



STATUTE OF THE
AFRICAN PEER REVIEW MECHANISM
(APRM)

Preamble

The Member States of the African Union,

REITERATING our commitment to the fundamental principles and objectives of the African Union, as enshrined in the Constitutive Act, the founding instrument of the African Union and comprising, *inter alia*, the promotion of democratic principles and institutions, popular participation, good governance, human and peoples' rights; the promotion of peace, security and stability on the continent; and the acceleration of the political and socio-economic integration of Africa;

COGNISANT that the principles and objectives of the African Peer Review Mechanism [APRM], are themselves intrinsic to the afore-mentioned principles and objectives of the African Union;

RECALLING that at the Inaugural Session of the Assembly of the African Union held in July, 2002, in Durban, South Africa, we adopted a Declaration on Democracy, Political, Economic and Corporate Governance, in which we articulated the same said principles and objectives of the APRM, as well as declared that the AU Member States had "separately agreed to establish" the APRM on the basis of voluntary accession;

RECALLING the Declaration on the Implementation of the New Partnership for Africa's Development Ass/AU/Decl.1 (I), that was adopted by the Inaugural Session of the Assembly of the African Union held in July, 2002, in Durban, South Africa, in which it reiterated its commitment to the Declaration on Democracy, Political, Economic and Corporate Governance and encouraged all Member States of the African Union to accede to the Mechanism;

INSPIRED by the vision of the APRM as an African-owned and African-led platform for self-assessment, peer-learning, and experience-sharing in the pursuit of the highest possible standards of good political, economic and

corporate governance as well as broad-based and sustainable socio-economic development;

RECOGNIZING that the primary purpose of the APRM is to foster the adoption of policies, standards and practices leading to political stability, high economic growth, sustainable development and accelerated regional and continental economic integration;

RECALLING that the mandate of the APRM is to encourage Participating States in ensuring that their policies and practices conform to the agreed political, economic and corporate governance values, codes and standards, and to achieve mutually agreed objectives in socio-economic development contained in the Declaration on Democracy, Political, Economic and Corporate Governance;

REAFFIRMING our commitment to the APRM Base Document AHG/235 (XXXVIII) Annex II of July 2002 in which the APRM is described as an instrument voluntarily acceded to by Member States of the African Union and as an African self-monitoring mechanism; and convinced of the imperative need for the APRM to consolidate itself as the authoritative institution on Governance within the African Union;

REAFFIRMING our commitment to the African Charter on Democracy, Elections, and Governance of January 2007, and particularly its principal objective to promote adherence to the universal values and principles of democracy and respect for human rights, thus building on the core principles of the Declaration on Democracy, Political, Economic and Corporate Governance;

RECALLING that the African Charter on Democracy, Elections and Governance stipulates that the States Parties shall promote and deepen democratic governance by implementing, inter alia, the principles and core values of the APRM;

RECALLING FURTHER, the Decision adopted by the APR Forum at its session held in Addis Ababa, Ethiopia, in January 2008 requesting the African Union to recognize the APRM as an autonomous body within the AU;

ALSO RECALLING that at its 11th session held at Sharm El-Sheik, Egypt, in July 2008, the Assembly adopted a Decision in which it stipulated that “the APRM structures ... shall be part of the processes and structures of the African Union”;

REAFFIRMING the Decision adopted at the 23rd Ordinary Session of the Assembly held in Malabo, Equatorial Guinea, in July 2014, Assembly/AU/Dec/527 XXIII, which stipulates that “the APRM shall be an autonomous entity within the AU system”, exercising autonomy in its financial and budgetary processes while its legal personality, structure, administrative, human resources and financial management shall be based on the standard procedures of the African Union system;

REITERATING that Regional Economic Communities remain the critical building blocks for Africa's economic integration;

MINDFUL of the critical role that the APRM is expected to play in the monitoring of Agenda 2063, the African Union's overarching framework for the continent's development, as well as in following up on the implementation of the UN Sustainable Development Goals, based substantially as they are on the Common African Position;

MINDFUL ALSO of the fact that the APRM is required to be a lead player in the implementation of other major frameworks of the AU such as the African Governance Architecture and the African Peace and Security Architecture; and

RECALLING the General Convention on Privileges and Immunities of the Organization of African Unity [OAU], adopted by the Heads of State and Government of the OAU;



HAVE AGREED AS FOLLOWS:

Chapter 1

Article 1 Definitions

In this Statute, unless otherwise indicated:

AU	means the African Union;
APRM	means the African Peer Review Mechanism;
APR Forum	means the Committee of Heads of State and Government of Participating States of the African Peer Review Mechanism;
APR Focal Points Committee	means the Ministerial body comprising the Personal Representatives of the Heads of State and Government of APRM Participating States of the African Peer Review Mechanism;
APRM Focal Point	means the National Focal Point for the African Peer Review Mechanism in each Participating State;
APR Panel	means the Panel of Eminent Persons of the African Peer Review Mechanism;
APR Secretariat/Secretariat	means the Continental Secretariat of the African Peer Review Mechanism;
Assembly	means the Assembly of Heads of State and Government of the African Union;
CEO	means Chief Executive Officer of the Continental Secretariat of the African Peer Review Mechanism;

Commission	means the Commission of the African Union;
Constitutive Act	means the Constitutive Act of the African Union;
ECOSOCC	means the Economic, Social and Cultural Council of the African Union;
Executive Council	means the Executive Council of the African Union;
Member States/ Participating States	means Member States of the APRM;
NPCA	means NEPAD Planning and Coordination Agency;
NGC	means the National APRM Governing Council/Commission;
PRC	means the Permanent Representatives Committee of the African Union;
RECs	means the Regional Economic Communities;
Statute	means the present Statute of the African Peer Review Mechanism;
STCs	means the Specialized Technical Committees of the African Union;
Union	means the African Union.

Article 2

Establishment of the African Peer Review Mechanism

1. APRM is hereby established as a Specialised Agency within the AU.
2. The structure, objectives and functions of the APRM shall be defined in this Statute.

Article 3

Scope and Purpose of this Statute

1. This Statute, as supplemented by the respective Rules of Procedure of the APR Forum, APR Focal Points Committee, and APR Panel, supersedes the APRM Operating Procedures adopted by the APR Forum in 2012; as well as consolidates the Malabo Decision on the Integration of the APRM into the AU, as adopted by the Assembly in 2012;
2. This Statute accordingly:
 - a. determines the respective roles, powers, responsibilities and lines of accountability of the various structures of the APRM; and
 - b. defines the relations between the APRM and other AU institutions external to the APRM in the context of the integration of the APRM into the AU system.
 - c. defines relations between the APRM and other international organisations.

Article 4 Mandate

1. The APRM has the mandate to promote and facilitate self-monitoring by the Participating States, and to ensure that their policies and practices conform to the agreed political, economic, corporate governance and socio-economic values, codes and standards contained in the Declaration on Democracy, Political, Economic and Corporate Governance; and the African Charter on Democracy, Elections and Governance, as well as other relevant treaties, conventions and instruments adopted by Participating States whether through the African Union or through other international platforms.
2. In the implementation of its mandate, the APRM has the primary purpose of fostering the adoption of policies, standards and practices that lead to political stability, high economic growth, sustainable and inclusive development, as well as accelerated regional and continental economic integration, through sharing of experiences and reinforcement of successful and best practices.

Article 5

Principles of the APRM

The APRM shall be guided by the following principles:

1. The APRM shall remain a self-monitoring mechanism based on an African agenda and ownership;
2. The APRM shall deliver its mandate in a technically and culturally competent manner, as well as in a credible fashion free of political manipulation;
3. The APRM process shall be founded on the principles of good political, economic, social and corporate governance; democracy; the rule of law, respect for human rights, and peaceful resolution of conflicts; and
4. The APRM process shall ensure the full participation of all stakeholders in society.

Article 6

Participation in the African Peer Review Process

The APRM shall be guided by the following principles:

1. Participation in the African Peer Review process is open to all AU Member States
2. Membership of the APRM shall comprise and be limited to AU Member States that have voluntarily acceded to it.
3. Any Member State of the African Union wishing to participate in the APRM after the entry into in force of the present Statute, shall notify the Chairperson of the APR Forum of its intention to accede to this Statute and be admitted as a Member of the APRM.
4. Any Member State of the African Union wishing to participate in the APRM shall give an undertaking to submit to and facilitate periodic peer reviews, and to implement the recommendations relating thereto.

Article 7

Status of the APRM within the African Union System

1. The APRM is an instrument voluntarily acceded to by AU Member States.
2. The APRM is an autonomous institution body within the AU system with the legal personality of a specialized agency.
3. The APRM exercises political, administrative, budgetary and financial autonomy in relation to other organs and institutions of the AU.
4. The day-to-day management of the APRM in the administrative, human resource and financial domains shall be based on the standard rules, practices and procedures of the African Union system.
5. The APRM shall be autonomous of the Commission and its departments, with which it shall work closely.

Article 8 Continental Structure

1. At the continental level, the APRM shall comprise:
 - a. an APR Forum composed of the Heads of State and Government of Participating States;
 - b. an APRM Focal Points Committee composed of the national Focal Points of Participating States;
 - c. an APR Panel of Eminent Persons composed of a minimum of five and a maximum of nine Africans appointed by the APR Forum; and
 - d. an APRM Continental Secretariat led by a Chief Executive Officer (CEO) appointed by the APR Forum.
2. The continental governing bodies of the APRM provided in paragraph (1) above shall operate independently of, but in close collaboration with, AU organs, institutions, bodies and structures.

Article 9 The APR Forum

1. The APR Forum comprises the Heads of State and Government of Participating States.
2. The APR Forum is the supreme decision-making organ of the APRM.
3. The APR Forum shall have the authority to take decisions on all matters under any of the APRM instruments in accordance with the specific requirements for decision-making in this Statute and other relevant instruments.

4. The APR Forum operates under the guidance of a Troika led by the Current Chairperson, who is assisted by the Immediate Past Chairperson and the Incoming Chairperson, all drawn from among the participating Heads of State and Government.
5. The Chairperson of the APR Forum shall be elected on the basis of rotation among the five regions of the African Union.
6. The term of office of the Chairperson shall not exceed two years.
7. The APR Forum appoints members of the APR Panel, its Chairperson and Vice Chairperson.
8. Acting on the recommendations of the Focal Points Committee, the APR Forum shall take the final decision over the appointment of the CEO of the Continental Secretariat, the adoption of the structure of the APR Continental Secretariat, and the adoption of the budget and work programme of the APRM as an institution.
9. The APR Forum considers, adopts and assumes ownership of country review reports submitted to it by the Panel.
10. The APR Forum submits its recommendations to the Head of State of the reviewed Member State and follows up on the implementation of the review recommendations.
11. On an annual basis, or as demanded by the exigencies obtaining at a given time, and for information purposes, the Chairperson of the APR Forum shall share with the Assembly, country review reports, crisis reports, reports on the activities of the APRM, as well as proposals for the benefit of the whole membership of the African Union.
12. The APR Forum shall meet at least twice a year in Ordinary Session; it may also hold extraordinary sessions whenever deemed necessary.
13. The APR Forum may form such Committees and Sub-Committees as it may deem necessary.

Article 10

The Focal Points Committee

1. The APR Focal Points Committee shall have the status of a Ministerial body, and serve as an intermediary between the APR Forum and the APR Continental Secretariat.
2. The APR Focal Points Committee comprises the Focal Points of the Participating States and are the Representatives of their respective Heads of State and Government participating in the APRM.
3. The APR Committee of Focal Points shall be led by a Troika comprising a Chairperson who is the Focal Point of the Member State that holds the position of Chairperson of the APR Forum and shall be assisted by his/her immediate predecessor and his/her immediate successor in that position.
4. The APR Focal Points Committee shall have the following responsibilities:
 - a. Make recommendations to the APR Forum on the appointment of the CEO of the APRM Continental Secretariat;
 - b. Review the annual budget and work programme of the APRM submitted by the CEO of the APRM Continental Secretariat, make recommendations relating thereto, and submit them to the APR Forum for adoption;
 - c. Make recommendations to the APR Forum on the structure of the APRM Continental Secretariat;
 - d. Oversee processes for resource mobilization for the APRM through Member States, partners and other donors; and
 - e. Oversee the management of the APRM Trust Fund and audit reports.
5. The APR Focal Points Committee shall meet at least twice a year in ordinary session on the sidelines of, and preceding, the APR Forum; it may also meet in extraordinary session.

6. The APRM Focal Points Committee shall establish a Steering Committee which shall act as an executive body and carry out the responsibilities of the full Committee between meetings of the Focal Points Committee. The Steering Committee shall have eight members composed of the three Focal Points forming the Troika and five elected Focal Points representing each of the five regions of the African Union.
7. The APRM Focal Points Committee shall establish a Sub-Committee for Administrative and Budgetary matters.
8. The Focal Points Committee may establish other Sub-Committees with specific mandates as may be deemed necessary and for a given duration.

Article 11

The APR Panel of Eminent Persons

1. The APR Panel is a body of Eminent Africans appointed by the APR Forum with the responsibility to lead the country review process.
2. The agreed principles, criteria and procedures for the appointment of the members of the APR Panel shall be contained in the Rules of Procedure of the APR Forum.
 - a. The APR Panel shall ensure the integrity, independence, professionalism and credibility of the country review process.
 - b. Members of the APR Panel shall be African nationals of high moral stature, integrity, objectivity, impartiality and independence, who have distinguished themselves in careers that are considered relevant to the work of the APRM, and shall have demonstrated commitment to the ideals of Pan Africanism.
 - c. The APR Panel shall comprise a minimum of five and a maximum of nine members appointed by the APR Forum. The composition of the Panel shall reflect fair regional representation and gender balance.

3. Members shall serve in their personal capacity and not as representatives of their respective Governments. They shall neither seek nor receive instructions from any authority external to the APR Forum.
4. The APR Panel and its individual members shall observe the utmost discretion and confidentiality with regard to all matters relating to the peer review process, both while they serve on the APR Panel and thereafter.
5. Members of the APR Panel will serve for up to four (4) years and will retire by rotation. In exceptional circumstances, the APR Forum may renew the term of members of the APR Panel for a period of not more than one additional year.
6. The APR Forum may terminate the appointment of any member of the APR Panel on the basis of non-performance, conduct or conflict of interest.
7. The APR Panel shall be led by a Chairperson and a Vice Chairperson selected from among the members of the APR Panel and appointed by the APR Forum. The powers and functions of the Chairperson and Vice Chairperson of the APR Panel shall be defined in the Rules of Procedure of the Panel and Forum.
8. The term of office of the Chairperson and the Vice Chairperson of the APR Panel shall be one year, and shall be non-renewable.
9. The APR Panel shall hold up to four ordinary sessions a year.
10. The APR Panel may hold such additional special meetings as may be required for the effective implementation of the APRM review process.
11. The APR Panel may form Sub-Committees as are required for the execution of its mandate.
12. The APR Panel shall be directly responsible and report to the APR Forum.
13. The APR Panel shall submit reports on its activities to the APR Forum at least twice a year.

Article 12

The APR Continental Secretariat

1. The APR Continental Secretariat shall be the Secretariat of the APRM and shall serve the APR Forum, APR Focal Points Committee and APR Panel. Accordingly, the APR Continental Secretariat shall provide the APR Panel with secretariat, technical, advisory, coordination and administrative support for the functioning of the APRM;
 - a) undertake and manage research and analysis that underpins the APRM process;
 - b) prepare and service the meetings of the APR Forum, APR Focal Points Committee and the APR Panel ; and
 - c) prepare the necessary background work, and facilitate, the country review processes, including support missions, country review missions, publication of reports and monitoring and follow-up
2. The APR Continental Secretariat shall be led by a CEO
3. The CEO shall be appointed by the APR Forum which shall adopt regulations setting out his powers, duties, conditions of service and term of office. In fulfillment of the exigencies of the office and established AU administrative practices, the CEO shall be accorded the rank of an AU Commissioner.
4. The CEO shall appoint the staff of the Continental Secretariat and determine their duties and conditions of service in accordance with the relevant AU rules and regulations and the decisions of the APRM Committee of Focal Points.
5. In appointing the staff of the Continental Secretariat, the CEO shall ensure the highest possible technical competence and qualifications, fair regional representation, and fair gender balance.
6. The responsibilities of the CEO and of the staff of the Continental Secretariat shall be exclusively international in character. In the discharge of their duties, the CEO and the staff of the Continental

Secretariat shall not seek or accept instructions from any government or any other authority external to the APRM. They shall refrain from any action which might adversely reflect on their position as international officials. The Member States of the APRM shall respect the international character of the responsibilities of the CEO and of the staff of the Continental Secretariat and shall not seek to influence them in the discharge of their duties.

7. The CEO shall be the legal representative of the APRM and shall, within the limits of the rules and procedures established by the APR Forum, have the power to take such actions as are necessary for the smooth operation of the APRM and the protection of its interests.
8. The CEO shall establish close working relations with the Chairperson of the APR Focal Points Committee to whom he shall submit periodic updates and reports on all matters of an operational, financial and administrative nature concerning the APR Continental Secretariat. The CEO shall present the strategic plans, programmes, draft budget and annual audited accounts of the APRM to the Focal Points Committee.
9. The CEO shall establish close working relations with the Chairperson and members of the APR Panel and provide all necessary support to enable the APR Panel to successfully discharge its responsibilities.
10. The APR Continental Secretariat shall operate in accordance with the relevant Staff Regulations and Rules of the AU, as adopted by the Focal Points Committee and endorsed by the APRM Forum.
11. In accordance with the relevant provisions of the AU Staff Regulations and Rules governing the rights and responsibilities of staff, the APRM shall enter into the necessary legal arrangements to provide the staff of the Continental Secretariat with access to the AU Administrative Tribunal
12. The APRM Secretariat shall operate in accordance with the relevant Financial Rules and Regulations of the AU, as adopted by the Focal Points Committee and endorsed by the APR Forum.

13. The CEO shall ensure that the rules, regulations and procedures of the APRM are fully respected and its programmes properly implemented.
14. The CEO shall establish close working relations with the relevant national APRM Structures in Member States and support their activities in every way it can.
15. The CEO shall establish close working relations with relevant Pan-African institutions including the Pan-African Parliament, the African Commission on Human and Peoples' Rights, the AU Peace and Security Council, the AU Early Warning System, the African Union Panel of the Wise, the African Union Advisory Board on Corruption Board, the African Committee of Experts on the Rights and Welfare of the Child and ECOSOC.

Article 13

Privileges and Immunities of the APRM and Host Country Agreement

1. The APRM and its Offices, together with the Members of the APR Panel and officials of all other APRM bodies, as well as the CEO and all staff of the APR Continental Secretariat, shall enjoy in all the Member States of the APRM, such privileges, immunities and facilities as may be necessary for the independent and effective exercise of their responsibilities, in accordance with the General Convention on Privileges and Immunities of the Organization of African Unity and the 1961 Vienna Convention on Diplomatic Relations.
2. The CEO of the APRM Continental Secretariat shall conclude a Host Country Agreement with the Government of the Republic of South Africa, which shall ensure that the immunities and privileges of the office and staff of the APRM Continental Secretariat as well as officials of all other APRM bodies are protected and respected in accordance with the General Convention on Privileges and Immunities of the Organisation of African Unity, the 1961 Vienna Convention on Diplomatic Relations and international law.

Article 14

APRM National Structures

1. Without prejudice to the inherent right of each Member State to organize its APRM national structures as it deems appropriate, Member States shall endeavour to organise their national structures in accordance with the guidelines provided in this article.
2. National APRM structures shall comprise:
 - a. the APRM National Focal Point;
 - b. the APRM National Governing Council or Commission[NGC];
 - c. the APRM National Secretariat; and
 - d. the Technical Research Institutions.

Article 15

The National APRM Focal Point

1. The APRM National Focal Point shall be a Minister or high level Government official who reports directly to the Head of State or Government.

Article 16

The National Governing Council/Commission

1. The NGC shall be autonomous from the Government and its composition shall be inclusive of representatives of all key stakeholders in society, including state and non-state actors such as key line ministries, parliament, civil society, media, private sector, youth and women's groups, the disabled, marginalized communities, rural communities, trade unions and professional bodies.
2. Members of the NGCs shall be eminent and renowned persons who command the respect of other members of the NGC and/or the general citizenry.
3. The NGCs shall be led by a Chairperson who does not officially hold a leadership position in any political party;
4. The NGC shall:
 - a. provide strategic policy guidance for the implementation of the APRM;
 - b. Facilitate the establishment of the APRM National Secretariat and oversee its operation;
 - c. ensure that the review process is technically competent, credible and free from political manipulation;
 - d. lead the APRM sensitization programmes country-wide and ensure that all stakeholders participate in the process and own it; and
 - e. ensure that all the concerns outlined in the self-assessment reports and in the country review reports are addressed in the National Programmes of Action (NOPA) which meet all the agreed criteria.
5. In establishing their respective NGCs, Member States shall define their terms of reference, determine their legal status, the terms of service and duration of appointment of the Chairperson and other members,

and ensure the provision of adequate funding to enable it to successfully discharge their responsibilities in an independent and autonomous manner.

6. Member States shall legally constitute their NGC through normal government processes of announcements through Government Gazettes.

Article 17

The APRM National Secretariat

1. There shall be an APRM National Secretariat in each Member State of the APRM, to provide secretarial, technical and administrative support to all national APRM bodies.
2. The APRM National Secretariat shall be led by a CEO appointed in accordance with the rules and procedures of each Member State.
3. The APRM National Secretariat shall liaise between the NGC and the Continental Secretariat.
4. The APRM National Secretariat shall facilitate and support the work of the technical research institutions.

Article 18

The National Technical Research Institutions

1. Technical Research Institutions shall be appointed by the NGCs on the basis of their technical competence and capabilities in areas directly relevant to the APRM review process.
2. The Technical Research Institutions shall, inter alia, ensure that the APRM assessment tools, including the questionnaire, are understood fully and widely among all stakeholders in their respective countries and support the production of a country self-assessment report that is objective, accurate and representative of the views of the public.

Chapter 8

Article 19

Rules of Procedure

1. The respective Rules of Procedure governing each of the APRM Continental Structures shall be based on and constitute an integral part of this Statute. They shall therefore be adopted with a view to facilitating its implementation.
2. Further to the adoption of the present Statute and pending the adoption of Rules of Procedure of the respective APR continental structures, the APRM Operating Procedures adopted by the APR Forum in 2012, shall be applicable as an interim mechanism for the internal regulation of the APRM.
3. All Rules of Procedure governing any of the Continental Structures of the APRM shall enter into force ly on the approval of the APR Forum.

Chapter 9

Article 20

Relations between APRM Continental Structures and African RECs

1. The APRM, in pursuit of its mandate to foster integration on the continent, shall work closely with the RECs, their Secretariats and other organs.

Chapter 10

Article 21

Relations between APRM Continental Structures and Strategic Partner And Other International Organisations

1. The APRM shall work closely with Strategic Partners which are external to the AU.
2. The APR Forum shall decide on which international institutions outside the AU shall be accorded the status of Strategic Partners.
3. The APRM shall establish relationships with other international organisations as agreed to by the APR Forum

Chapter 11

Article 22

Funding of the APRM

1. The APRM shall be funded from APR Member States' contributions, as determined from time to time by the APR Forum. Member States shall also endeavour, where possible, to make special contributions on a voluntary basis to the APRM, beyond their regular annual contributions.
2. The APRM may receive financial contributions from the African Union.
3. The APRM may also receive donations, including from African and international institutions and the private sector, on criteria to be adopted by the APR Forum, provided that such support shall not compromise the autonomy, independence, integrity and African ownership of the APRM and all its processes.

Chapter 12

Article 23 Settlement of Disputes

1. Disputes arising in the implementation and interpretation of this Statute and any other APRM instruments shall be resolved by negotiation between the Parties to the dispute.

Chapter 13

Article 24 Entry into Force

1. Pending the definitive adoption of these Statutes by the AU Assembly, they shall enter into force provisionally and be binding within the context of the APRM, on the date of adoption by the APR Forum.
2. These Statutes shall definitively come into force and apply with immediate effect in the context of the wider African Union, upon adoption and signature by the Heads and State of the AU Assembly.

Chapter 14

Article 25 Transitional Arrangements

1. States currently participating in the APRM shall retain their status as members of the APRM, following the entry into force of the present Statute.

Article 26

Final Provisions

1. The provisions of this Statute shall take precedence over, and supersede, any inconsistent or contrary provisions contained in any previous decisions, declarations, rules and procedures of the APRM.
2. This Statute is drawn up in four original texts in the Arabic, English, French and Portuguese languages, all four being equally authentic.

**PROVISIONALLY ADOPTED AT THE
25TH APR FORUM IN NAIROBI, KENYA.**

Signatures



WWW.APRM-AU.ORG | +27 (011) 256-3400