

AFRICAN UNION
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**EXPERT MEETING ON STATUTES
OF THE ECONOMIC, SOCIAL
AND CULTURAL COUNCIL
OF THE AFRICAN UNION
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ADDIS ABABA – ETHIOPIA**

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**DRAFT STATUTES OF THE ECONOMIC,
SOCIAL AND CULTURAL COUNCIL OF THE
AFRICAN UNION
(AS MODIFIED BY THE AU-CIVIL SOCIETY PROVISIONAL
WORKING GROUP)**

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Preamble

The Assembly of the African Union,

- **Recalling** the objectives and principles stated in the Constitutive Act of the African Union;
- **Recalling further** the provisions of Article 22 of the Constitutive Act;
- **Stressing** the necessity to **enhance the involvement of** the African people from all walks of life in the process of building the African Union;
- **Cognisant** of the efforts made by African **people and** civil society organizations to participate in the edification of a united, peaceful and prosperous Africa;
- **Convinced** of the necessity to establish an effective partnership between governments of Member States of the Union and all the components of the civil society;
- **Determined** to involve representatives of civil society organizations with the process of elaboration, implementation, monitoring and evaluation of economic, social and cultural programmes of the Union;
- **Convinced** that popular participation in the implementation of the African Union, as enunciated in the African Charter for Popular Participation, is necessary for its success;
- **Determined** to pursue and share a common vision of a strong and prosperous Africa with all concerned people, particularly people of African descent in the diaspora.

Agrees on the following:

Article 1

Definitions

In these statutes:

“**Assembly**” means the Assembly of Heads of State and Government of the Union;
“**Chairperson**” means the Chairperson of the Commission unless otherwise specified;

“**Commission**” means the Secretariat of the Union;
“**Committee**” means a Specialized Technical Committee of the Union;
“**Constitutive Act**” means the Constitutive Act of the African Union;
“**CSO**” means Civil Society Organization;
“**ECOSOCC**” means the Economic, Social and Cultural Council of the Union;
“**CSSDCA**” means the Conference on Security, Stability, Development and Cooperation in Africa;
“**Executive Council**” means the Executive Council of Ministers of the Union;
“**General Assembly**” means the General Assembly of ECOSOCC;
“**Member State**” means a Member State of the Union;
“**NEPAD**” means the New Partnership for Africa’s Development;
“**OAU**” means the Organization of African Unity;
“**Parliament**” means the Pan-African Parliament of the Union;
“**PRC**” means the Permanent Representatives’ Committee;
“**RECs**” means the Regional Economic Communities;
“**Steering Committee**” means the Steering Committee of ECOSOCC;
“**Union**” means the African Union established by the Constitutive Act.

Article 2

Composition

1. The Economic, Social and Cultural Council shall be **an advisory organ of the African Union consisting** of Civil Society Organizations (CSOs), **representing the African People**, involved in a wide range of activities at all levels **that are relevant to the goals and objectives of the Africa Union**.
2. These CSOs include but are not limited to the following:
 - a. Social groups such as those representing women, children, youth, the elderly, disabled persons;
 - b. Professional groups such as associations of artists, engineers, medical doctors, media, teachers, lawyers, economists, business organizations (Chambers of Commerce, Industry and Agriculture);
 - c. Non-Governmental Organizations (NGOs), Community Based Organizations (CBOs) and Volunteers Organizations;
 - d. Organizations of Workers and Employers;

- e. Organizations of traditional leaders, academia, religious and cultural associations.

Article 3

Objectives

The Economic, Social and Cultural Council shall:

1. Promote permanent dialogue between the African people and its leadership on vital issues concerning Africa and its future;
2. Promote a strong partnership between governments and all segments of civil society, in particular women, youth, children, the diaspora and the private sector;
3. Support the political and socio-economic development and integration of the continent;
4. Promote democratic principles and institutions, popular participation, good governance, human rights and freedoms, and social justice;
5. **Collaborate with and** strengthen the linkages among **other** organs of the Union on the one hand, and between these organs and the Regional Economic Communities (RECs), on the other hand;
6. Ensure that AU's activities effectively meet the aspirations of the African peoples;
7. Contribute to building and sustaining the institutional, human and operational capacities of the African civil society.
8. **Promote peace, security and stability in Africa**

Article 4

Membership

1. The Economic, Social and Cultural Council shall be composed of One hundred and fifty (150) CSOs selected (to represent) **from each of** the Member States of the Union, the RECs and the Diaspora, taking into account the established sectoral clusters of the Commission;

2. **Two CSOs selected to represent each member of the Union**
3. Twenty-four (24) transnational sectoral CSOs selected at the regional **and continental** level;
4. Twenty (20) CSOs from the African Diaspora shall be selected as Members of ECOSOCC;
5. Each CSO Member of ECOSOCC shall select only one substantive representative to assume its mandate;
6. A fifty (50%) gender equality principle shall apply in the membership of ECOSOCC;
7. **Participation of non-members/observers shall be determined by the steering committee on case by case basis;**
8. Members of ECOSOCC shall have a mandate of **4 years** renewable **once**;
9. **The General Assembly of ECOSOCC shall review the membership structure, including the numbers every four years**

Article 5 Functions

As **an advisory organ and** one of the major organs of the AU for ensuring that African people effectively **contribute** in policy formulation processes, and in the implementation and evaluation of the AU programmes, ECOSOCC shall assume the following functions:

1. Contribute to the effective translation of the objectives, principles and policies of the AU into concrete programs as well **those relating to the monitoring and evaluation process of the CSSDCA;**
2. Undertake such studies as are recommended by any other organ of the AU and submit its recommendations accordingly;
3. Initiate and carry out any other study deemed necessary for the Union and submit recommendations thereof;
4. Promote and sustain popular participation towards the realization of the vision and objectives of the Union;

5. Promote human rights, the rule of law, **good governance**, gender equality, and the sharing of best practices;
6. Work closely with all organs and components of the Union, and participate in their activities as necessary;
7. Promote, across the continent and in the Diaspora, strong reflection groups on Africa, in order to forge Pan-African values towards enhancing an authentic African social model and way of life;
8. Build and sustain trust and confidence in the AU among the African people at all levels;
9. **Participate actively in the efforts taken by the AU to promote peace, security and stability in Africa;**
10. Assume any other functions as decided upon by the Assembly.

Article 6

Powers of ECOSOCC

As the permanent advisory organ of the Union, ECOSOCC shall exercise the following powers:

1. **Select its members and** control the process and modalities through which **they** discharge their duties including the application of sanctions;
2. Approve and revise its own Rules of Procedure.

Article 7

Structure of ECOSOCC

1. The Economic, Social and Cultural Council is organized in the form of a central structure composed of:
 - a) A General Assembly;

- b) A Steering Committee;
 - c) Sectoral Cluster Committees;
2. The General Assembly shall be the supreme organ of ECOSOCC and be composed of:
- a) All the representatives of CSOs selected as members of ECOSOCC;
 - b) Observers, including:
 - i. Representatives of other organs and components of the AU;
 - ii. CSOs, UN Agencies, and other inter-governmental institutions with an observer status at the AU.
 - c) The Steering Committee, in consultation with the Commission, shall determine the criteria and modalities for granting observer status to ECOSOCC.
3. Meetings of the General Assembly:
- a) The General Assembly shall meet once every two (2) years to review the activities of ECOSOCC and the Union, and to propose appropriate actions and recommendations;
 - b) The General Assembly may meet in Extraordinary Sessions under conditions to be specified in the rules of procedure of ECOSOCC.

Article 8

The Steering Committee

1. The Steering Committee shall be responsible for the functioning of ECOSOCC in between the Sessions of the General Assembly **and in this regard, it shall perform the following functions:**
- a) Coordinate and integrate the work of ECOSOCC;
 - b) Establish the programmatic thrust of Sectoral Cluster Committees;
 - c) Prepare and present reports and advisory opinions as necessary;
 - d) Prepare the budget **for the activities of ECOSOCC and also raise funds from independent sources to compliment budgetary allocations from the AU;**
 - e) Prepare the meetings of the General Assembly;
 - f) Network with other organs and components of the AU;
 - g) Set up the Selection Committee and follow up its work.

h) Shall be responsible for the enforcement of the Code of Conduct and Ethics to be developed by Civil Society Organizations in Africa and Africans in the Diaspora

2. The Steering Committee shall be elected by the General Assembly and be composed of 12 members including 10 representatives of the Sectoral Cluster Committees, a representative of the diaspora and the President of ECOSOCC.
3. The term of office of the Steering Committee members shall be two years.
4. Members of the Steering Committee shall attend the meetings of the other organs and components of the Union as observers.

Article 9

Sectoral Cluster Committees

The following Sectoral Cluster Committees are established as key operational sectors for CSO Members of ECOSOCC:

1. **Peace and Security**: Conflict Anticipation; prevention; management and resolution; post-conflict reconstruction and peace building; prevent and combat terrorism; use of child soldiers; drug trafficking; and illicit proliferation of small arms and light weapons; security reforms.
2. **Political Affairs**: Human Rights; Rule of Law; Democratic and Constitutional Rule, Good Governance; Power Sharing; Electoral Institutions; Humanitarian Affairs and assistance
3. **Infrastructure and Energy**: Energy; Transport; Communications; Infrastructure and Tourism.
4. **Social Affairs**: Health; Children; Drug Control; Population; Migration; Labour and Employment; Sports; Culture; Family; Aging; **the handicap; protection and social integration**
5. **Human Resources, Science and Technology**: Education; illiteracy; Information Technology; Communication; Youth; Human Resources; Science and Technology.

6. **Trade and Industry:** Trade; Industry; **handcrafts**; Customs and Immigration Matters.
7. **Rural Economy and Agriculture:** Rural Economy; Agriculture and Food Security; Livestock; Environment; Water and Natural Resources and Desertification.
8. **Economic Affairs:** Economic Integration; Monetary and Financial Affairs; Private Sector Development **including the informal sector** and Resource Mobilization.
9. **Women and Gender Related Issues:** Women; Gender and Development as a crosscutting issue.
10. **Cross-Cutting Programs:** Strategic Planning; New Development Prospects and Issues; NEPAD and CSSDCA.
11. The Assembly shall establish other Sectoral Cluster Committees or modify the above as it deems necessary.
12. The Sectoral Cluster Committees shall meet as often as the need arises from issues on their respective sectoral agendas.

Article 10

The Selection Committee

1. The Selection Committee shall be responsible for selecting members of ECOSOCC according to the criteria set out in Article 11 of these Statutes.
2. The Selection Committee shall be composed of the following:
 - a) Representatives of the African civil society from the five regions of the continent;
 - b) One representative of the African Diaspora CSOs.
3. The Selection Committee shall elect the following officers to facilitate its work:
 - a) A Chairperson; and
 - b) A Rapporteur.

4. The Selection Committee shall:
 - a) Invite candidatures to membership of ECOSOCC;
 - b) Process applications and select qualified CSOs to ECOSOCC.

Article 11

Eligibility Requirements for Membership of ECOSOCC

The minimum requirements to be fulfilled by CSOs seeking membership to 'ECOSOCC are as follows:

1. Be a national, a transnational or an African Diaspora CSO;
2. Have aims and objectives that are in harmony with the aims and objectives of the African Union as set out in Articles 3 and 4 of the Constitutive Act;
3. Registration and status:
 - a) Be registered in a Member State of the AU;
 - b) Show a minimum of 3 years proof of registration as an African Diaspora CSO prior to the date of submission of application, including proof of operations for those years;
 - c) CSOs having observer status or working with the AU are exempted from the requirements of (a) and (b) above.
4. Provide annual audit statements by an independent auditing company, registered as such within that country, when the nature and activities of the CSO require such audits;
5. Show proof that the ownership and management of the organization is made up of not less than 50% of Africans or peoples of African origin;
6. Provide information on funding sources in the preceding three years.
7. For transnational CSOs, show proof of activities that engage or are operative in at least three Member States of the AU;
8. Organizations that discriminate on the basis of any specific religion, gender, tribe, ethnic, racial or political basis are disallowed from selection to ECOSOCC;

9. A request for membership to ECOSOCC shall be submitted in the application form prescribed in the Rules of Procedure of ECOSOCC;
10. Membership to ECOSOCC shall be subject to renewal every four (4) years, according to modalities specified in the Rules of Procedure of ECOSOCC.
- 11. Membership to ECOSOCC shall be based on adherence to the Code of Conduct and Ethics to be developed by Civil Society Organizations in Africa and Africans in the Diaspora**

Article 12

Rules of Procedure

To ensure its smooth functioning, ECOSOCC shall adopt its Rules of Procedure.

Article 13

Settlement of Disputes

Modalities of resolving disputes arising from the **interpretation of this current statutes and the functioning** (work) of ECOSOCC shall be provided for its Rules of Procedure.

Article 14

Working Languages

1. The official languages of ECOSOCC shall be the same as those of the Union.
2. The Executive Council shall determine the process and practical modalities of using the official languages as working languages of ECOSOCC.

Article 15

Amendments

The present Statutes may be amended by the Assembly of the Union.

Article 16

Entry into Force

The present Statutes shall enter into force upon its adoption by the Assembly of the Union.