

**DECISION ON THE OUTCOME OF THE SECOND REGIONAL CONSULTATIONS OF
THE REVIEW OF THE PROTOCOL RELATING TO THE ESTABLISHMENT OF THE
PEACE AND SECURITY COUNCIL**

The Executive Council,

1. **RECALLS** the Assembly Decision [Assembly/AU/Dec.823 (XXXV)] which in its paragraph 4 “**TAKES NOTE** of the concern of the Member States from the North African region regarding regional representation in the membership of the Peace and Security Council, and **DIRECTS** the Commission, in full consultation with AU Member States, to present a comprehensive report to the upcoming Executive Council, **with concrete consensual proposals** to amend Article 5(1) of the Protocol Relating to the Establishment of the Peace and Security Council”;
2. **ALSO RECALLS** its decision EX.CL/Dec.1173(XLI), adopted in July 2022, in Lusaka, Zambia, which “ **OBSERVES** the lack of consensus on the amendment of Article 5(1) of the Protocol Relating to the Establishment of the Peace and Security Council in accordance with paragraph 4 of Decision Assembly/AU/Dec.823(XXXV) and **TAKES NOTE** of the desire to continue consultations and **DIRECTS** the Commission to facilitate the said consultations and to submit a final report to the 42nd Ordinary Session of the Executive Council in February 2023”;
3. **FURTHER RECALLS** the mandate it received from the Assembly was on the amendment of Article 5(1) of the Protocol Relating to the Establishment of the Peace and Security Council, “The Peace and Security Council shall be composed of fifteen Member States elected on the basis of equal rights, in the following manner:
 - a. ten members elected for a term of two years; and
 - b. five members elected for a term of three years in order to ensure continuity
4. **NOTES** once again of the lack of consensus on the amendment of Article 5(1) on the membership of the PSC at the end of the second round of consultations;
5. **RECALLS** Article 22 paragraph 6 of the PSC Protocol with regard to the legal process on amendment or revision of the PSC Protocol which shall be in accordance with the provisions of Article 32 of the Constitutive Act.
6. **RECOMMENDS** to the Assembly to determine the way forward.