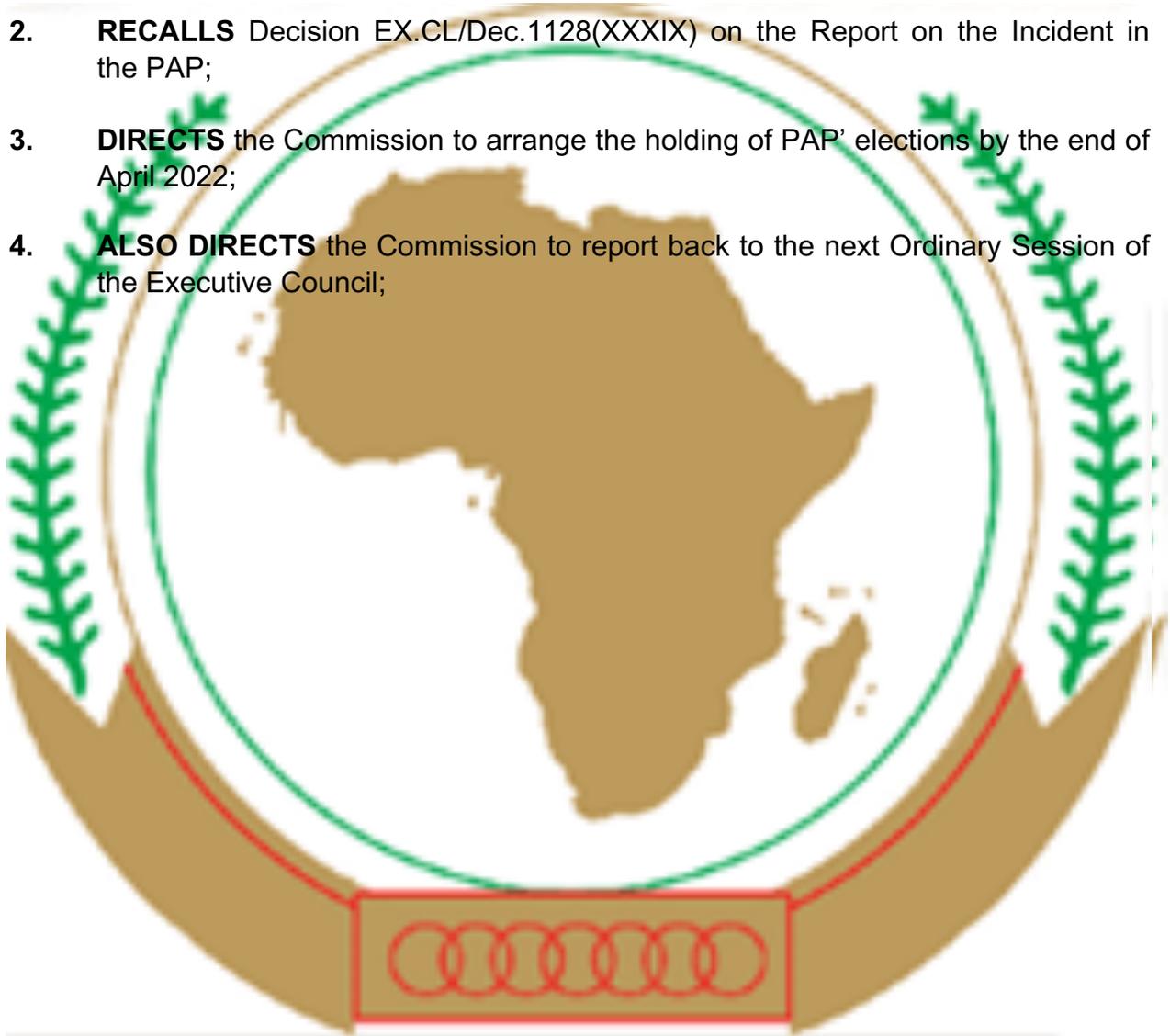
1. **TAKES NOTE** of the report which gives a general over-view of the impacts of the pandemic on African economies during 2021 and recommendations contained therein;
2. **WELCOMES** the recommendations contained in the report which are long-term and in this respect, **DIRECTS** the African Union Commission to link the recommendations to concrete short-term and medium-term projects and programmes that can contribute to the accelerated recovery of African economies from the socio-economic impacts of the COVID-19 Pandemic;
3. **EXPRESSES** with appreciation, the roles played by the AU COVID-19 Champion, His Excellency Mr. Cyril Matamela Ramaphosa, President of the Republic of South Africa, His Excellency Mr. Paul Kagame, President of the Republic of Rwanda, in the Partnership for African Vaccine Manufacturing (PAVM), Their Excellencies Mr. Nana Akufo-Addo, President of the Republic of Ghana and Mr. Macky Sall, President of the Republic of Senegal, in their work to develop and implement a common African position or continental framework for securing an additional US\$100 billion of the reallocated SDRs from developed countries to support the post-pandemic recoveries of African economies and put the African economies on a path of resilience;
4. **FURTHER EXPRESSES** appreciation to the African Medical Supplies Platform (AMSP) team and Africa Vaccines Acquisition Task Team (AVATT) in addressing the immediate COVID-19 vaccination ambitions, and the longer-term goal of enhanced continental vaccine supply and manufacturing;
5. **NOTES WITH SATISFACTION** progress made by the PAVM in supporting Member States to strengthen and/or establish vaccine manufacturing enterprises in Africa which will increase access to vaccines by the African population as well as contribute to increasing intra-African trade flows and in this connection, **DIRECTS** the African Union Commission to expeditiously implement the PAVM programmes in a collaborative manner;
6. **FURTHER EXPRESSES** appreciation to the African Union Commission and the Africa CDC for the continued coordination of efforts with regard to the response to the COVID-19 pandemic;
7. **NOTES WITH GRAVE CONCERN** the low rates of vaccinations against COVID-19 in some Member States and **URGES** for enhance sensitization for wider vaccinations as well synergizing efforts in the acquisition of COVID-19 vaccines in order to ensure universal and equitable access to vaccines;

8. **CALLS UPON** Member States to make full use of the expertise of African scientists, epidemiologists and other researchers in the Diaspora in the development of the African pharmaceutical sector in order to strengthen the Member States' capacities and capabilities to produce and procure quality and affordable pharmaceuticals, essential medicines and vaccines;
9. **ALSO CALLS UPON** the African Union Commission to enhance efforts in domestic resources mobilization, elimination of illicit financial flows from Africa, as well as facilitating exchange of information for tax purposes and engage in the Global Tax reform discussions with the aim of maximizing African revenues
10. **NOTES WITH CONCERN**, the rising debt levels in Africa, exacerbated by the COVID-19 pandemic and in this respect, **DIRECTS** the African Union Commission to examine the available debt relief options and investment programmes which can contribute to rapid economic recovery of the economies of Member States, including developing a concept note to survey the possibility of establishing an African domestic and external debt monitoring mechanism within the African Union Commission to be considered at the next session of the Specialized Technical Committee on Finance, Monetary Affairs, Economic Planning and Integration;
11. **FURTHER CALLS UPON** the developed countries to facilitate technology transfer and the granting of licenses that are open and non-exclusive through intellectual property rights waiver in the on-going negotiations at the World Trade Organization;
12. **DIRECTS** the African Union Commission to submit another report on this topic for consideration by the Executive Council at its session in February 2023, complete with a status report on the implementation of this Decision.

**DECISION ON THE PROGRESS REPORT ON THE SITUATION IN THE PAN-
AFRICAN PARLIAMENT (PAP)**

The Executive Council,

1. **TAKES NOTE** of the update provided by the Commission on the situation in the PAP;
2. **RECALLS** Decision EX.CL/Dec.1128(XXXIX) on the Report on the Incident in the PAP;
3. **DIRECTS** the Commission to arrange the holding of PAP' elections by the end of April 2022;
4. **ALSO DIRECTS** the Commission to report back to the next Ordinary Session of the Executive Council;



DECISION ON THE PROGRESS REPORT ON RATIFICATION OF THE TREATY TO ESTABLISH THE AFRICAN MEDICINES AGENCY (AMA TREATY)

The Executive Council,

1. **TAKES NOTE** of the progress that has been made in the signing of the Treaty for the Establishment of the African Medicine Agency (AMA) by twenty-eight AU Member States and ratification and deposit of ratified instrument by eighteen Member States;
2. **RECALLS** the February 2019 Assembly decision Assembly/AU/Dec.735(XXXII), adopting the Treaty for the establishment of the African Medicines Agency (AMA);
3. **COMMENDS** the Commission and the African Union Development Agency (AUDA-NEPAD) on the progress made thus far towards the establishment of the African Medicines Agency (AMA);
4. **FURTHER COMMENDS** the support of the AU Special Envoy for AMA, to the Commission and for the high level advocacy efforts towards the signing and ratification of the Treaty for the establishment of the African Medicines Agency (AMA);
5. **ACKNOWLEDGES** with appreciation the World Health Organization for its continued support in the establishment and operationalization of the African Medicines Agency (AMA) both technically and financially; **FURTHER ACKNOWLEDGES** with appreciation the support of the Joint United Nations Programme on HIV/AIDS (UNAIDS); United Nations Children's Fund (UNICEF); the European Commission; the Bill and Melinda Gates Foundation; the United States Agency for International Development (USAID); the People's Republic of China; the Republic of Korea all other UN Agencies, donors and private sector for both their technical and financial support to the Commission in the establishment and operationalization of the African Medicines Agency (AMA);
6. **ENCOURAGES** member states that have signed on to the Treaty to ratify; and **CALLS ON** other member states to sign and ratify the Treaty to safeguard public health, safety and security by ratifying the AMA Treaty and operationalizing a medicines regulatory agency that will improve access to quality, safe and efficacious medicines and medical products on the continent.
7. **FURTHER TAKES NOTE** of the coming into force of the Treaty for the establishment of the African Medicines Agency (AMA) on 5th November 2021; and the offer to host the Headquarters of the African Medicines Agency (AMA) by thirteen (13) AU Member States;

8. **REQUESTS** the Commission to provide support to the Conference of State Parties of the AMA for the operationalization of the African Medicines Agency (AMA) at the earliest;
9. **RECOMMENDS** that the 41st Ordinary Session of the Executive Council, take a decision on behalf of the Assembly on the host of the AMA HQ based on the recommendation of the Conference of State Parties of the AMA.



DECISION ON THE STATUS OF IMPLEMENTATION OF PREVIOUS DECISIONS OF THE EXECUTIVE COUNCIL AND THE ASSEMBLY

The Executive Council,

1. **TAKES NOTE** of the progress report and welcomed the progress made by the Commission in implementing Executive Council EX.CL/Dec.1127 (XXXIX) of October 2021;
2. **DIRECTS** the Commission to elaborate a roadmap and clear timelines for the full implementation of the said decision;
3. **ALSO DIRECTS** the Commission to take into account the Member States comments and observations in enriching their draft proposals;
4. **FURTHER DIRECTS** the Commission to take all necessary measures to organize the Joint PRC-AUC retreat in the first half of March 2022, preceded by preparatory meetings of the Joint PRC- Commission Task Force at Experts level, in accordance with decision EX.CL/Dec.1127 (XXXIX);
5. **FURTHER REQUESTS** that the Draft Proposal on the Monitoring, Evaluation and Reporting on AU Policy Organs Decisions Made in the Last Ten Years and the concept note for the said retreat should be shared with Member States;
6. **ALSO DIRECTS** The Commission to report on implementation of decision EX.CL/Dec.1127 (XXXIX) to the 41st Ordinary Session of the Executive Council.

DECISION ON THE AFRICAN UNION ON THE REVIEW OF THE THEME OF THE YEAR FOR 2022 “STRENGTHENING RESILIENCE IN NUTRITION AND FOOD SECURITY ON THE AFRICAN CONTINENT: STRENGTHENING AGRO-FOOD SYSTEMS, HEALTH AND SOCIAL PROTECTION SYSTEMS FOR THE ACCELERATION OF HUMAN, SOCIAL AND ECONOMIC CAPITAL DEVELOPMENT”;

The Executive Council,

1. **RECALLS** the decision of the 39th ordinary Session of the Executive Council (EX.CL/Dec.1132 (XXXIX)) in October 2021 which adopted the theme of the year 2022 “Building Resilience in Nutrition and Food Security on the African Continent: Strengthen agriculture, Accelerate the Human Capital, Social and Economic Development”;
2. **WELCOMES** the proposal by His Excellency Alassane Ouattara, President of Republic of Cote d’Ivoire, to include nutrition as the main theme of the African Union for 2022; and submitted by the Republic of Cote d’Ivoire for consideration by the assembly (EX.CL/1266(XXXVIII)).
3. **TAKES NOTE** of the consultations held between the Republic of Cote d’Ivoire and the Commission on the re-wording of the theme of the year for 2022; upon the request of the Republic of Cote d’Ivoire
4. **FURTHER TAKES NOTE** of the proposed wording of the theme of the year for 2022 as agreed to between the Republic of Cote d’Ivoire and the Commission.
5. **ENDORSES** the theme of the year for 2022 “Strengthening Resilience in Nutrition and Food Security on The African Continent: Strengthening Agro-Food Systems, Health and Social Protection Systems for the Acceleration of Human, Social and Economic Capital Development”;
6. **DIRECTS** the Commission to prepare a roadmap for the implementation of the theme of the year for 2022 and **REQUESTS** that for future themes of the year, the Commission shall ensure that the roadmap is adopted together with a requisite budget in order to facilitate full implementation.

DECISION ON THE REPORT ON THE IMPLEMENTATION OF ACTIVITIES ON THE ROADMAP OF THE AU THEME OF THE YEAR FOR 2021 'ARTS, CULTURE AND HERITAGE: LEVERS FOR BUILDING THE AFRICA WE WANT

The Executive Council,

1. **TAKES NOTE** of the Annual Report on the Implementation of the Roadmap of the African Union Theme of the Year for 2021 titled: '**Arts, Culture and Heritage: Levers for Building the Africa we Want**' which highlights milestones and results achieved and provides the recommendations and follow up actions.
 2. **FURTHER TAKES NOTE** of the activities yet to be implemented as part of the AU Theme of the Year for 2021 including the launching of the Temporary Site of the Great Museum of Africa (GMA), a Flagship Project of the AU Agenda 2063 in Algiers, Algeria and the start of its operations; the launching of the Temporary Secretariat of the African Audio-Visual Cinema Commission (AACC) in Nairobi, Kenya; The finalization of the Draft African Common Position on Restitution of Cultural Property and the Assessment on Decent Work in the Arts, Culture and Heritage and
 3. **REQUESTS** Member States, Regional Economic Communities (RECs), Pan-African Cultural Institutions and partners to participate and support the launch of the Great Museum of Africa Temporary Site and the African Audio-Visual and Cinema Commission Temporary Secretariat and the finalization of the Draft African Common Position on Restitution of Cultural Property and Heritage;
 4. **CALLS FOR** the strengthening of the advocacy for the restitution of cultural property and historical heritage belonging to the continent that were illegally trafficked and looted during the colonial era and **RECOGNISES** the role to be played by the Great Museum of Africa (GMA) in this regard;
 5. **ALSO CALLS** for stronger advocacy for the implementation of Assembly Decision 772(XXXIII) on Arts, Culture and Heritage which calls upon Member States to allocate at least 1% of their national budgets to the sector by 2030;
 6. **INVITES** Member states and the AU commission to support and participate in the launch of the Grand Egyptian Museum in Egypt in 2022.
-
7. **FURTHER CALLS UPON** all AU Member States, Regional Economic Communities (RECs), Pan-African Cultural Institutions, UN Agencies and partners in the arts, culture and heritage sector to continue supporting the implementation of activities and programmes in line with the AU theme of the year for 2021, since the implementation of activities on the 2021 AU Theme of the Year has been extended to December 2022.

DECISION ON THE ACTIVITY REPORT OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS (AfCHPR)

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 2021, and the recommendations therein; and commends the Court on the commemoration of the 15th Anniversary of its operationalization and for the work it has done over the past 15 years to develop important African human rights jurisprudence;
2. **RECALLS** its decision EX.CL/Dec. 1079 (XXXVI) adopted by the 36th Ordinary Session of the Executive Council held in Addis Ababa, Ethiopia, requesting the African Union Commission and the PRC, in collaboration with the Court, to undertake an in-depth study and present the legal and financial implications on the establishment of an African Judicial Network within the African Union structures.
3. **ALSO TAKES NOTE** of the Study presented by the Court, as well as the legal and financial implications on the establishment of an African Judicial Network within the structures of the African Union and **REQUESTS** their submission to the relevant Organs of the AU for consideration;
4. **CALLS ON** the AUC, in consultation with the African Court, to ensure the setting up of the network and its operationalization, within a reasonable time.
5. **NOTES WITH CONCERN** that two decades after its adoption, only thirty-two (32) Member States of the African Union have ratified the Protocol and only eight (8) of the 32 State Parties, have deposited the declaration required under Article 34 (6) thereof, allowing individuals and NGOs to bring cases directly to the Court;
6. **CONGRATULATES** the thirty-two (32) State Parties to the Protocol, namely; Algeria, Benin, Burkina Faso, Burundi, Cameroon, Chad, Côte d'Ivoire, Comoros, Congo, Gabon, The Gambia, Ghana, Guinea Bissau, Kenya, Libya, Lesotho, Mali, Malawi, Mozambique, Mauritania, Mauritius, Nigeria, Niger, Rwanda, South Africa, Sahrawi Arab Democratic Republic, Senegal, Tanzania, Togo, Tunisia and Uganda.
7. **FURTHER CONGRATULATES** the eight (8) State Parties that have deposited the Declaration under Article 34(6) of the Protocol, namely: Burkina Faso, Gambia, Ghana, Guinea Bissau, Malawi, Mali, Niger and Tunisia.
8. **INVITES** the twenty-three (23) Member States that have not already done so, to accede to the Protocol, and invites the twenty (20) State Parties to the Protocol that have not yet done so, to deposit the Declaration required under Article 34 (6)

of the Protocol, and **REQUESTS** the Court to have a deeper appreciation of reasons causing Member States to withdraw their declaration required under article 34 (6) and assure Member States that such reasons are no longer there.

9. **NOTES** with concern the low level of compliance with the Court's decisions and **CALLS** for complete compliance with the Court's decisions and **INVITES** each Member State to appoint a national focal point to ensure effective follow up on all matters relating to the Court, including on compliance with the Court's decisions.
10. **URGES** the Chairperson of the AUC, in conformity with previous Executive Council Decisions, that is, (EX.CL/Dec.973 (XXXI); (EX.CL/Dec.994 (XXXII); EX.CL/Dec.1044 (XXXIV); (EX.CL/Dec.1064 (XXXV); and (EX.CL/Dec.1079), to take all necessary measures to operationalize the Legal Aid Fund, and to this end, **INVITES** and **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.
11. **ALSO URGES** the Commission to expedite the processes of organizing the Joint Retreat between the PRC and Legal, Judicial, Quasi-judicial and Legislative Organs of the Union, with a view to considering the reform proposals for the said Organs.
12. **EXPRESSES ITS APPRECIATION** to the Government of the United Republic of Tanzania for the facilities it has placed at the disposal of the Court, and for the architectural designs for the construction of the permanent premises of the Court submitted to the AUC, and **FURTHER URGES** the Government of the United Republic of Tanzania, the PRC and the African Union Commission, in collaboration with the Court, working under the framework of the Task Force established by decision EX.CL/Dec.994(XXXII), to take steps to commence the construction of the Court premises.
13. **REQUESTS** the Court, in collaboration with the PRC and the AUC, to report at the next Ordinary Session of the Executive Council in June/July 2022, on the implementation of this Decision.

DECISION ON THE ACTIVITY REPORT OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS (ACHPR)

The Executive Council,

1. **TAKES NOTE** of the Combined fiftieth (50th) and Fifty-first (51st) Activity Report of the African Commission on Human and Peoples' Rights (the ACHPR);
2. **REQUESTS** the Commission on Human and Peoples' Rights to delete the names of the countries cited in paragraph 60, B, V of the report;
3. **EXPRESSES** its appreciation for the efforts deployed by the ACHPR during the reporting period to promote and protect human rights on the continent, in particular in the context of the ongoing COVID-19 pandemic;
4. **WELCOMES** the commemoration of the 40th Anniversary of the adoption of the African Charter on Human and Peoples' Rights, under the theme: "Realities of 40 years of implementation of the African Charter on Human and Peoples' Rights and the journey towards the Africa We Want"; with various stakeholders and key actors working in the promotion and protection of human rights, throughout the year 2021;
5. **REITERATES ITS CALL** to Member States that have not yet ratified relevant human rights instruments of the African Union (AU), to do so, including the African Charter on Human and Peoples' Rights (African Charter), the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) and the Protocol to the African Charter on the Rights of Women in Africa (Maputo Protocol), the Protocol to the African Charter on the Rights of Older Persons in Africa, and the Protocol to the African Charter on the Rights of Persons with Disabilities in Africa;
6. **COMMENDS** State Parties to the African Charter (State Parties) that are up to date with their reporting obligations, and **ENCOURAGES** State Parties that have not submitted any report namely Comoros, Equatorial Guinea, Guinea Bissau, Sao Tome and Principe, Somalia and South Sudan, as well as those with more than three outstanding periodic reports to submit their Periodic Reports in compliance with Article 62 of the African Charter on Human and Peoples' Rights (African Charter), Article 26 of the Maputo Protocol, and Article 14 of the Kampala Convention;
7. **CALLS ON** States Parties to support the processes for the adoption of the Draft Protocol to the African Charter on the Rights of Citizens to Social Protection and Social Security and; the Draft Protocol to the African Charter on the Specific Aspects of the Right to Nationality and the Eradication of Statelessness in Africa;

8. **ALSO CALLS ON** State Parties to comply with the Provisional Measures requests issued by the ACHPR, and **ENCOURAGES** States to also implement decisions issued by the ACHPR on Communications to which they are parties, as well as recommendations following Promotion Missions and Periodic Reports, and to inform the ACHPR of the measures taken to implement those recommendations and Decisions in line with Rule 112 of the ACHPR's Rules of Procedure 2010 and Rule 114 of the ACHPR's Rules of Procedure 2020;
9. **ENCOURAGES** the PRC to work closely and monitor implementation of coordination and collaboration mechanisms between African Commission on Human and People's Rights (AfCHPR), African Court on Human and People's Rights (ACHPR) and African Committee of Experts on Rights and Wellbeing of Child (ACERWC) in view of supporting better mandate delivery by these organs and enhancing institutional coherence of the Union
10. **WELCOMES** the confirmation by the Republic of Rwanda to host an ordinary session of the ACHPR, when the sanitary conditions allow, and **CALLS ON** Member States, particularly those that have not yet done so, to consider hosting one of the Sessions of the ACHPR;
11. **REITERATES ITS CALL** for the ACHPR, to implement the Executive Council Decisions: a) EX.CL/Dec.995(XXXII) relating to the review of the structure of the ACHPR to better align its composition and organogram with the mandate entrusted to it and the expansion in its work over the years; b) EX.CL/Dec.1045(XXXIV) which institutionalize an annually Joint Retreat of the PRC and the ACHPR; and c) EX.CL/Dec.1126(XXXIX) on governance matters of the Commission;
12. **FURTHER REITERATES ITS CALL** on the AUC, working jointly with the ACHPR and the Gambian Government, to implement **Executive Council Decisions EX.CL/Dec.1045(XXXIV)** and **EX.CL/Dec. 1080(XXXVI)**, by establishing a Special Fund for resource mobilization, as well as taking other concrete actions required including the laying down of the foundation stone, for the construction of the ACHPR's permanent headquarters;
13. **COMMENDS** the AUC and the R10 for facilitating and supporting the recruitment of critical staff of the ACHPR, in line with the **EX.CL/DEC.1097(XXXVII)**;
14. **AUTHORIZES** the publication of the Combined 50th and 51st Activity Report of the ACHPR; and in that regard **REQUESTS** States Parties, if they so wish, to submit, within fourteen (14) days of the date of closure of the Executive Council Session at which this Decision is adopted, their written observations on the Activity Report, to be annexed thereto upon its publication.

DECISION ON THE ACTIVITY REPORT OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC)

The Executive Council,

1. **TAKES NOTES** of the Report of the African Committee of Experts on the Rights and Welfare of the Child;
2. **ADOPTS** the Report and commends the Committee for the work done in monitoring the implementation of the African Charter on the Rights and Welfare of the Child;
3. **URGES** Member States which have not yet ratified the African Children's Charter to expedite the ratification of the Charter; and **ENCOURAGES** State Parties that have entered reservation on the provisions of the African Children's Charter to consider withdrawing the same;
4. **CONGRATULATES** State Parties which have submitted their reports on the implementation of the African Children's Charter, and **URGES** State Parties, which have not yet reported to the Committee to comply with their reporting obligations;
5. **ENCOURAGES** the concerned State Parties to fully comply with the Concluding Observations and Recommendations of the ACERWC;
6. **REITERATES** the importance of the Communications procedure of the ACERWC established pursuant to Article 44 of the African Children's Charter, and call on the concerned Member States to comply with their obligations under the Charter by responding to the Committee's requests and implementing the Committee's decisions;
7. **APPRECIATES** Member States for the measures they have undertaken in commemorating the Day of the African Child for the Year 2021 on the theme- '30 years after the adoption of the Charter: accelerate implementation of Agenda 2040 for an Africa fit for children', and Encourage Member States to effectively commemorate the Day of the African Child for the Year 2022 as adopted by the Executive Council of the African Union, on '**Eliminating Harmful Practices Affecting Children: Progress on Policy and Practice since 2013**';
8. **WELCOMES** the ACERWC's report on the assessment of the impact of COVID-19 on the rights and welfare of children in Africa, and **ENCOURAGES** Member States to implement the recommendations of the ACERWC as indicated in the report;

9. **ADOPTS** the theme for the Day of the African Child for the year 2023 to be '***The Rights of the Child in the Digital Environment***' and **CALLS UPON** Member States to Commemorate this day and report to the ACERWC on the theme;
10. **WELCOMES** the development and adoption of the ACERWC's Guidelines on Child Participation, and **ENCOURAGES** Member States to make use of the content of the Guidelines in ensuring child participation and comply with their obligations under the African Children's Charter;
11. **ALSO WELCOMES** the ACERWC's General Comment No 7 on Article 27 of the African Charter on the Rights and Welfare of the Child on sexual violence against children, and **ALSO ENCOURAGES** Member States to make use of the principles provided within the General Comment;
12. **FURTHER WELCOMES** the decision of the ACERWC and the ACHPR to develop the Joint General Comment on Female Genital Mutilation (FGM) and encourages Member States to cooperate with the two organs in providing information for the successful finalization of the General Comment;
13. **CONGRATULATES** the newly elected Members of the Bureau of the ACERWC for the period between November 2021-November 2023; and **ENCOURAGES** Member States to cooperate with the Members in discharging their responsibilities;
14. **ALSO CONGRATULATES** the Kingdom of Lesotho and the AUC for finalising the relocation of the Secretariat of the ACERWC; **ENCOURAGES** the host country to continue providing the required pursuant to the host agreement; and **CALLS ON** the AUC to finalise the recruitment of staff and transfer of resources for the smooth operation of the newly established Office in Maseru, the Kingdom of Lesotho.

DECISION ON THE ACTIVITY REPORT OF THE AFRICAN UNION ADVISORY BOARD ON CORRUPTION (AUABC)

The Executive Council,

1. **TAKES NOTE** of the Report of the African Union Advisory Board on Corruption and the recommendations contained therein;
2. **COMMENDS** Cameroon for acceding to the African Union Convention on Preventing and Combating Corruption (AUCPCC).
3. **URGES** the Central African Republic to take necessary measures to complete the accession process by depositing its instrument of accession with the African Union Commission.
4. **NOTES** the successful completion of the review of Congo, Madagascar, South Africa and Tanzania and requests national authorities to implement the recommendations contained in the State Review Reports.
5. **ALSO URGES** Regional Economic Communities to facilitate the building of capacity of anti-corruption authorities through research, support to law enforcement and cooperation between national anti-corruption authorities for investigations on money laundering, asset recovery and Illicit Financial Flows. Further urges them to ensure harmonization and alignment of anti-corruption standards within their jurisdiction with the Convention.
6. **ENDORSES** the theme for the 2022 African Anti-Corruption Day as “Strategies and Mechanisms for the Transparent Management of Covid-19 Funds.”
7. **REQUESTS** Tanzania to finalize the architectural drawings of the proposed permanent structure and to submit them to the Board for consideration and approval by the AU Commission.
8. **COMMENDS** the Government of the Arab Republic of Egypt for hosting the ninth session of the Conference of the States Parties to the United Nations Convention against Corruption (UNCAC) in Sharm El-Sheikh December 2021.

DECISION ON THE ACTIVITY REPORT OF THE ECONOMIC, SOCIAL AND CULTURAL COUNCIL (ECOSOCC)

The Executive Council,

1. **TAKES NOTE** of the Annual Activity and In-depth study reports on ECOSOCC and the recommendations contained therein;

On the Activity Report of ECOSOCC

2. **COMMENDS:**

- i. The Government of the Republic of Zambia for the continued support offered to the ECOSOCC Secretariat in the mobilization of the budget resources to support the renovation and upgrade of the standalone facility.
- ii. The ECOSOCC Secretariat for the progress in the development of relevant CSO policy toolkits, operational frameworks and manuals for the effective implementation of the mandate of the organ.

3. **REQUESTS:**

- i. ECOSOCC Secretariat in collaboration with the relevant department of the Commission to finalize call for application of the 4th Permanent General Assembly of ECOSOCC during the first quarter of 2022 and ensure strict compliance with eligibility criteria of ECOSOCC membership as provided for in the Statutes of the Organ.
- ii. The Commission to undertake skills and competency based assessment on already existing staff of ECOSOCC to determine whether they meet the requirements of the revised structure of the Organ.

4. **DECIDES** ECOSOCC to undertake the recruitment of its remaining staff in the revised structure with the assistance of the Commission in line with AU Staff Regulations and Rules as well as the Merit Based Recruitment System (MBRS).

On the In-Depth Study Report of ECOSOCC

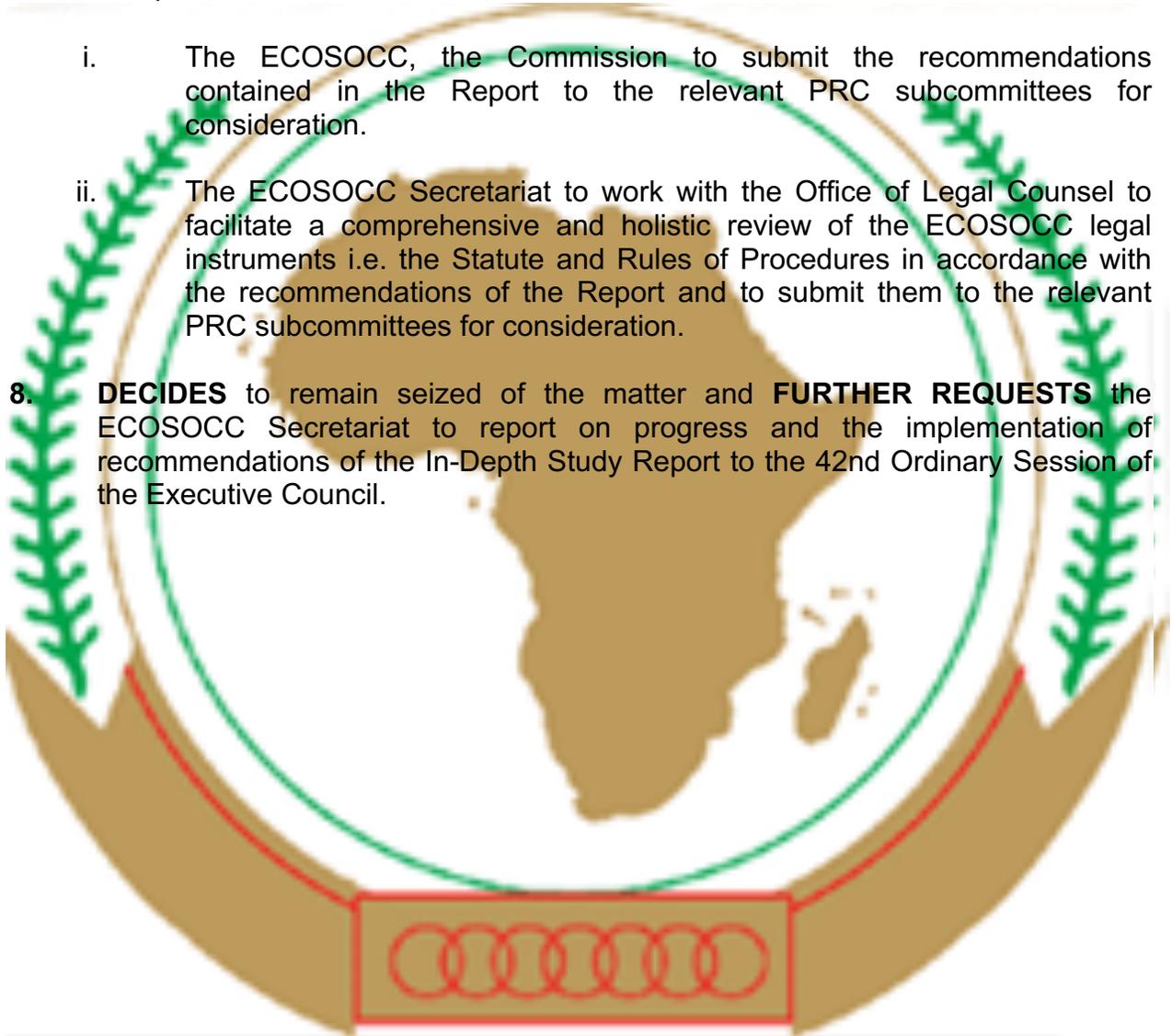
5. **RECALLS** Decision EX/CL 849 (XXV) of 2014 that called for “an in-depth study regarding the functioning and performance of ECOSOCC since its inception to provide appropriate recommendations on modalities to revamp the operations of the Organ, that would help deliver on its advisory role, in line with the current reform priorities of the AU that would support the principles of African ownership”.

6. **TAKES NOTE** of the recommendations of the ECOSOCC In-depth study report to enhance the governance and operational capacity of ECOSOCC to fully deliver on its mandate of providing advice into the policies and programs of the African Union through effective engagements with African CSOs from across the continent and in the Diaspora and directs the AUC to align the outcome of the in depth study with the recommendations of the OIO investigations.

7. **REQUESTS**

- i. The ECOSOCC, the Commission to submit the recommendations contained in the Report to the relevant PRC subcommittees for consideration.
- ii. The ECOSOCC Secretariat to work with the Office of Legal Counsel to facilitate a comprehensive and holistic review of the ECOSOCC legal instruments i.e. the Statute and Rules of Procedures in accordance with the recommendations of the Report and to submit them to the relevant PRC subcommittees for consideration.

8. **DECIDES** to remain seized of the matter and **FURTHER REQUESTS** the ECOSOCC Secretariat to report on progress and the implementation of recommendations of the In-Depth Study Report to the 42nd Ordinary Session of the Executive Council.



**DECISION ON THE REPORT OF THE SECRETARY GENERAL OF THE AFRICAN
CONTINENTAL FREE TRADE AREA (AfCFTA)**

The Executive Council,

1. **TAKES NOTE** with appreciation of the Report of the Secretary General of the African Continental Free Trade Area (AfCFTA), H.E. Mr. Wamkele Mene;
2. **ALSO TAKES NOTE** of the Report of the AfCFTA Council of Ministers;
3. **RECOMMENDS** to the Assembly the Draft Decision on African Continental Free Trade Area (AfCFTA) for consideration.



DECISION ON THE ACTIVITY REPORT OF THE AFRICAN RISK CAPACITY AGENCY (ARC)

The Executive Council;

1. **TAKES NOTE** of the Report of the ARC Group and the recommendations made therein.
2. **FURTHER TAKES NOTE** of the efforts of the ARC Group in implementation and operationalisation of the refreshed ARC Group Strategy 2020 – 2024 towards ensuring that the strategy is adequate to meet the needs of Member States.
3. **COMMENDS** the ARC Group for the efforts to strengthen resilience in Africa against the multiple hazards and perils, coupled with the pandemic, it faces and for the extensive efforts that was directed towards accelerating and completing the development of ARC's Outbreaks and Epidemics (O&E) solution as well as for the implementation of gender sensitive and inclusive disaster risk reduction strategies.
4. **CALLS UPON** State Parties to utilize the risk financing tools and products of the ARC Group to support improving the response capacities against natural disasters and outbreaks and epidemics.
5. **REQUESTS** the ARC Partners to consider providing sufficient funds to sustainably cover ARC multi- year operational and programme costs.
6. **ALSO REQUESTS** State Parties to support the fundraising drive of the institution and accelerate considerations for voluntary contributions and membership fees to ARC.
7. **ENCOURAGES** Member States that have not yet signed and ratified the Agreement for the Establishment of the ARC Agency to consider signing and ratifying of the Agreement.

DECISION ON THE REPORT OF THE AFRICAN CAPACITY BUILDING FOUNDATION (ACBF)

The Executive Council,

1. **TAKES NOTE** of the ACBF annual activity report;
2. **COMMENDS** ACBF for championing the cause of capacity development in Africa despite the huge challenges posed by the COVID-19 pandemic;
3. **ENCOURAGES** ACBF to continue its mandate of capacity development across the 5 regions of the continent, the RECS and the African Union;
4. **DIRECTS** ACBF to explore collaboration opportunities with capacity building institutions across the continent;
5. **REQUESTS** the ACBF to put in place Capacity building programs for diplomats posted in Permanent Missions to the African Union.
6. **ALSO REQUESTS** ACBF to integrate in its strategic plan studies on alcoholism and on its impact on the African societies.
7. **URGES** the AU Commission to champion the development of ACBF's Strategic Plan for the period 2023-2027 by inviting development partners for its formulation and funding;
8. **INSTRUCTS** the AU Commission to implement without delay existing decisions made on ACBF Budget (Ex.CL/Dec.1073, 1107, 1126) in order to allow the ACBF to implement its mandate.

**DECISION ON THE REPORT OF THE ITEM PROPOSED
BY THE UNITED REPUBLIC OF TANZANIA ON THE INCLUSION OF KISWAHILI AS
ONE OF THE AU WORKING LANGUAGES**

The Executive Council,

1. **TAKES NOTE** of the item proposed by the United Republic of Tanzania;
2. **RECALLS** Assembly Decision /AU/ Dec.796(XXXIV), adopted at the 34th Ordinary Session of the Assembly of the Union, held in February 2021, in Addis Ababa, Ethiopia, urging the African Union Commission to implement Assembly Decision on making Kiswahili a working language of the Union and to promote Kiswahili as a language of wider communication in Africa;
3. **APPROVES** and **RECOMMENDS** to the Assembly, the inclusion of Kiswahili as a working language of the Union and language of wider communication in Africa;
4. **DIRECTS** the Commission to work out the modalities for its inclusion in the next budget of the Commission, through the relevant subcommittees
5. **URGES** Member States and the Commission to take all necessary measures to operationalise the use of Kiswahili as a working language of the African Union and language of wider communication in Africa by July 2023 at the latest.



**DECISION ON THE REPORT OF THE JOINT SITTING OF THE MINISTERIAL
COMMITTEE ON SCALE OF ASSESSMENT AND CONTRIBUTIONS AND
COMMITTEE OF FIFTEEN MINISTERS OF FINANCE (F15)**

The Executive Council,

1. **TAKES NOTE** of the Report of the Joint Sitting of the Ministerial Committee on Scale of Assessment and Contributions and the Committee of Fifteen Ministers of Finance (F15).
2. **COMMENDS** Member States for contributing **US\$178,789,441.40**, equivalent to **88%** of the **\$203,500,000** assessed to Member States for the 2021 Regular Budget.
3. **ALSO COMMENDS** Member States for contributing **US\$252,034,074.49** to the AU Peace Fund since 2017, which continues to demonstrate the high level of commitment by the Union to fully operationalize the Fund.
4. **FURTHER COMMENDS** Member States that are up-to-date in the payment of their contributions, and **URGES** Member States that have not yet done so to pay their assessed contributions in fulfilment of their financial obligations to the Union.
5. **RECALLS** Decision EX.CL/Dec.1071(XXXV) of July 2019 which considered the security and political situation of Somalia and Libya and withheld the imposition of sanctions for non-payment of contributions, and which requested the Commission to consult with the two countries to agree on a payment plan to clear the arrears within four (4) years from the adoption of the Decision.
6. **ALSO RECALLS** Decisions Assembly/AU/Dec.752(XXXIII) of February 2020 which took note of the requests from Seychelles and Burundi and the challenges faced in meeting their annual contributions to the Union, and the request to the Commission to engage with Member States facing difficulties paying their contributions to the Union and those in arrears for two (2) or more years in order to agree on the payment plan for clearing their arrears.
7. **FURTHER RECALLS** EX.CL/Dec.1119(XXXVIII) of February 2021 which took note of the request from the Republic of Sudan on the need to review its assessed contribution and requested the Commission to consult with the Republic of Sudan based on the current Scale of Assessment to agree on a Payment plan to clear the arrears as soon possible, within four (4) years from the adoption of the Decision.
8. **RECALLS** Decision Assembly/AU/Dec.802(XXXIV) of February 2021 which endorsed the payment plans for the Republic of Somalia, Republic of Seychelles and Republic of Burundi to clear their arrears.

9. **COMMENDS** the Republic of Somalia, Republic of Seychelles and Republic of Burundi for fulfilling their commitments to clear their arrears in accordance with the endorsed payment plans.
10. **ALSO RECALLS** Decision EX.CL/Dec.1138(XXXIX) which urged the State of Libya and the Republic of The Sudan to conclude the engagements with the Commission to agree on their respective payment plans for settling their arrears and report back to the Executive Council in February 2022.
11. **TAKES NOTE** of the report of the Commission on the on-going consultations with the State of Libya and the Republic of The Sudan, **URGES** the two Member States to urgently finalize and submit their respective payment plans for settling their arrears to the Commission and **REQUESTS** the Commission report back to the Executive Council in July 2022.
12. **DECIDES** to impose sanctions on the following Member States that have fallen back on the payment of their assessed contributions:
 - a. **Cautionary sanctions:** Sao Tome and Principe, Guinea and Congo.
 - b. **Intermediate sanctions:** South Sudan.
13. **RECALLS** Decision EX.CL/Dec.1138(XXXIX) which directed the Commission, supported by the Experts of the Committee of Fifteen Ministers of Finance (F15), to expedite the process of developing the new scale of assessment to be applied for the period 2023-2025 and present proposals for consideration and adoption by the Policy Organs in February 2022.
14. **TAKES NOTE** of the report of the Joint Sitting of the Ministerial Committee on Scale of Assessment and Contributions and Committee of Fifteen Ministers of Finance (F15) on the development of the new scale of assessments and the recommendation to give more time to the Commission and F15 Experts to gather additional data that will, in the context of COVID-19 pandemic, better reflect Member States' capacity to pay and for the necessary regional consultations to be undertaken, **RECOMMENDS** the extension of the application of the current scale of assessment 2020-2022 by one year up to 2023, **REQUESTS** the Commission and F15 Experts to agree on a roadmap for the development of the new scale of assessment to be applied for the period 2024-2026 and **FURTHER REQUESTS** the Commission report back to the Executive Council in July 2022.
15. **RECALLS** Executive Council Decision EX.CL/Dec.1100(XXXVII) of October 2020 which took note of the September 2020 Report on the outcome of the Regional Consultations for Member States' contributions to the AU Peace Fund undertaken by the AU High Representative on Financing of the Union and the Peace Fund and decided to endorse the report and recommendation to continue to use the scale of assessment for the regular budget to assess Member States'

contributions to the AU Peace Fund in line with the general consensus and the reservations made thereof.

16. **ALSO RECALLS** Executive Council Decision EX.CL/Dec.1119(XXXVIII) of February 2021 which mandated the Commission to continue bilateral consultations with countries according to the reservations on Decision EX.CL/Dec.1100(XXXVII) on the use of scale of assessment for the regular budget to assess Member States to the AU Peace Fund with a view to arriving at the appropriate mechanism for assessing the Peace Fund as long as it does not affect the consensus already agreed on the matter and the reservations made thereof.
17. **FURTHER RECALLS** Decision EX.CL/Dec.1138(XXXIX) of October 2021 which directed the Commission and urged six Member States that have entered the reservation to finalize the consultations before the next ordinary session of the Executive Council in February 2022.
18. **TAKES NOTE** of the proposal made by the six Member States of the Northern Region and its implications on the total endowment of the Peace Fund and **DIRECTS** the Commission to work closely with the F15 and the Office of the Legal Counsel to analyze the proposals made and the implications thereof, and recommend solutions in accordance with legal frameworks of the African Union and **FURTHER DIRECTS** the Commission, guided by the solutions recommended thereof, to continue consultations with the concerned countries from the North and other regions to agree on a mechanism for contributions to the Peace Fund and report back to the Executive Council in July 2022.
19. **FURTHER TAKES NOTE** of the concern raised regarding the concentration of investments in two banks from one region and **DIRECTS** the Commission to finalize the African Union Treasury Policy and report back to the Executive Council in July 2022.

DECISION ON THE REPORT OF THE MINISTERIAL COMMITTEE ON AFRICAN CANDIDATURES WITHIN THE INTERNATIONAL SYSTEM

The Executive Council,

A. **WELCOMES** the Report of the Ministerial Committee on African Candidatures within the International System.

B. **ENDORSES** for election/re-election, New Governmental Candidatures Submitted by Member States for the following positions:

1. **Vice-Presidency of the 77th Session of the General Assembly of the UN for the period 2022-2023**, during the election scheduled for September 2022 in New York:

- **Republic of Burundi** (Central Africa Region)
- **Republic of Kenya** (Eastern Africa Region)
- **Republic of Mauritania** (Northern Africa Region)
- **Republic of Zimbabwe** (Southern Africa Region)
- **Republic of Cabo Verde** (Western Africa Region)
- **Republic of Benin** (Western Africa Region)

2. **Membership of the United Nations Economic and Social Council for the period 2023-2025**, during the election scheduled for June 2022 in New York:

- **Republic of Cameroon** (Central Africa Region)
- **Republic of Equatorial Guinea** (Central Africa Region)
- **Republic of Cabo Verde** (Western Africa Region)

NB: One (1) seat pending to be filled by the Southern Africa Region

3. **Membership of the Commission on the Status of Women (CSW) for the period 2023-2025**, during the ECOSOCC election scheduled for April 2022 in New York:

- **Democratic Republic of Congo** (Central Africa Region)
- **State of Eritrea** (Eastern Africa Region)
- **Republic of Cote d'Ivoire** (Western Africa Region)
- **Republic of Mozambique** (Southern Africa Region)

4. **Membership of the United Nations Committee on Contributions for the period 2023-2025**, during the election scheduled for November 2022 in New York:

- **Republic of Burundi** (Central Africa Region)

5. **Membership of the United Nations Committee on Conferences for the period 2023-2025**, during the election scheduled for November 2022 in New York:

- **Republic of Djibouti** (Eastern Africa Region)
- **Arab Republic of Egypt** (Northern Africa Region)

6. **Membership of the United Nations Committee for Programmes and Coordination for the period 2023-2025**, during the election scheduled in November 2022 in New York:

- **Republic of Tunisia** (Northern Africa Region)

NB: Two (2) seats pending to be filled by Western Africa Region

7. **Membership of the Commission on Narcotic Drugs for the period 2023-2026**, during election scheduled for April 2022 in New York:

- **Republic of Burundi** (Central Africa Region)
- **Federal Republic of Nigeria (A)** (Western Africa Region) (*on Appeal*)

8. **Membership of the United Nations Commission on Science and Technology for Development (UNCSTD) for the period 2023-2025**, for the election scheduled for scheduled for April 2022 in New York:

- **Republic of Djibouti** (Eastern Africa Region)
- **United Republic of Tanzania** (Eastern Africa Region)
- **Republic of Botswana** (Southern Africa Region)
- **Republic of Rwanda** (Eastern Africa Region)

NB: Two (2) Seats pending to be filled by: Western and Northern Africa Regions respectively

9. **Membership of the Executive Board of the United Nations Children Fund (UNICEF) for the period 2023-2025**, for the election scheduled in April 2022 in New York:

- **Republic of Mozambique** (Southern Africa Region)
- **Kingdom of Lesotho** (Southern Africa Region)

10. **Membership of the Executive Board of the World Food Programme (WFP) for the period 2023-2025**, during the election scheduled for April 2022 in New York:

- **Federal Democratic Republic of Ethiopia** (Eastern Africa Region)
- **Islamic Republic of Mauritania** (Northern Africa Region)

11. Membership of the Joint United Nations Programme on HIV/AIDS Coordinating Board (UNAIDS) for the period 2023-2025, for election scheduled for April 2022 in New York:

- **Republic of Kenya** (Eastern Africa Region)
- **The State of Libya** (Northern Africa Region)

12. Membership of the Executive Board of UN-Women for the period 2023-2025, during the election scheduled for April 2022 in New York:

- **State of Eritrea** (Eastern Africa Region)
- **Republic of Zimbabwe** (Southern Africa Region)
- **Republic of Cote d'Ivoire** (Western Africa Region)

NB: One (1) Seat pending to be filled by Central Africa Region

13. Member of the Council of the International Telecommunication Union (ITU), Region D for the period 2023-2026, during the election scheduled for October 2022 in Bucharest:

- **Arab Republic of Egypt** (Northern Africa Region)
- **Federal Republic of Nigeria (*Re-election*)** (Western Africa Region)
- **Republic of Mauritius** (Eastern Africa Region)
- **Republic of Kenya (*Re-election*)** (Eastern Africa Region)
- **Republic of South Africa (*Re-election*)** (Southern Africa Region)
- **People's Democratic Republic of Algeria** (Northern Africa Region)
- **Republic of Senegal (*Re-election*)** (Western Africa Region)
- **Kingdom of Morocco** (Northern Africa Region)

NB: Five (5) seats pending to be filled and Central Africa Member States are invited to apply

14. Non-Permanent Membership of the United Nations Security Council (UNSC) for the period 2024-2025 for election scheduled for June 2023 in New York:

- **Republic of Sierra Leone** (Western Africa Region)

15. Membership of the United Nations Committee on Non-Governmental Organisations for the period 2023-2026 for election scheduled for April 2022 in New York:

- **Republic of Cameroon** (Central Africa Region)
- **State of Eritrea** (Eastern Africa Region)
- **People's Democratic Republic of Algeria** (Northern Africa Region)
- **Republic of Mozambique** (Southern Africa Region)
- **Republic of Liberia** (Western Africa Region)

16. Membership of the United Nations Commission on International Trade Law (UNCITRAL) for the period 2022-2027, for election scheduled for November 2022 in New York:

- **Democratic Republic of Congo** (Central Africa Region)
- **Republic of Kenya** (Eastern Africa Region)
- **Republic of Mauritius** (Eastern Africa Region)
- **Kingdom of Morocco** (Northern Africa Region)
- **Federal Republic of Nigeria** (Western Africa Region)

NB: Two seats pending to be filled by Eastern and Southern Africa Regions, to be referred to New York

17. Membership of the United Nations Intergovernmental Working Group of Experts on Intercontinental Standards of Accounting and Reporting for the period 2022-2024, for election scheduled for April 2022 in New York:

- **Federal Republic of Nigeria** (Western Africa Region)

NB: Three (3) seats pending to be filled, one (1) by Eastern Africa Region and two (2) Southern Africa Region

18. Election as a member of UNESCO World Heritage Committee for the period: 2023-2027, during the election scheduled for November 2022 in New York:

- ***Republic of Kenya***

19. Member of the Council of the International Civil Aviation Organization (ICAO), for the period 2022-2025, during the election scheduled for October 2022 in Montreal:

- **Arab Republic of Egypt** for Part II (Northern Africa Region)
- **Islamic Republic of Mauritania** for Part III (Northern Africa Region)

NB: Endorses the candidatures of Mauritania and Egypt and encourages other Member States to submit candidatures for other available seats.

C. ENDORSES for election/re-election, New Individual Candidatures submitted by Member States for the following positions:

20. Secretary-General of the Commonwealth, for the period 2022-2026, during the election scheduled for June 2022 in Kigali:

- **Amb. Dr. Monica Juma** of the Republic of Kenya

21. Membership of the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW) for the period 2023-2026, during the election scheduled for June 2022 in New York:

- **Dr. Maya Morsi** of the Arab Republic of Egypt
- **Mrs Louiza Chalal** of the People's Democratic Republic of Algeria (*Re-election*)
- **Mrs Yoli-Bi Kone Klintio Marguerite** of the Republic of Côte d'Ivoire

NB: These candidatures are endorsed in addition to those of: Mrs Vera Nkwaten Ngassa of the Republic of Cameroon; Ms Brenda Akia of the Republic of Uganda; Mrs. Esther Eghobamien-Mshelia of the Federal Republic of Nigeria and; Mrs Eunice Njovana of the Republic of Zimbabwe endorsed by the Executive Council at its 38th and 39th sessions through decisions EX.CL/Dec.1120(XXXVII) and EX.CL/Dec.1120(XXXVII).

22. Membership of the Commission on the Limits of the Continental Shelf (CLCS) for the period 2022-2027, during the election scheduled for June 2022 in New York:

- **Mr. Simon Njuguna** of the Republic of Kenya
- **Mr. Azzadine Taiar** of the People's Democratic Republic of Algeria
- **Professeur Miloud Loukili**, Kingdom of Morocco

NB: These candidatures are endorsed in addition to those of: Ms Marilyn Eghan of the Republic of Ghana and; Mr Domingos de Carvalho Viana Moreira of the Republic of Angola endorsed by the Executive Council at its 39th session through decision EX.CL/Dec.1120(XXXVII).

23. Member of the Committee on the Rights of Persons with Disabilities (CRPD) for the period 2022-2026, during the election scheduled for June 2022 in New York:

- **Ms. Getrude Fefoame** of the Republic of Ghana
- **Mr. Alfred Kouassi** of the Republic of Côte d'Ivoire

24. **Judge of the International Tribunal for the Law of the Sea for the period 2023-2032**, during the election scheduled for June 2023 in New York:

- **Advocate Thembeli Elphus Joyini** of the Republic of South Africa

25. **Membership of the United Nations Human Rights Council Advisory Committee for the period 2023-2025**, during the election scheduled for September 2022 in Geneva:

- **Professor Sebastiano Isata** of the Republic of Angola

26. **As Secretary-General of the Permanent Court of Arbitration for the period 2022-2027**, during the election scheduled for February 2022 in The Hague:

- **Hon. Justice Mrs. Aruna Devi Narain** of the Republic of Mauritius

27. **Membership of the United Nations Committee on the Rights of the Child for the period 2023-2027**, during the election scheduled for June 2022 in New York:

- **Mr. Mel Alain Didier Lath** of the Republic of Côte d'Ivoire

NB: This candidature is endorsed in addition to that of: Mrs Agnes Kabore of Burkina Faso endorsed by the Executive Council at its 39th session through decision EX.CL/Dec.1120(XXXVII).

28. **Membership of the United Nations Human Rights Committee for the period 2023-2027**, during the election scheduled for June 2022 in New York:

- **Mr. Delbe Zirignon Constant** of the Republic of Côte d'Ivoire

29. **Membership of the ITU Radio Regulations Board for the period 2023-2026**, during the election scheduled to take place in September 2022 in Bucharest:

- **Mr. Mandla Samuel MCHUNU** of the Republic of South Africa (**Re-election**)

30. **Membership of the United Nations Committee on Economic, Social and Cultural Rights for the period 2023-2026**, during the election scheduled for April 2022 in New York:

- **Mrs. Djam Doudou Daoudou** of the Republic of Cameroon;

- **Chief Justice Asraf Ally Caunhye** of the Republic of Mauritius (**Re-election**);
- **Amb. Peter S.O. Emuze** of the Federal Republic of Nigeria (**Re-election**);
- **Mr. DIANE Hassane** of the Republic of Cote D'Ivoire.

NB: Requests the African Group in New York to facilitate urgent consultations among concerned Member States, to agree on the submission of two (2) candidates for the two (2) available seats and to report back to the Ministerial Committee by end of February 2022.

D. FURTHER TAKES NOTE of the following candidatures and decides to defer the consideration to the next Executive Council:

31. Non-Permanent Membership of the United Nations Security Council (UNSC) for the period 2025-2026, during the election scheduled for June 2024 in New York:

- **Republic of Mauritius** (Eastern Africa Region)

NB: The Candidature of the Republic of Somalia for this post was taken note of by the 39th Session of the Executive Council. The African Group in NY is instructed to undertake necessary consultations and report back to next Session.

32. Non-Permanent Membership of the United Nations Security Council (UNSC) for the period 2026-2027, during the election scheduled for June 2025 in New York:

- **Republic of Liberia** (Western Africa Region)

33. Membership of the UNESCO Executive Board for the period 2023-2027, during the election scheduled for November 2023 in Paris:

- **Republic of Mauritius** (Eastern Africa Region)

34. Membership of the UNESCO Executive Board for the period 2025-2029, during the election scheduled for November 2025 in Paris:

- **Kingdom of Morocco** (Northern Africa Region)

E. TAKES NOTE of the candidatures of the Republic of Cameroon and the Republic of South Africa for the post of **President of the 79th Session of the General Assembly of the United Nations** for the period 2024-2025, which

election is scheduled for June 2024 in New York and **instructs the African Group in New York to facilitate further consultation between the two countries in order to agree on one African candidate for this important post and to report back to the next session. ALSO DIRECTS the African Group in New York to develop a concrete rotational plan for the Presidency of the UNGA when it is Africa's turn to provide a candidate.**

F. TAKES NOTE of the candidatures of United Republic of Tanzania and the Republic of Mozambique to the Membership of the Bureaus of the 6th Main Committees of the United Nations General Assembly for the period 2022-2023, during the election scheduled for September 2022 in New York, and decides to refer consideration of this post to *the African Group in New York for further consultation to agree on one African candidate and report back to the next Session.*

G. ALSO TAKES NOTE of the following candidatures and defer to the African Group in New York for further consultation and advice on the way forward

35. Judge of the International Criminal Court (ICC), for the period 2024-2029, during the election scheduled for December 2023 in New York:

- **Mr. Rajaona ANDRIAMANAKIANDRIANANA** of the Republic of Madagascar

36. President of the United Nations International Civil Service Commission (ICSC) for the period 2023-2026, during the election scheduled for November 2022 in New York:

- **Mr. Elhassane ZAHID** of the Kingdom of Morocco
- **Mr. Larbi DJACTA**, The People's Democratic Republic of Algeria (**Re-election**)

NB: Requests the African Group in New York to facilitate urgent consultations among concerned Member States, to agree on one African candidate for this post and report back to the Ministerial Committee during its next session.

37. Membership of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) for the period 2024-2026, during the election scheduled for December 2023 in New York:

- **Mrs. Caroline Nalwanga MAGAMBO** of the Republic of Uganda
- **Mr. Abdallah Bachar BONG** of the Republic of Chad

NB: Requests the African Group in New York to facilitate urgent consultations among concerned Member States, to agree on one African

candidate for this post and report back to the Ministerial Committee during its next session.

H. ON THE NEW E-CANDIDATURE PORTAL,

The Council,

38. **WELCOMES** the Commission's initiative to create a new e-Candidatures Portal as an on-line tool to centralise, record, monitor and ease the process of submission of candidatures by Member States for consideration by the Ministerial Committee and relevant AU multilateral missions;
39. **REQUESTS** that the new e-Candidatures Portal should be included in the revised Rules of Procedure of the Ministerial Committee on African Candidatures within the International System as a new on-line tool for submission of Candidatures by Member States, with training programmes for all potential users including Member States Focal Points and AU staff, and resubmit for final consideration by next Executive council.

I. ON THE RULES OF PROCEDURE

40. **TAKES NOTE** of efforts made by the Commission towards the revision of the Rules of Procedure for the Ministerial Committee on African Candidatures within the International System; **FURTHER REQUESTS** the Commission to expedite the finalisation of the Rules of Procedure and its submission to the next Ordinary Session of the Specialized Technical Committee (STC) on Justice and Legal Affairs for consideration in readiness for its adoption by the Executive Council during its Ordinary Session in June/July 2022

J. ON DELEGATION OF AUTHORITY

41. **COMMENDS** the Ministerial Committee on African Candidatures within the International System at the Ambassadorial Level for taking the necessary steps to ensure that all documents related to this Committee are reviewed and synchronised in a timely manner; and **REQUESTS** the Committee at the Ambassadorial Level to continue working closely with the relevant African Groups, particularly in New York and Geneva, for synergy and coordination.
42. **URGES** the Africa Groups where applicable to take appropriate actions to coordinate Member States efforts to fill the pending seats and to ensure full implementation of the Executive Council Decisions on African Candidatures within the International System.

43. **INSTRUCTS** the PRC to allocate adequate budget for the activities of the Ministerial Committee on African Candidatures within the International System responsible for the implementation of decisions on candidatures.



**DECISION OF THE MINISTERIAL FOLLOW UP COMMITTEE ON THE
IMPLEMENTATION OF AGENDA 2063 AND ON THE 2ND CONTINENTAL REPORT
ON THE IMPLEMENTATION OF AGENDA 2063**

The Executive Council,

1. **TAKES NOTE** of the Outcome of the High-Level Meeting on Consideration of Modalities for The Financing on the Evaluation of Agenda 2063 First Ten Year Implementation Plan and the development of the Second Ten Year Implementation Plan of Agenda 2063 and **ENDORSES** the Report and the recommendations contained therein.
2. **CALLS UPON** the AU Commission in consultations with member states continue engaging all stakeholders to ensure the African financing and mobilization of institutional expertise for the Evaluation of Agenda 2063 First Ten Year Implementation Plan and the development of the Second Ten Year Implementation Plan.
3. **DIRECTS** the Commission and AUDA-NEPAD to lead the process of the Evaluation of Agenda First Ten-Year Implementation Plan and the development of Agenda 2063 Second Ten Year Implementation Plan with the support of other members of the Agenda Technical Working Group consisting of RECs, ACBF, APRM, AfDB, UNDP, JSSO, Regional Mechanisms (RMs), AfCFTA and UNECA.
4. **APPRECIATES** the commitment made by the Member States and the African Development Bank to finance the evaluation of Agenda 2063 First Ten Year Implementation Plan and the development of Agenda 2063 Second Ten Year Implementation Plan and **ENCOURAGES** additional voluntary contributions and support to these two processes.
5. **RECOMMENDS** the supplementary Budget of US\$1,000,000 for the Evaluation of Agenda 2063 First Ten Year Implementation Plan and the development of Agenda 2063 Second Ten Year Implementation Plan as pledged by the African Development Bank and **DIRECTS** the PRC to consider the proposed supplementary budget through due process and to be included in the 2022 African Union Budget.
6. **ADOPTS** the proposed timelines as outlined in the Concept Note of the Evaluation of Agenda 2063 First Ten Year Implementation Plan and the development of Agenda 2063 Second Ten Year Implementation Plan and **REQUESTS** the Commission to report on these two processes at the AU Summit in January/February 2023.
7. **TAKES NOTE** of the Second Continental Report on the Implementation of Agenda 2063 and **ENDORSES** the Report and the recommendations contained therein.

8. **CALLS UPON** the AU Commission and AUDA-NEPAD to support the AU Member States in establishing and operationalising institutional mechanisms for popularising, tracking, reporting and holding dialogues on Agenda 2063 at national and sub-national levels



DECISION ON ELECTIONS

The Executive Council,

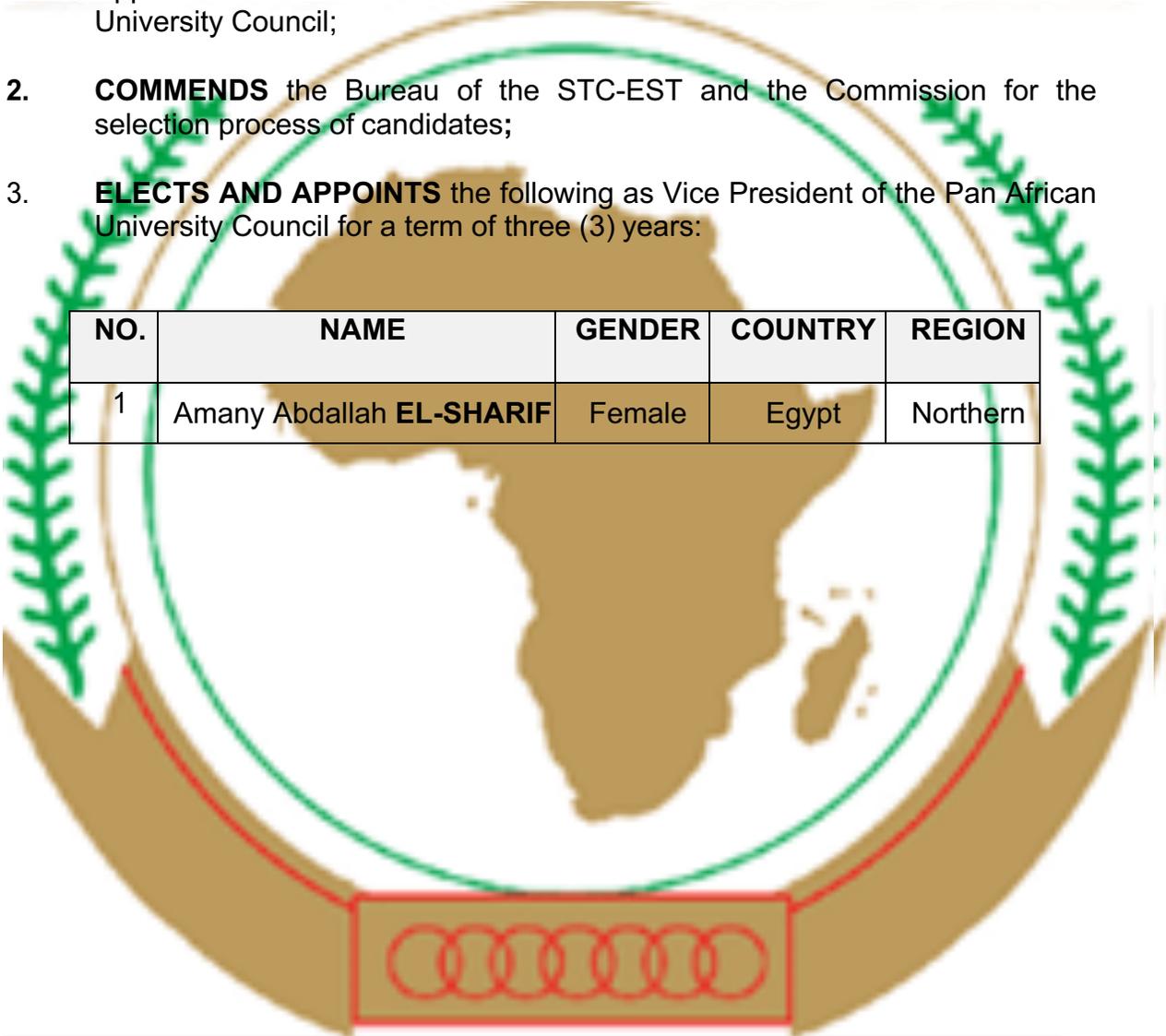
ON THE ELECTION AND APPOINTMENT OF ONE (1) FEMALE MEMBER OF THE AFRICAN UNION ADVISORY BOARD ON CORRUPTION FROM THE NORTHERN REGION – Doc. EX.CL/Dec.1342(XL)

1. **TAKES NOTE** of the Report of the Commission on the Election and Appointment of One (1) Female Member of the African Union Advisory Board on Corruption (AUABC) from the Northern Region;
2. **REGRETS** the non-submission of female candidates by States Parties to the African Union Convention on Preventing and Combating Corruption;
3. **DECIDES** to postpone the election to the 41st Ordinary Session of the Executive Council;
4. **FURTHER DECIDES** to extend the term of office of the outgoing member **Ms. Amal Mahmoud AMMAR (Egypt)** until she is replaced during the election which has been postponed to the 41st Ordinary Session of the Executive Council;
5. **REQUESTS** the Commission to re-open submission of candidates for the position and **APPEALS** to States Parties to the African Union Convention on Preventing and Combating Corruption from the Northern Region to submit their female candidates;
6. **REGRETS** the passing of Hon. Kayobo Agness Mulamfu Ng'andu, Member of AUABC from the Republic of Zambia as a significant loss for the Union and extends its deepest condolences to the Republic of Zambia, the AUABC, family, friends and colleagues of the deceased Board Member.

**DECISION ON THE ELECTION AND APPOINTMENT OF THE VICE
PRESIDENT OF THE PAN AFRICAN UNIVERSITY COUNCIL**

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election and Appointment of the President and Vice-President of the Pan African University Council;
2. **COMMENDS** the Bureau of the STC-EST and the Commission for the selection process of candidates;
3. **ELECTS AND APPOINTS** the following as Vice President of the Pan African University Council for a term of three (3) years:



NO.	NAME	GENDER	COUNTRY	REGION
1	Amany Abdallah EL-SHARIF	Female	Egypt	Northern

DECISION ON THE ELECTION OF FIFTEEN (15) MEMBERS OF THE PEACE AND SECURITY COUNCIL OF THE AFRICAN UNION

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election of Fifteen (15) Members of the Peace and Security Council of the African Union;
2. **ELECTS** the following members of the Peace and Security Council of the African Union for a term of **three (3) years**:

NO.	COUNTRY	REGION
1	Republic of Cameroon	Central
2	Republic of Djibouti	Eastern
3	Kingdom of Morocco	Northern
4	Republic of Namibia	Southern
5	Federal Republic of Nigeria	Western

3. **ELECTS** the following members of the Peace and Security Council of the African Union for a term of **two (2) years**:

NO.	COUNTRY	REGION
1.	Republic of Burundi	Central
2.	Republic of Congo	Central
3.	United Republic of Tanzania	Eastern
4.	Republic of Uganda	Eastern
5.	Republic of Tunisia	Northern
6.	Republic of South Africa	Southern
7.	Republic of Zimbabwe	Southern
8.	Republic of Ghana	Western
9.	Republic of Senegal	Western
10.	Republic of The Gambia	Western

4. **RECOMMENDS** the elected members of the Peace and Security Council of the African Union to the Thirty Fifth Ordinary Session of the Assembly for appointment.