

**DECISION ON THE REPORTS OF THE SPECIALISED
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;
4. **REQUESTS** that all STCs adopt their Reports at the end of their meetings.

REPORTS OF THE SPECIALISED TECHNICAL COMMITTEES (STCs)

**THE 3RD ORDINARY SESSION OF THE SPECIALIZED TECHNICAL
COMMITTEE ON HEALTH, POPULATION AND DRUG CONTROL, CAIRO,
EGYPT, 29 JULY TO 2 AUGUST 2019 - Doc: EX.CL/1178(XXXVI)**

5. COMMENDS

- i) The Ministers responsible for Health, Population and Drug Control for the successful holding of the Third Ordinary Session of their Specialized Technical Committee and achieving notable outcomes in the areas of health financing, universal health coverage, population and drug control in Africa;
 - ii) The Government and people of the Arab Republic of Egypt for the generous hosting of the Third Ordinary Session of the AU Specialized Technical Committee (STC) on Health, Population and Drug Control.
6. **WELCOMES** the commitment of the STC on Health, Population and Drug Control to the implementation of Decision Assembly/AU/Dec.735(XXXII), and **FURTHER WELCOMES**, the progress that has been made in the signing of the Treaty for the Establishment of the African Medicine Agency (AMA) by eleven AU Member States and ratification by one and urges all Member States to sign and ratify the Treaty to enable it to come into force; and **ENCOURAGES** the Commission to report on progress to the Thirty-Seventh Ordinary Session of the Executive Council in July 2020;

7. **TAKES NOTE** of the Report and the recommendations of the Third Ordinary Session of the AU Specialized Technical Committee (STC) on Health, Population and Drug Control;
8. **ADOPTS** without financial, legal and structural implications:
 - i) The Accountability Framework for the Africa Health Strategies;
 - ii) The Revised African Union Plan of Action on Drug Control and Crime Prevention (2019-2023).
9. **RECOMMENDS** the African Common Position on Antimicrobial Resistance and the Cairo Declaration on Viral Hepatitis in Africa for adoption by the Assembly.

II. THE 3RD ORDINARY SESSION OF THE SPECIALIZED TECHNICAL COMMITTEE ON COMMUNICATION AND ICT, SHARM EL SHEIKH, EGYPT, 25-26 OCTOBER 2019 - Doc. EX.CL/1180(XXXVI)

10. **TAKES NOTE** of the Report of the Third Ordinary Session of the Specialized Technical Committee on Communication and Information and Communication Technologies (**STC-CICT-3**) held in Sharm El Sheikh, Arab Republic of Egypt, from 25 to 26 October 2019 and the 2019 Sharm El Sheikh Declaration;
11. **COMMENDS** the Ministers responsible for Communication, Information and Communication Technology and Postal Services for the successful holding of the Third Meeting of their Specialised Technical Committee (STC) and achieving notable outcomes for the development of the Communication, Information and Communication Technology and Postal Services sectors in Africa;
12. **ENDORSES** the Digital Transformation Strategy for Africa (DTS) that will contribute to harness digital technologies and innovation to transform African societies and economies to promote Africa's integration, generate inclusive economic growth, stimulate job creation, break the digital divide, and eradicate poverty for the continent's socio-economic development and ensure Africa's ownership of modern tools of digital management;
13. **REQUESTS** the Commission to undertake the following among others:
 - (i) Mobilize the necessary resources to implement the Comprehensive Digital Transformation Strategy for Africa and develop the matrix for the implementation of the Strategy;
 - (ii) To promote the strategy at all AU relevant activities including the STCs;
 - (iii) Develop sectoral implementation strategies/plans of the DTS including those critical ones already identified namely (a) Digital Industry, (b) Digital Trade, (c) Financial Services, (d) Digital Governance, (e) Digital Education, (f) Digital Health and (g) Digital Agriculture in order to have

1074(XXXVI) Page 3 comprehensive DTS for the Continent;

14. FURTHER REQUESTS the Commission to:

- (i) Develop guidelines on Privacy, Over The Top services (OTT), a continental framework on data policy and a road map and guidelines for spectrum harmonization and deployment for current and future mobile and wireless broadband networks such as International Mobile Telecommunications (IMT) 2020 /5G;
- (ii) Dedicate appropriate resources for the implementation of a comprehensive Cybersecurity program which includes assistance to the AU Member States to adopt cyber strategies, Cyber legislation and establishment of CIRTs/CERTs;
- (iii) Submit a report on Audit of the common assets of the Pan African e-Network with financial implications before applying the recommendation of the relevant Ministers to transfer its assets to RASCOM;
- (iv) Ensure that the Brand and Communication Style Guide and the Communication Policies and Procedures are instituted within the Organization.

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

III. THE THIRD SPECIALIZED TECHNICAL COMMITTEE ON MIGRATION, REFUGEES AND IDPS, ADDIS ABABA, ETHIOPIA - Doc: EX.CL/1182(XXXVI)

16. TAKES NOTE of the Report of the Third Ordinary Session of the STC on Migration, Refugees and IDPs held from 7 to 8 November 2019 in Addis Ababa, Ethiopia under the theme of the year: *“Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa”*;

17. EXPRESSES satisfaction on the activities undertaken in the implementation of the Theme of the Year and appreciates the sterling leadership of the Champion of the 2019 Theme of the Year, **H.E. Teodoro Obiang Nguema Mbasogo**, President of the Republic of Equatorial Guinea;

18. IMPLORES all AU Member States that have not yet done so to sign, ratify domesticate and implement the 1969 OAU Convention Governing the Specific Aspects of Refugees Problems in Africa and the 2009 AU Convention on the Protection and Assistance to Internally Displaced Persons in Africa (The Kampala Convention);

19. WELCOMES the progress made by the Commission and the Government of the Republic of Mali, the Kingdom of Morocco and the Government of Sudan towards

the establishment and operationalization of the African Centre for the Study and Research on Migration, the African Migration Observatory, and the Continental Operational Centre in Khartoum respectively as Specialised Technical Offices of the Commission, and **TAKES NOTE** of their Draft Statutes;

20. **URGES** the Commission to continue its collaboration with the Government of Mali, the Kingdom of Morocco and the Government of Sudan and other relevant Organs to operationalize the three (3) Specialised Technical Offices on migration;
21. **REQUESTS** the Department of Political Affairs to work closely with the Department of Peace and Security towards implementing the Theme of 2020, “Silencing the Guns: Creating Conducive Conditions for Socio-Economic Development” given that part of the root causes for forced displacement are conflicts;
22. **ALSO REQUESTS** the Commission to identify the impediments and bottlenecks to the ratification of the Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Rights of Establishment without financial cost with a view to expedite ratification in order for the said protocol to enter into force;
23. **TAKES NOTE** of the proposal of the STC for the Chairperson of the Union to appoint a Head of State and/or Government as a Champion to promote the signature, ratification and implementation of the Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment;
24. **REAFFIRMS** the need for the expeditious operationalization of the African Humanitarian Agency to respond to the humanitarian challenges on the Continent, and **REQUESTS** the Commission to report about progress achieved to the upcoming 37th Ordinary Session of the Executive Council;
25. **REQUESTS** the Commission to expedite the validation of the feasibility study on the African Humanitarian Agency with full involvement of Member States and RECs, submit proposals in relation to the structure and budget for consideration by the PRC, and develop the Draft Statute for the Agency;
26. **APPROVES** the organization of an Extraordinary Session of the STC on Migration, Refugees and Internally Displaced Persons in March/April 2020 to consider:
 - i) The Draft Statute for the African Humanitarian Agency before its submission to the Extraordinary Session of the STC on Justice and Legal Affairs and the 37th Ordinary Session of the Executive Council in June/July 2020;
 - ii) The Draft Plan of Action on the implementation of the Global Compact on Safe, Orderly and Regular Migration; and
 - iii) The Draft Rules of Procedure of the STC on Migration, Refugees and IDPs before its submission to the Extraordinary Session of the STC on Justice

and Legal Affairs and the 37th Ordinary Session of the Executive Council of June/July 2020.

27. **ADOPTS without any financial or structural implications** the Terms of Reference of the Pan African Forum on Migration (PAFOM) and the new frequency of the meeting of the PAFOM to be annually for Senior Officials and every two years for the Ministers; to take effect in 2022 after the 2020 forum in Senegal and 2021 forum in Rwanda.

IV. THE FIFTH ORDINARY SESSION OF THE SPECIALIZED TECHNICAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS - Doc. EX.CL/1183(XXXVI)

28. **TAKES NOTE** of the Report and Recommendations of the Fifth Ordinary Session of the Specialized Technical Committee on Justice and Legal Affairs held in Addis Ababa, Ethiopia from 14 to 22 November 2019;

29. **ALSO TAKES NOTE** of the following Draft Legal Instruments and **DECIDES** to recommend the same to the Assembly for consideration and adoption⁵:

- i) Draft Statute of the African Peer Review Mechanism;*
- ii) Draft Rules of Procedure of the Heads of State and Government of Participating States of the African Peer Review Mechanism;*
- iii) Draft Revised Protocol on Relations between the AU and Regional Economic Communities (RECs);*
- iv) Draft Rules of Procedures of the Mid-Year Coordination Meeting between AU and Regional Economic Communities (RECs);*
- v) Draft Statute for the Establishment of African Centre for the Study and Research on Migration;*
- vi) Draft Statute for the Establishment of African Migration Observatory;*
- vii) Draft Statute for the Establishment of Continental Operational Centre in Sudan for Combating Irregular Migration.*

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

- i) Draft Rules of Procedure of the Specialized Technical Committee on Defense, Safety and Security;*
- ii) Draft Rules of Procedure of the African Peer Review Mechanism Panel of Eminent Persons;*
- iii) Draft Rules of Procedure of the African Peer Review Mechanism Committee of Focal Points;*
- iv) Draft Rules of Procedure of the African Peer Review Mechanism Secretariat.*

31. **APPROVES** the proposal of the STC on Justice and Legal Affairs to hold an Extraordinary Session before the 37th Ordinary Session of the Executive Council,

⁵ The Kingdom of Morocco entered reservations against the following Common Articles: Article 7 of the Draft Statute for the Establishment of African Centre for the Study and Research on Migration; Article 8 Draft Statute for the Establishment of African Migration Observatory; and Article 8 of the Draft Statute for the Establishment of Continental Operational Centre in Khartoum. The reservations relate to the two term of office of the Board Members of the Migration Institutions. The Kingdom of Morocco preferred to retain the five year term as adopted by the STC on Migration, Refugees and Internally Displaced Persons.

to consider the following; Draft Legal Instruments that were deferred from the 5th Ordinary Session of the STC, subject to completion of the validation processes:

- i) *Model Law on Protection of Cultural Property and Heritage;*
 - ii) *Draft Statutes of the African Union High Council of Local Authorities;*
 - iii) *Draft Protocol to the African Charter on Human and Peoples' Rights relating to the Specific Aspects of the Right to a Nationality and the Eradication of Statelessness in Africa;*
 - iv) *Draft Statute of the African Union Special Fund for Prevention and Combating of Terrorism and Violent Extremism in Africa;*
 - v) *Draft Rules of Procedure of African Union Commission on International Law;*
 - vi) *Intergovernmental Agreement on Trans African Highway Network;*
 - vii) *Draft Framework for the Implementation of the Judgments of the African Court on Human and Peoples' Rights;*
 - viii) *Draft Rules of Procedure of the African Union Mechanism for Police Cooperation;*
 - ix) *Draft Rules of Procedure of the Ministerial Committee on Implementation of Agenda 2063.*
- 32. REQUESTS** the Extraordinary Session of the STC to also consider Draft Legal Instruments on the establishment of the African Humanitarian Agency; Revised Staff Rules and Regulations; and Revised Financial Rules and Regulations, subject to completion of the validation processes;
- 33. RECALLS** Decision Assembly/AU/Dec.635 (XXVIII) wherein the Assembly decided to hold one Ordinary Summit per year and in view of the urgent nature of some of the draft legal instruments, **RECOMMENDS** to the Assembly to delegate its authority to the Executive Council to consider and adopt draft legal instruments that will be considered by the 5th Extraordinary Session of the STC on Justice and Legal Affairs;
- 34. DIRECTS** the Commission to always submit executive summaries to the STC on Justice and Legal Affairs, detailing the justification, legal basis and validation processes underlining the development of each draft legal instrument on the provisional and draft agenda of the STC Sessions, to ensure that the procedures and practice of the AU have been respected;
- 35. FURTHER DIRECTS** the STC on Justice and Legal Affairs and the Commission to desist from considering any item that is not in line with the Rules of Procedure of the STC;
- 36. NOTES**, with concern, the proliferation of legal instruments with low levels of ratification/accession and implementation and **CALLS UPON** the STC on Justice and Legal Affairs and the Commission to: avoid duplication and proliferation of legal instruments; ensure the standardization of format, style, structure and final clauses of legal instruments; and to discharge all its functions in addition to the consideration of draft legal instruments;
- 37. RECALLS** Decision EX.CL/Dec. 1032(XXXVI) adopted in February 2019, wherein

a moratorium was placed on submission of proposals by the STCs for the establishment of new bodies without submitting their financial, legal and structural implications and **DIRECTS** all STCs to strictly adhere to this Decision.

V. THE EXTRAORDINARY SPECIALIZED TECHNICAL COMMITTEE ON SOCIAL DEVELOPMENT, LABOUR AND EMPLOYMENT (SDLE-STC), ABIDJAN, COTE D'IVOIRE - Doc: EX.CL/1184(XXXVI)

- 38. TAKES NOTE** of the Report of the Extraordinary Session of the Specialized Technical Committee on Social Development, Labour and Employment, in Abidjan, Cote d'Ivoire, on 2 and 6 December 2019;
- 39. REFERS** the Draft Protocol to the African Charter on Human and Peoples' Rights on the Rights of Citizens to Social Protection and Social Security, to the next Ordinary Session of the Specialized Technical Committee on Justice and Legal Affairs;
- 40. ADOPTS** the following without any financial, legal and structural implications:
 - i) The Social Agenda 2063; and
 - ii) The Ten-Year Plan of Action on Eradication of Child Labour, Forced Labour, Human Trafficking and Modern Slavery.
- 41. REQUESTS** the Commission to follow-up on the issue of the election of the new ILO Director General and report regularly on the matter.

VI. THE THIRD SPECIALIZED TECHNICAL COMMITTEE ON EDUCATION, SCIENCE AND TECHNOLOGY, ADDIS ABABA, ETHIOPIA - Doc: EX.CL/1185(XXXVI)

- 42. TAKES NOTE** of the Report of the Third Ordinary Session of the STC on Education, Science and Technology, held from 10 to 13 December 2019;
- 43. REAFFIRMS** the role of Science, Technology and Innovation as enablers of achieving the aspirations of Agenda 2063, "the Africa We Want", and that Africa's growth, competitiveness and economic transformation require sustained investments in education, science and technology and innovation;
- 44. RECALLS** Decision Assembly/AU/Dec.174(X) authorising the establishment of the African Education, Science and Technology Fund;
- 45. URGES** the Commission to coordinate the assessment of the implementation of Science, Technology and Innovation Strategy for Africa (STISA-2024) and undertake an end of period review to enable timely preparation of the next iteration of STISA-2034, closely aligned to AU Agenda 2063 and the Sustainable Development Goals;
- 46. COMMENDS** the Republic of South Africa for the offer to financially support the prestigious Kwame Nkrumah Awards for Scientific Excellence and **APPEALS** to all

Member States to take ownership of this and other continental programmes and provide both technical and financial support for the implementation;

47. **RECALLING** Decision EX.CL/Dec.676(XX) on the establishment of an African Accreditation Agency, **REQUESTS** the Commission to put in place a working group to develop the Statute specifying the legal framework and the organizational structure of the Agency;

48. **DIRECTS** the STC to maintain its current periodicity of convening every 2 years.

VII. **THE THIRD ORDINARY SESSION OF THE SPECIALISED TECHNICAL COMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT, WATER AND ENVIRONMENT (ARDWE) - Doc: EX.CL/1187(XXXVI)**

49. **TAKES NOTE** of the Report of the Third Ordinary Session of the Specialized Technical Committee (STC) on Agriculture, Rural Development, Water and Environment (ARDWE);

50. **ALSO TAKES NOTE** of the following Frameworks and Strategies and **REQUESTS** the AU Commission to mobilize resources from the partners to support their implementation:

- i) the Continental Framework for boosting Intra-African Trade in Agricultural Commodities and Services;
- ii) the AU Post-Harvest Loss Management Strategy **REQUESTS** the Commission to identify institutions to be recognized as Centers of Excellence on post-harvest loss management;
- iii) the Windhoek Declaration on Enhancing Resilience to Drought and the Strategic Framework for Drought Risk Management in Africa;
- iv) the African Union Sustainable Forest Management Framework;
- v) the Framework for Irrigation Development and Agricultural Water Management (IDAWM) in Africa;
- vi) the Strategic Framework for Scaling-up Holistic Country-Led Model for Aflatoxin Control in Africa;
- vii) the AU Sanitary and Phytosanitary (SPS) Policy Framework;
- viii) the Bobo-Dioulasso Declaration on Reducing the Drudgery of Rural Women in Agriculture within the framework of the campaign on “Sending hand-held hoe to the Museum” and **URGES** Member States to accelerate agricultural mechanization;
- ix) the Animal Health Strategy for Africa (AHSA);
- x) the AU Framework on Antimicrobial Resistance Control, 2020-2025;
- xi) the Blueprint for Africa’s Blue Economy Strategy.

51. **TAKES NOTE** of the Inaugural Africa Biennial Report on Disaster Risk Reduction (DRR).

VIII. REPORT OF THE 12TH ORDINARY MEETING OF THE SPECIALIZED TECHNICAL COMMITTEE ON DEFENSE, SAFETY AND SECURITY, CAIRO, EGYPT 15-19 DECEMBER 2019 - DOC: EX.CL/1186 (XXXVI)

52. **WELCOMES** the convening of the 12th Ordinary Meeting of the Specialized Technical Committee on Defense, Safety and Security held in Cairo, Arab Republic of Egypt, from 15 to 19 December 2019;
53. **TAKES NOTE** of the Declaration adopted by the STC on 19 December 2019, and **RECOMMENDS** it to the Assembly for consideration and adoption⁶.

REPORTS OF OTHER MINISTERIAL MEETINGS

IX. THE 5TH CONFERENCE OF AFRICAN MINISTERS RESPONSIBLE FOR CIVIL REGISTRATION, LUSAKA, ZAMBIA, 17-18 OCTOBER 2019 (Doc: EX.CL/1179(XXXVI))

54. **TAKES NOTE** of the Declaration of the Fifth Conference of African Ministers Responsible for Civil Registration, held in Lusaka, Zambia, from 17 to 18 October 2019 on the theme of “Innovative Civil Registration and Vital Statistics System: Foundation for Legal Identity Management;”
55. **RECOGNIZES** that integrated civil registration and identification systems are essential for promoting good governance, creating inclusive societies, protecting human rights, ensuring the effective and efficient delivery of public services, and tackling inequality; as well as providing an individual with essential legal documents to secure basic human, people’s and civil rights such as the right to a name, identity and nationality, and access to health care, education, employment, and social protection;
56. **ALSO RECOGNIZES** the importance of digital transformation for the achievement of Agenda 2063 and 2030 Agenda for Sustainable Development and acknowledges the efforts made by the Commission in collaboration with ECA, AfDB, RECs, World Bank, and other partners in developing a comprehensive Digital Transformation;
57. **TAKES NOTE** of the proposal for the creation of a sub-committee on civil registration, under the relevant Specialized Technical Committee of the African Union, in accordance with the existing Rules and Regulations.

X. AFRICAN MINISTERS OF TRADE AND THE COUNCIL OF MINISTERS OF THE AFRICAN CONTINENTAL FREE TRADE AREA (AfCFTA) - Doc. EX.CL/1188(XXXVI)

6 Reservation by the Kingdom of Morocco

58. **TAKES NOTE** of the Report of the 10th Meeting of the African Ministers of Trade, held on 14 December 2019, Accra, Ghana and the recommendations therein;
59. **FURTHER TAKES NOTE** of the 2nd Meeting of the Council of Ministers of the African Continental Free Trade Area, held on 15 December 2019, Accra, Ghana and the recommendations therein;
60. **RECALLS** its Decision Ext/Assembly/AU/Dec.1/(XII) of Niamey, Niger that the Permanent Secretariat of the AfCFTA shall be operational in Accra, Ghana no later than 31 March 2020;
61. **EXPRESSES** gratitude to the Government of the Republic of Ghana for offering facilities for the AfCFTA Secretariat as well as a grant of USD ten (10) million and **COMMENDS** the Government of the Republic of Ghana for availing those funds to support the operations of the AfCFTA Secretariat for the period from April to December 2020;
62. **MANDATES** the PRC to consider and adopt, by 31 March 2020, the supplementary budget for the operationalization of the AfCFTA Secretariat, based on the pledged grant of USD ten (10) million from the Government of Ghana;
63. **REQUESTS** the AfCFTA Secretariat to prepare and present the budget for 2021 within the normal AU budget cycle;
64. **RECOMMENDS** to the Assembly that the structure and the staffing of the Secretariat should be done in two phases, namely, the first phase be initial recruitment of the Secretary General, four (4) Directors and essential staff, and the 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;
65. **TAKES NOTE** of the decision of the Council of Ministers to conduct a panel comprising of the Bureau of the Council of Ministers responsible for Trade, the AUC Commissioner for Trade and Industry, a Senior African Trade Official, the President of the Afreximbank, the Executive Secretary of UNECA and a Senior Representative from the Host country, to select the Secretary General of the AfCFTA, and the four (4) Directors as proposed by the PRC, and **RECOMMENDS** it for consideration and approval by the Assembly;
66. **TAKES NOTE** of the recommendations of the panel on the selection of the Secretary General and **RECOMMENDS** to the Assembly the three (3) selected candidates for consideration; and **FURTHER RECOMMENDS** that the salary grade of the Secretary General shall be at the level of SP2 while affirming the functions of the Deputy Chairperson of the Commission as controller of the Union;
67. **RECOMMENDS** that the positions of the four (4) Directors of the AfCFTA Secretariat be advertised for a period of one month from 10 February 2020 and their selection be done by the Panel appointed by the AfCFTA Council of Ministers.

The Director's positions are: Director of Administration, and Human Resource Management; Director of Finance; Director of Trade in Goods and Competition; Director of Trade in Services, Investment and Intellectual Property Rights;

- 68. FURTHER RECOMMENDS** that in order to ensure that the Secretary General and the Directors have support of technical experts, competent officers be seconded by the RECs, Member States, International Organizations allied to AU, and AUC to Accra, Ghana, for a period of six months in accordance with the Decision of the 1st Meeting of the Council of Ministers of AfCFTA, contained in paragraph 16(a), AU/TI/AfCFTA/CoM/1/FINAL/REPORT.