

**DECISION ON THE DRAFT LEGAL INSTRUMENTS**  
**Doc. Assembly/AU/26(XXXIII)**

**The Assembly,**

- 1. TAKES NOTE** of the Recommendations of the Executive Council for the consideration and adoption of the Draft Legal Instruments;
- 2. ADOPTS** the following Draft Legal Instrument<sup>1</sup>:
  - 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 the Regional Economic Communities (RECs)'*
  - iv. Draft Rules of Procedures of the Mid-Year Coordination Meeting;*
  - 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.*
- 3. TAKES NOTE** of Decision Ex.CL/ Dec.1074(XXXVI), adopted by the 36th Ordinary Session of the Executive Council held in Addis Ababa, Ethiopia in February 2020, approving the proposal of the STC on Justice and Legal Affairs to hold an Extraordinary Session prior to the 37th Ordinary Session of the Executive Council.
- 4. DELEGATES** to the 37th Ordinary Session of the Executive Council, its authority to consider and adopt Draft Legal Instruments, that will be considered by the 5th Extraordinary Session of the STC on Justice and Legal Affairs;
- 5. DIRECTS** all STCs of the African Union and the African Union Commission to strictly adhere to AU Decisions, and the AU Rules and Regulations including Rules of Procedures of the various STCs, including the moratorium placed on submission of proposals by STCs for the establishment of new bodies without submitting their financial, legal and structural implications.

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<sup>1</sup> 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 Sudan for Combating Irregular Migration. The reservations relate to the two year 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 and considered that the composition of the board of the three institutions is disproportionate to the nature of the Centres and would not be helpful with their smooth and efficient operation.