REPUBLIC OF KENYA

REPORT ON THE INSTITUTIONAL REFORMS OF THE AFRICAN UNION BY THE CHAMPION, H.E. WILLIAM SAMOEI RUTO, PhD., C.G.H., PRESIDENT OF THE REPUBLIC OF KENYA AT THE 38TH ORDINARY SUMMIT OF THE AFRICAN UNION

FEBRUARY 16, 2025

ADDIS ABABA, ETHIOPIA

African Union

Your Excellency, H.E. João Manuel Gonçalves Lourenço, President of the Republic of Angola, and Chairperson of the African Union,

Your Excellencies, Heads of State and Government,

Your Excellency, AUC Chairperson,

Distinguished Delegates, Ladies and Gentlemen,

1. Allow me to express my deepest gratitude to His Excellency President Mohamed Ould Ghazouani, the immediate former Chairperson of the African Union, and His Excellency Moussa Faki Mahamat, the immediate former Chairperson of the African Union Commission, for their exemplary leadership and commitment to our continental agenda over the past year. I also extend my warm congratulations to His Excellency President João Lourenço, the newly elected Chairperson of the African Union, as well as to the newly elected Chairperson of the African Union Commission, Mahmoud Ali Yusuf, his deputy, Selma Haddadi, and all the newly elected Commissioners.

2. Excellencies, a year ago, this Assembly entrusted me with the pivotal responsibility of championing institutional reforms within the African Union. Since then, I have engaged in extensive consultations with key AU stakeholders to assess the progress of our reform agenda.

3. These engagements have included discussions with the leadership of the African Union Commission, led by the immediate former Chairperson His Excellency Moussa Faki Mahamat; the AU Institutional Reform Unit Secretariat;

the Permanent Representatives Committee (PRC) in Addis Ababa, the AU High Representative for Financing the Union, and the leadership of the Pan-African Parliament (PAP).

4. Additionally, on 27th January 2025, I convened a High-Level Retreat in Nairobi, attended by the Presidents of Comoros, Guinea-Bissau, Ethiopia, and Ghana, alongside the AUC Chairperson and Foreign Ministers from Mauritania, Rwanda, and Tunisia. The resounding message from these consultations was clear and unequivocal: Africa must complete its reform process with urgency and decisiveness.

5. Excellencies, it is evident that progress has been made in restructuring AU organs, institutions, and offices. Of the 57 AU entities earmarked for reform, 42 have been assessed, and the report is currently under consideration by the Permanent Representatives Committee (PRC). I, therefore, propose that this Assembly direct the PRC, with the support of the AUC, to conclude its review of the 42 entities and submit a report to the Executive Council during its session in July 2025.

6. The Study on the Division of labour between the AU, Regional Economic Communities (RECs), and Member States was completed in December 2024 and submitted to the AUC Chairperson. It was subsequently circulated to all AU Commissioners, CEOs of RECs, and representatives from 14 Member States. A retreat was held from 6th–7th February 2025 to review the report. I propose that this Assembly directs the relevant AU stakeholders to expedite its consideration and ensure that clear recommendations are presented at the Mid-Year Coordination Meeting (MYCM) in July 2025.

7. Excellencies, based on my consultations and careful observations, I submit the following eight proposals to accelerate and complete the AU reform process for your kind consideration:

i) To maintain the momentum of reforms, enhance oversight, and entrench collective ownership, the AU reform process requires consistent strategic guidance at the highest level. I propose the formation of a five-member Ad Hoc Committee of Heads of State and Government, chaired by the Champion. The five members of the Bureau could form the rest of the membership of this oversight committee of heads of states.

ii) To consolidate the pace of progress, I recommend that this Assembly authorises an Extraordinary Summit in July 2025 within the mid-year coordination summit, dedicated solely to the AU reform agenda. This will allow for final consultations with AU stakeholders, including the newly elected Commission, and the submission of concrete proposals for the final phase of reforms.

iii) The African Court of Justice is a crucial pillar of our governance architecture, yet its implementation has stalled since 2009 due to discussions on merging it with the African Court on Human and Peoples' Rights. I propose that this Assembly mandates the AUC and PRC to finalise the Court's operational requirements, including budgetary provisions, and that the Executive Council conducts judicial elections during its Ordinary Session in July 2025.

iv) There is a need for the Pan-African Parliament (PAP) to evolve from a symbolic entity into a legislative force. So far, only 15 Member States have ratified the Malabo Protocol, which seeks to grant the Pan African Parliament permanent membership and legislative authority. I urge this Assembly to mobilise political support to accelerate the ratification process.

v) The 2018 AU Assembly Decision (Assembly/AU/Dec.687 (XXX)) called for a clear categorisation of AU decisions to enhance implementation. Yet, seven years later, the absence of structured mechanisms has led to inefficiencies and weak enforcement. I propose that this Assembly directs the AUC and the Office of the Legal Counsel to complete the categorisation of AU decisions without further delay to ensure clarity, accountability, and effective execution.

vi) The dire peace and security situation in Africa partly indicts the continent's peace architecture. African Peace and Security Architecture (APSA), therefore, needs to be strengthened to respond effectively to emergent security threats, including terrorism. I recommend that this Assembly authorises the AUC Chairperson, in consultation with the Champion, to appoint a panel of five eminent African experts to review the AU's peace and security framework within the next 4 months.

vii) Despite Decision 635 of 2017 limiting the AU Summit agenda to three strategic areas, the summit programme remains overly broad. I propose that this Assembly reinforces Decision 635 by delegating non-strategic matters to the Executive Council and recommends a review of the Assembly's format at the Extraordinary Summit in October 2025.

viii) Ten years ago in Johannesburg and Kigali, Member States committed to funding 100% of the AU operational budget, 75% of the programme budget, and 25% of peace support operations - targets that remain unmet to date. I propose that this Assembly directs the Executive Council to convene an Extraordinary Session with Finance Ministers to develop a roadmap for achieving these targets within five years. To guide this process, I further propose that the Assembly directs Dr. Donald Kaberuka, AU High Representative for Financing the Union, to develop a concept note and discussion paper to guide the proposed joint ministerial meeting.

8. Dear Colleagues, I now have the pleasure to present the Draft Decision on AU Institutional Reforms for your kind consideration.

I thank you.

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