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Statutory issues of the Economic Commission for Africa

**Review of the intergovernmental structure of the
Economic Commission for Africa pursuant to
resolution 943 (XLIX)**

Note by the secretariat

Summary

The present document is submitted pursuant to resolution 943 (XLIX), in which the Executive Secretary was requested to undertake an independent, comprehensive and thorough review of the intergovernmental structure of the Commission. The document sets out an assessment of the preliminary findings and recommendations of the review, and also its methodological limitations, with a view to highlighting the need for a further detailed study, because of the inconclusive nature of most of the findings. The analysis is based on the secretariat's empirical knowledge and experience gained in the implementation of previous resolutions on the subject of the intergovernmental structure, together with the views and suggestions made by secretariat staff during the review process. The document concludes with a set of proposed actions that the Commission may wish to consider in this regard.

* E/ECA/COE/36/1-AU/STC/FMEPI/EXP/1(III)

I. Introduction

1. The present document is submitted pursuant to paragraph 2 of resolution 943 (XLIX) of the Economic Commission for Africa (ECA), on the proposed strategic framework and biennial programme plan of the Economic Commission for Africa for the biennium 2018-2019, in which the Executive Secretary was requested to undertake an independent, comprehensive and thorough review of the intergovernmental structure of the Commission, including the Intergovernmental Committee of Experts, and its link to the programme priorities of the Commission, on the basis of the priorities of Africa, and to report back to the Commission at its fiftieth session.

2. The document also responds to paragraph 3 of that resolution, in which the Commission decided to postpone the holding of the meetings of the intergovernmental committees of experts for 2017 pending the finalization of the independent review.

3. In preparing the document, the secretariat drew on the findings and recommendations of the external review conducted by an independent consultant, who undertook an assessment of the overall functioning of the intergovernmental structure, including its Intergovernmental Committee of Experts. Notwithstanding the methodological limitations discussed in detail later, the review makes some preliminary recommendations that the Commission may wish to review and consider.

4. Section II of the present document sets out a brief presentation of similar reviews conducted over the period from 2006 (resolution 844 (XXXIX)) to 2016 (resolution 908 (XLVI)). The section highlights the purpose and methodology of these earlier reviews, in setting the stage for that being carried out at the present time.

5. Section III presents the methodological limitations of the current review and draws attention to its inconclusive findings, hence consideration of the secretariat's proposals.

6. Section IV discusses the secretariat's assessment of the findings and recommendations of the review and proposals for future action, taking into account the current and prospective development and institutional landscape within which the intergovernmental structure operates and its review is being undertaken.

II. Past reviews of the ECA intergovernmental structure

7. Several major reviews of the Commission's intergovernmental structure have been conducted since its establishment in 1958, upon the request of the Commission in a sustained endeavour continuously to improve its relevance, effectiveness and efficiency and to foster coordination and coherence with other regional organizations. Two of these past reviews merit special attention as they underline the need for the reengineering of the Commission's intergovernmental structure, with a view to ensuring the clear articulation and successful adoption of the Commission's new strategic orientation and programme structure. Throughout its history, the underlining aim of programme orientation of ECA has been to ensure an effective response to Africa's development priorities.

8. Thus, in March 2006, major changes were made to the Commission's intergovernmental structure necessitated by major changes made previously to its programme orientation in response to resolution 844 (XXXIX), on repositioning ECA to better respond to Africa's priorities. In response to its mandate to support the African Union agenda and to strengthen collaboration between its subregional offices and the regional economic communities, the Commission's strategic programme orientation was rearticulated and

restructured around 10 subprogrammes. Following the endorsement by member States of a number of proposals by the secretariat, the Commission's intergovernmental structure was duly realigned.

9. Then, in March 2013, a second series of changes were made to the Commission's intergovernmental structure, prompted by the extensive overhaul of the Commission's business model in response to resolution 908 (XLVI), on refocusing and recalibrating ECA. The changes in the ECA business model were guided by the decision Assembly/AU/Dec.450 (XX) of the Assembly of the African Union at its twentieth ordinary session, held in January 2013. In turn, the Assembly of the African Union called upon the United Nations Secretary-General to provide the required support for ECA to enhance its work in accordance with the priorities of Africa. Those changes were also endorsed and mandated by ECA in resolution 908 (XLVI), adopted at its forty-sixth session held in March 2013 as part of the sixth Joint Annual Meetings of the African Union Conference of Ministers of Economy and Finance and the ECA Conference of African Ministers of Finance, Planning and Economic Development.

10. Acting true to its motto "Putting Africa first", the Commission refashioned its identity, with a view to transforming itself into a think-tank of reference on Africa's development policy priorities and with the aim of accelerating the continent's structural transformation. Anchored around two programmatic pillars, namely policy research and knowledge delivery, the Commission's new programme orientation encompassed nine thematic areas or subprogrammes. The intergovernmental structure was realigned to ensure that the subsidiary bodies were congruent with the new programme priorities of the Commission and also with the structures of the African Union. As a result, some committees were abolished or merged with others, while new ones were created for more coherence and to achieve cost-effectiveness. This exercise gave rise to the intergovernmental structure that is currently under review.

11. Since these reforms, member States of the United Nations have adopted two major global agendas and an agreement on climate change: the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, held in July 2015, the 2030 Agenda for Sustainable Development, adopted at the United Nations summit in September 2016, and the Paris Agreement on climate change, adopted by the Conference of the Parties to the United Nations Framework Convention on Climate Change, at its twenty-first session in December 2016, bringing with them renewed mandates and emphasis on efforts to end all forms of poverty, fight inequalities and tackle climate change while ensuring sustainable development. These new developments necessitate adjustments to the manner in which ECA approaches its work programme, in order to sustain its responsiveness to the new or changing priorities of member States, and will also have an impact on its intergovernmental structure.

12. All ECA reform agendas have been designed to respond to the evolving needs and demands of the Commission's member States, the changing institutional landscape and shifting priorities in the realm of national, regional and global economic and social development. Restructuring exercises have always been facilitated and backstopped by consultations with partners, including but not limited to the member States of the Commission, the African Union Commission, regional organizations, intergovernmental bodies and other key development bodies. Once the reform agendas are articulated, they have always been followed by the reengineering of the intergovernmental structure, to ensure its consistent support for the new programme priorities. All steps taken to recalibrate ECA were considered and endorsed by the Commission at sessions of its Conference of African Ministers of Finance, Planning and Economic Development, sometimes with minor modifications.

III. Methodology for and limitations on the review of the current intergovernmental structure of the Commission

13. The methodology for reviewing the current intergovernmental structure of ECA was predicated on the desire to obtain a well-rounded view of its composition, orientation and structure complemented by the need to assess its relevance, effectiveness, efficiency and coordination as an oversight mechanism in line with its mandate. A number of composite methods were therefore proposed, to obtain and corroborate evidence from multiple information sources.

14. Thus, in undertaking the present review, consultations were held with senior officials of the African Union Commission, members of the Permanent Representatives Committee of the African Union, liaison officers of the regional economic communities in Addis Ababa, and members of the current Bureau of the Conference of Ministers. Consultations were also held with the senior management team at ECA headquarters, and with the directors of the subregional offices and of the African Institute for Economic Development and Planning (IDEP).

15. A questionnaire survey was circulated to a cross-section of participants at the session of the Conference of Ministers. Of the 400 approached, 103 participants responded, representing a response rate of 26 per cent. The survey was also sent to members of the intergovernmental committees of experts who had attended sessions between 2007 and 2015 (79 responses were received). The survey sought to ascertain from them whether the various sessions of the Conference of Ministers and the intergovernmental committees of experts had been relevant, efficient and effective.

16. A wide range of former participants at sessions of the Conference of Ministers were surveyed: these comprised representatives of member States (32 per cent); of United Nations entities (9 per cent); of the private sector (5 per cent); of the media (3 per cent); of international organizations (7 per cent); of civil society (19 per cent); of the African Union Commission (4 per cent); of universities (7 per cent); and others (11 per cent). Of the government officials surveyed, 6 per cent were principal assistant secretaries, 35 per cent were directors, 1 per cent were permanent secretaries and 58 per cent were lower-ranking officials.

17. The survey of members of the intergovernmental committees of experts covered member States (52 per cent), regional economic communities (11 per cent), international organizations (8 per cent), civil society (1 per cent), United Nations entities (1 per cent), universities (5 per cent), the private sector (4 per cent), the media (1 per cent), and other categories (17 per cent). In all, 3 per cent of those surveyed were permanent secretaries; 29 per cent were directors; 6 per cent were principal economists; 18 per cent were economists; 15 per cent were advisors; and 29 per cent were lower-ranking officials.

18. An extensive desk review of documents was conducted, which also included the review of relevant documents of other regional commissions. In addition, field missions were undertaken to Dakar, where IDEP is headquartered, and to the secretariat of the Economic Community of West African States (ECOWAS), in Abuja.

19. The review followed a composite approach, using both quantitative and qualitative data collection and analytical methods to capture the full range of viewpoints and realities about the functioning of the Commission's subsidiary organs. It was planned that the review would be completed within a period of two months. While it aimed to be as comprehensive as possible, it inevitably came up against certain limitations. Detailed studies of this calibre require

ample time and resources to ensure that all review questions are addressed in an unambiguous manner. The rightfully ambitious methodology of the review made it difficult to reach conclusive findings on certain aspects of the Commission's intergovernmental structure.

20. The unavailability of some administrative data and other data gaps prevented the study from building on a solid evidence base. Where available, the administrative data presented inconsistencies that impeded timely completion of a detailed analysis. In the absence of complete, institutional registers and a repository of participants and proceedings from all intergovernmental meetings, the prospects of carrying out a thorough trend analysis are severely limited.

21. The turnover of staff in the various organizations and offices significantly impeded administering the online survey at a level that would yield significant findings in both statistical and practical terms about participants' perceptions and experiences regarding the intergovernmental structure. The fact that the survey was carried out in December, during the holiday season, also exacerbated delays in its completion as the identified respondents were often unavailable or unresponsive.

22. The review methodology was based on the triangulation of both qualitative and quantitative data so as to ensure the validity of the evidence used as the basis for conclusions and recommendations. The relatively sparse reviews of the functioning of other comparable organizations, such as the other United Nations regional commissions, the African Union Commission and the regional economic communities, provide only a partial assessment and limited evidence for any conclusions about the feasibility and implementation of some of the recommendations and their implementation modality. A well-articulated review with evidence-based findings and recommendations is imperative for the Commission to be able to make sound decisions on the modification or retention of its current structure.

23. In addition to the above limitations, several global trends may be expected to shape the development trajectory of Africa in the near future, with profound implications for the Commission's programme orientation. Added to which, the changes at the helm of both the United Nations and ECA secretariat are also sure to influence the Commission's choice of its new strategic direction. The new Secretary-General and the new Executive Secretary of ECA may be expected, and rightfully so, to shape their own vision of the organization's role and influence in the changing development landscape and its new programme orientation.

24. These changes call for ECA to reconfigure its special position in the light of its comparative advantage and in accordance with the United Nations mandates. The effectiveness of the intergovernmental structure of the Commission is predicated on the effectiveness of its new programme orientation, which needs to be carefully researched, extensively debated and well articulated. The successful alignment of the intergovernmental structure with its programme priorities will be conditional on a clear and universally shared understanding of the priorities that are currently under development.

25. While the secretariat stands ready and is well positioned to align and strengthen its organizational structures by working with global, regional and national stakeholders in responding to the identified and anticipated changes in the African development landscape, the secretariat believes that it would need additional time for a more extensive review of the Commission's intergovernmental structure, in order to provide adequate information for the Commission to review so that it can make the necessary decisions. This review will be based on the preliminary findings of the current review and also on the Commission's anticipated new programme orientation. In view of the methodological limitations and anticipated programmatic changes mentioned

above, the secretariat is of the view that further analysis of the review's preliminary and descriptive findings is urgently needed to enable the Commission to decide on an appropriate structure that will ensure its effective alignment with the evolving priorities of member States.

IV. Summary of preliminary findings and recommendations

26. Notwithstanding the secretariat's request for additional time for the completion of a more comprehensive review and further analysis, the outcome of this initial review offers a good analysis of the functioning of the intergovernmental structure and may serve as the basis for preliminary recommendations on ways of enhancing its effectiveness and efficiency. Some of these recommendations may be taken on board by the secretariat without any specific action from the Commission, and include some which the Commission may wish to consider and act upon.

A. Recommendations relating to the Commission, its intergovernmental structure and relations with member States

27. The preliminary findings of the review demonstrate the need to strengthen the overall functioning of the Commission's intergovernmental structure. This may be achieved by mainstreaming the Commission's mandated role of overseeing and advising the secretariat in its work. In doing so, the Commission may wish to consider the recommendation that an advisory committee of Permanent Representatives should be established, to assist it in exercising its oversight and advisory role between its sessions. The Commission may wish to consider assigning the following functions to such a committee:

(a) To maintain close cooperation and consultation between the members and the secretariat of the Commission, including by providing advice and guidance to be considered by the Executive Secretary while undertaking the respective activities;

(b) To advise and assist the Executive Secretary in drawing up proposals for the strategic framework and programme of work, consistent with the guidance provided by the Commission;

(c) To receive on a regular basis information on the administrative and financial functioning of the Commission, and to assist and advise the Executive Secretary in monitoring and evaluating the implementation of the Commission's programme of work;

(d) To review the draft calendar of meetings prior to its submission to the Commission at its annual session;

(e) To advise the Executive Secretary on the provisional agenda for sessions of the Commission and committees subsidiary to the Commission, bearing in mind the need to ensure a results-oriented and focused agenda that is aligned with the development priorities of member States as defined by them;

(f) To advise the Executive Secretary on the identification of emerging economic and social issues and other relevant issues for incorporation into the provisional agendas of the Commission sessions; and in the formulation of the annotated provisional agenda for each session of the Commission;

(g) To carry out any other tasks to be entrusted to it by the Commission.

28. The recommendation to establish an advisory committee is a central prerequisite for the realization of all the other recommendations: it will enable the periodic and dedicated participation, and also the active and focused engagement of the members and associate members of the Commission in all matters of significance. These comprise matters of which the Commission is seized during the period between sessions, matters addressed during its pre-session consultations, and the review and provision of guidance on statutory documents.

29. With regard to the intergovernmental committees of experts, given the need for such further study, the Commission might wish to consider lifting the moratorium placed on the holding of the committees' annual sessions and to allow them to hold their sessions in 2017 as the review continues.

30. In addition, presented below are some recommendations which the secretariat believes may be taken on board in the interim period without requiring action from the Commission.

B. Recommendations not requiring action from the Commission

1. Sessions of the Commission

31. The secretariat takes note of the recommendations emerging from the review related to the planning, implementation and follow-up of the Conference of Ministers. The secretariat is of the view that these recommendations are predicated on a complex web of programmatic and operational structures that demand further untangling and unpacking for which these preliminary findings have initially paved the way.

32. The secretariat reaffirms the importance of the consistent and dedicated participation of high-level representatives at sessions of the Conference as a prerequisite for the success of its deliberations. In its second phase, the review will explore the factors determining and facilitating such participation, and the necessary levels of representation and engagement, with a view to formulating evidence-based solutions designed to change the observed trend and create a supporting environment in which member States can engage meaningfully between sessions, during pre-session consultations and at the sessions themselves.

33. The secretariat affirms its commitment to the creation of appropriate mechanisms enabling the Commission to engage meaningfully in consultations and deliberations before, during and after sessions of the Conference of Ministers. These mechanisms will include extensive pre-session consultations, procedures for preparing, reviewing and disseminating the draft programme of work and technical and statutory documents, reviews of the periodicity and timelines of Conference sessions, and the number and themes of side-events. The current review includes a number of substantive findings related to such mechanisms, suggesting the need for further analysis of their programmatic, budgetary and organizational implications for the effective restructuring of the intergovernmental structure and the updating of the Commission's terms of reference and rules of procedure.

34. The secretariat also takes note of the recommendation related to the organizational arrangements to guide and monitor all phases of the preparatory process for the Conference and its follow-up. The secretariat is of the view that the further analysis requested on the above-mentioned factors, in particular the anticipated changes in the programme orientation and associated structures, will shed more light on the effective configuration and assignment of responsibilities and roles within the secretariat.

2. Intergovernmental committees of experts

35. The secretariat takes note of the recommendations related to the linkages between the intergovernmental committees of experts, the regional economic communities, the subregional coordination mechanisms and the ECA subregional offices and welcomes the review's conclusion that there should be further study of the modalities for the engagement of major actors through the regional mechanisms, in the light of their current mandates and fitness for purpose, without any over-hasty alteration of their structure. The recommended arrangements for coordination, coherence and alignment among the intergovernmental committees of experts, the subregional coordination mechanisms, the regional economic communities and the subregional offices must be further studied, with a view to ensuring their feasibility and identifying modalities for their implementation where relevant.

3. Thematic subsidiary bodies

36. The secretariat takes note of the recommendations to sharpen the focus and, by extension, influence of the thematic subsidiary bodies. The review findings also recognize the anticipated changes to the programme orientation and associated structures of ECA in the ever-evolving regional and global development landscape, with due attention to the important nexus between development, governance, peace and security. The secretariat therefore recalls the need for the clear articulation of the Commission's overall programme orientation, on the basis of which a thorough review can be undertaken of the thematic subsidiary bodies and the oversight arrangements for the thematic areas of the ECA programme can be properly assessed.

4. IDEP Governing Council

37. The secretariat reiterates that IDEP constitutes an important arm of the Commission's knowledge delivery system. For that reason, any changes proposed to its programmatic and legal structure and processes will be predicated on an analysis of those ECA policy organs that are expected to face changes pursuant to the new programme orientation. The IDEP programme of work has historically been responsive to the structures and processes of the Commission's main legislative and policy mechanisms that are currently under review.

V. Conclusion

38. Taking into consideration the analysis provided above, the Commission may wish to adopt a resolution that, first, grants additional time to the secretariat to conduct further review and analysis and to report back at its next session; second, establishes an advisory committee of Permanent Representatives designated by members of the Commission; and, third, lifts the moratorium on the holding of the annual sessions of the intergovernmental committees of experts while the further review and analysis continue.