

AMCOW GOVERNANCE FRAMEWORK

Volume I

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**AMCOW Governance Document
and Management Strategy**

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List of Abbreviations and Acronyms

Abbreviation/ Acronym	Meaning
AMCOW	African Ministers' Council on Water
AU	African Union
AUC	African Union Commission
AWF	African Water Facility
CEDARE	Center for Environment and Development for the Arab Region and Europe
CEEAC	Communauté Économique des États de l'Afrique Centrale
ECOWAS	Economic Community of West African States
EXCO	Executive Committee
IGO	Inter-governmental Organisation
M&E	Monitoring and Evaluation
NEPAD	New Partnership for Africa's Development
NFPIs	National Focal Point Institutions
RECs	Regional Economic Communities
SADC	Southern African Development Community
SMCs	Sub-Regional Ministerial Committees
STC	Specialised Technical Committee
STC-ARDWE	Specialised Technical Committee on Agriculture, Rural Development, Water and Environment
TAC	Technical Advisory Committee
TEC	Technical Experts Committee
ToR	Terms of Reference
WASH	Water, Sanitation and Hygiene
WRM	Water Resources Management
WSSD	World Summit on Sustainable Development

Preamble

In 2002, the African Ministers responsible for water adopted the Abuja Ministerial Declaration on Water – a key to Sustainable Development in Africa. This declaration established the African Ministers' Council on Water (AMCOW).

The 2004 Sirte Declaration¹ on the Challenges of Implementing Integrated and Sustainable Development of Agriculture and Water in Africa acknowledged AMCOW's role in spearheading efforts to achieve Africa's water and sanitation goals. Consequently, in June 2008, in Sharm El-Sheikh, Egypt², the assembly of the African Union (AU) mandated AMCOW to report annually on the progress made towards achieving their commitments on water and sanitation. It is against this background that AMCOW's organs now serve as the working group on water and sanitation of the African Union Specialised Technical Committee on Agriculture, Rural Development, Water and Environment (STC-ARDWE). In this role, AMCOW embodies the collaboration and commitments of Member States, partners and stakeholders.

The Vision

AMCOW champions the realisation of the Africa Water Vision 2025 of ***an Africa where there is an equitable and sustainable use and management of water resources for poverty alleviation, socio-economic development, regional cooperation and the environment.*** AMCOW has the mandate to provide political leadership, policy direction and advocacy in the provision, use and management of water resources for sustainable social and economic development and maintenance of African ecosystems.

Mission Statement

AMCOW's mission is to provide political leadership, policy direction and advocacy in the provision, use and management of water resources for sustainable social and economic development and maintenance of African ecosystems.

Definitions

For the purposes of this AMCOW Governance Framework, the following definitions are used:

AMCOW: The African Council of Ministers on Water

Council of Ministers: the Council of African Ministers responsible for water and sanitation affairs

Executive Committee (EXCO): the Executive Committee of the AMCOW Governance Framework comprising the representatives of the AMCOW Council of Ministers

Executive Secretary (ES): any person appointed by the Council of Ministers to serve as the Secretary to the Council and the Head of AMCOW.

¹ Sirte Declaration on the Challenges of Implementing Integrated and Sustainable Development on Agriculture and Water in Africa, Sirte on 27 February 2004 [Ex/Assembly/AU/Decl. I (II)].

² Sharm El Sheikh Commitments for Accelerating the Achievement of Water and Sanitation Goals in Africa [Assembly/AU/Decl. 1 (XI)] adopted as part of the declaration of the 11th Ordinary Session of the Assembly of the African Union on 30th June - 1st July 2008.

Head of other organ: a person who heads an organ of AMCOW other than AMCOW as provided for in Article 5 of the AMCOW Governance Framework.

In consultation: the act or procedure of seeking, guidance, advice and/or opinions especially from members of AMCOW's decision -making organs.

Member States: the member countries of the African Union that are automatically members of the Council.

Organ or constituent body of AMCOW: a differentiated structural and functional unit of AMCOW.

Organs: the organs of AMCOW established under Article 5 of the AMCOW Governance Framework or as established by the Council of Ministers of AMCOW.

Personnel: all staff members and employees in the service of AMCOW unless otherwise clearly stated.

President: the President of the Council of Ministers,

Regulations: the approved staff regulations, which are amended periodically by the AMCOW Council of Ministers, to govern among other things, the status, appointment and basic conditions of service of AMCOW employees.

Represent the Council: to act for or on behalf of the Council by deputed right, including exercising a voice and presence at fora and processes relevant to the mission and objectives of AMCOW.

Rules: the approved staff rules, which are amended periodically by the AMCOW Council of Ministers to supplement the regulations and guide their implementation.

Specialised agency: agencies deemed to have the technical capacity to implement the specialised programmes, initiatives and activities of the AMCOW work programme.

Sub-region: a geographical sub-region of the continent.

TAC: the Technical Advisory Committee as provided for in Article 5.3 of the AMCOW Governance Framework.

TEC: the Technical Experts Committee as provided for in Article 5.6 of the AMCOW Governance Framework.

Technical expert: a person hired to provide specialised technical services on specific terms and conditions within a specified period of time.

1 Introduction

This document provides details of the governance arrangements of the African Ministers' Council on Water (AMCOW) ranging from the mandates and functions of AMCOW's constituent bodies to a management strategy for the effective administrative and operational functioning of the Secretariat. The sections that follow describe the instituted mechanisms in support of the aims, mission and functions of AMCOW.

1.1 AMCOW's Aims

The aim of AMCOW is to contribute to and promote regional cooperation, socio-economic development and poverty eradication in Africa through the adequate management of water resources and the delivery of water, sanitation and hygiene (WASH) services.

1.2 AMCOW's Mission

AMCOW's mission is to provide political leadership, policy direction and advocacy in the supply and management of water for sustainable social, economic and environmental development and the maintenance of Africa's ecosystems.

The work of AMCOW follows the thematic approach of ***Water for Growth in Africa*** with the overall objectives of assuring water, food and energy security for the peoples of Africa and attaining the Africa Water Vision 2025 of:

An Africa where there is an equitable and sustainable use and management of water resources for poverty alleviation, socio-economic development, regional cooperation and the environment.

1.3 AMCOW's Functions

The functions of AMCOW, as envisaged at its establishment in 2002 by the Abuja Ministerial Declaration and later on its consolidation by the Member States' signing of the AMCOW Memorandum of Understanding, are presented in the Table 1 below.

Table 1: Functions of AMCOW as stated in the Abuja Declaration and the AMCOW MoU

	Abuja Declaration (2002) ³
a)	To strengthen intergovernmental cooperation in order to halt and reverse the water crisis in Africa
b)	To monitor progress in the implementation of major regional and global water initiatives to enhance AU Member States' political commitment to them
c)	To review progress on the implementation of the commitments set forth in key international arrangements, including the Malmö Ministerial Declaration, for the provision of financial resources and technology transfer in support of water sector reforms in Africa
d)	To receive and analyse, on a regular basis, reports or information on the adequacy of financial and technological investments in the water sector in Africa
e)	To disseminate and facilitate the sharing of information regarding best practices in policy reforms in the water sector in Africa
f)	To enhance and solidify intergovernmental and regional cooperation in the management of shared waters, including river and lake basins
g)	To consider, where appropriate, information regarding progress made or needed in the implementation of intergovernmental agreements on river and lake basins
h)	To consider, where appropriate, global and regional programmes dealing with the water continuum
i)	To consider, where appropriate, information provided by United Nations agencies and other international institutions regarding their respective programmes and activities in Africa relating to water
j)	To organize systematic dialogue and consultations with regional and global financial mechanisms and with regional groupings on issues relating to water in Africa

	AMCOW MoU (2005) ⁴
a)	To keep the state of Africa's water resources under review and promote desirable actions of common interest to Africa
b)	To facilitate sub-regional, regional and international cooperation through coordination of issues relating to water policies and actions among African countries
c)	To support international cooperation on water-related issues through development of common positions on matters of global concern as well as cooperation on implementation of relevant conventions and international agreements
d)	To encourage mechanisms that will promote best practices in water policy reforms; integrated water resources management; food security; water supply and sanitation; and also assist in delivery in national, sub-regional and regional programmes
e)	To provide a forum for dialogue with UN agencies and other partners on water programmes
f)	To promote regional studies of climate change; develop observation networks; encourage information exchange; set up strategies for the management of water resources during drought and floods; and develop policies and strategies for arresting the water crisis in Africa
g)	To keep under review and constantly seek to strengthen the financing of the water sector in Africa
h)	Intergovernmental agreements on river and lake basins

Broadly the above listed functions translate into the following overarching roles for AMCOW.

1.3.1 Strengthening Regional Cooperation

This is to facilitate the creation and strengthening of an enabling environment for collaborative approaches in the management of Africa's freshwater resources, most of which are shared by two or more AMCOW Member States. The resulting shared management arrangements form fundamental building blocks for regional cooperation and coordination through establishment of regional institutional mechanisms and networks at all levels (political, technical and civil society) in the water sector and assure sustainable development in river basins and aquifers. In addition to driving processes to standardise policy, legal and institutional frameworks, such regional networks ensure common and synergetic efforts for better results in the implementation of AMCOW initiatives.

1.3.2 Management Planning

The bulk of Africa's surface and groundwater resources are shared by other countries. Transboundary collaborative approaches are, therefore, required to optimise their development, utilisation and management. AMCOW plays the key role of promoting and facilitating the preparation of integrated basin/aquifer management plans as important tools for planning and cooperation among the stakeholders, as well as the establishment of functional basin/aquifer management organisations to coordinate the implementation of these plans.

The effectiveness of the integrated management plans will depend on the development and regular update of a permanent reporting mechanism on the status of water resources management as a basis for informed decision-making within AMCOW.

1.3.3 Monitoring

In order to evaluate impact and facilitate improvements in the effectiveness of interventions, it is imperative to monitor progress in the implementation of the commitments set forth in key international arrangements, as well as major regional and global water initiatives. AMCOW provides leadership in the elaboration of water resources and sanitation monitoring programmes and promoting their adoption by all relevant institutions and actors. In this respect, it is AMCOW's role to champion the development of clear and standardised protocols for:

- (a) systems and formats for data collection, capture, processing, storage, consolidation and update, and reporting;
- (b) quality assurance and quality control procedures;
- (c) access and exchange; and
- (d) information dissemination technologies.

1.3.4 Information Management

AMCOW acts as the 'clearing house' for information on all aspects of Africa's water resources. While the Member States are the primary custodians of data, AMCOW facilitates the institutionalisation, at all levels of its structures, of appropriate information management systems

that are accessible to and linking Member States, partner organisations and institutions.

1.3.5 Common Standards

AMCOW will not develop its own standards but will always work with regional and international specialist organisations in the various aspects of water resources management and service provision to adopt common, if not binding, standards for Africa.

2 Mandate and Functions of AMCOW's Constituent Bodies

The organs of AMCOW are comprised of:

- The Council of Ministers
- The Executive Committee
- The Technical Advisory Committee
- The Secretariat
- Sub-regional committees
- National focal point institutions

2.1 The Council of Ministers

The Council of Ministers is the highest decision-making and policy organ of AMCOW to which the Executive Committee reports. It is headed by a president elected from among council members at the General Assembly for a term of two years.

The presidency rotates among the sub-regions (Central, Eastern, Northern, Southern and Western).

2.1.1 Powers and Functions of the Council

The Council has the following functions:

- (a) To keep the state of Africa's water resources under review and promote desirable actions of common interest to Africa.
- (b) To facilitate and support sub-regional, regional and international cooperation through the coordination of issues relating to water policies.
- (c) To encourage mechanisms that promote best practice in water policy reforms; water, food and energy security; transboundary water resources management; and water services provision.
- (d) To provide a forum for dialogue with UN agencies and other partners.
- (e) To promote regional studies regarding climate change adaptation and mitigation; and to develop policies and strategies for the mitigation and management of water related disaster risks.
- (f) To strengthen financing mechanisms of the water sector in Africa.
- (g) To promote sub-regional and basin-wide cooperation.

The Council may delegate any of its powers and functions mentioned above to any organ of AMCOW.

2.1.2 Composition

The Council of Ministers comprises all ministers responsible for WASH affairs in Africa.

2.1.3 Meetings

(a) Ordinary Sessions

The Council meets in ordinary session (herein after referred to as the General Assembly) once every two years. The General Assembly will be hosted by the country of the in-coming AMCOW President.

(b) Extra-ordinary Sessions

Extra-ordinary sessions of the Council of Ministers can be convened by the President in consultation with the Vice Presidents, at the request of one of the sub-regions, with support from at least one other sub-region.

(c) Quorum

Quorum at the General Assembly or extra-ordinary session of the Council of Ministers shall be formed when all the five sub-regions are represented and Council Members from fifty percent of Member States plus one are present.

(d) Decisions

The Council shall take its decisions by consensus or, failing this, by a two-thirds majority of the Member States represented and voting.

However, procedural matters, including the question of whether a matter is one of procedure or not, shall be decided by a simple majority.

(e) In-between Sessions

In between sessions, the President, in consultation with the Executive Committee, shall represent the Council.

2.1.4 Rules of Procedure of the Council

With due cognisance of the Constitutive Act of the African Union (AU) as it relates to the functions of Specialised Technical Committees (STCs), the Council shall adopt its own rules of procedure (see Appendix III), which shall take precedence over any other rules of procedure that may apply to AMCOW.

2.2 The Executive Committee

The Executive Committee (EXCO) shall make representation to the Council of Ministers on issues to be discussed at the General Assembly and extra-ordinary sessions, based on the advice of the Technical Advisory Committee (TAC).

2.2.1 Role and Functions of the EXCO

The EXCO has the following functions:

- (a) To take decisions on behalf of the Council in the interim of the General Assembly.
- (b) To deliberate on the advice and recommendations of the TAC and to forward its suggestions for consideration and further guidance to the Council of Ministers.
- (c) To ensure that decisions of the Council are implemented.
- (d) To endorse the programmes and budgets for the Council's approval.
- (e) To decide on arrangements for the Council sessions.
- (f) To decide on strategic directions of the constituent organs of AMCOW.

The EXCO may delegate some of its functions mentioned above to the TAC.

2.2.2 Composition

The EXCO shall comprise 15 members including the AMCOW President. This should consist of three ministers responsible for sanitation and water affairs per region.

Each sub-region shall nominate three representatives one of whom shall be designated as Vice President for election by the Council in the EXCO session preceding the General Assembly. For purposes of continuity and retention of institutional memory, action shall be taken to nominate the immediate out-going president's member country and that of the next General Assembly host as representatives of their respective sub-regions in the Executive Committee, unless this is impractical either due to rejection of the nomination by the country concerned or suspension of their membership. Nomination for a member state to represent a sub-region on the EXCO shall be on a rotational basis.

2.2.3 Meetings

(a) Ordinary Sessions

The EXCO meets once every year.

(b) Extra-ordinary Sessions

In case of issues requiring urgent decisions by EXCO and/or the Council, the AMCOW President shall convene extra-ordinary sessions of the EXCO.

(c) Quorum

Quorum at EXCO sessions shall be formed when all the five sub-regions are represented and fifty percent of EXCO members plus one are present, failing which the session shall be rescheduled.

Quorum at a rescheduled EXCO session shall be formed by fifty percent of EXCO Members plus one.

(d) Decisions

The EXCO shall take its decisions by consensus or, failing this, by a two-thirds majority of the EXCO members present and voting.

However, procedural matters, including the question of whether a matter is one of procedure or not, shall be decided by a simple majority.

2.3 The Technical Advisory Committee

The TAC advises the EXCO on technical and administrative matters regarding principles, procedures and programmes relating to both the fulfilment of AMCOW's mandate and the implementation of its work programme. As an operational practice, the TAC organises itself into sub-committees and working groups – with representatives of relevant partners where necessary – to handle matters of a specialised nature.

2.3.1 Roles and Functions of the TAC

The TAC has the following functions:

- (a) To formulate policies, strategies and recommendations for consideration and endorsement by the EXCO.
- (b) To empower, through the EXCO, to select, define the tasks of and appraise the Executive Secretary.
- (c) To coordinate, to follow up operational issues and to report on progress in implementing EXCO and Council decisions, with support from the Secretariat and other regional institutions.
- (d) To facilitate two-way feedback on AMCOW initiatives, activities and programmes at continental, sub-regional and country levels.

2.3.2 Composition

The TAC comprises 25 technical experts; five experts from each of the five sub-regions.

At the TAC meeting preceding the General Assembly, the Technical Experts Committee (TEC) of each sub-region shall nominate the sub-region's country representation to the TAC on a rotational basis. The Member States providing the AMCOW President, Vice Presidents and EXCO Members shall be represented on the TAC.

The selected countries, once elected by the Council, then nominate the experts to represent the sub-region on the TAC for a term of two years.

2.3.3 The TAC Chair and TAC Vice Chairs

The TAC Chair shall be designated by the AMCOW President for the two-year term of the President's mandate.

Similarly, the technical experts nominated by the Member States providing the Vice Presidents shall individually assume the role of TAC Vice Chair for the two-year term.

2.3.4 Meetings

(a) Ordinary Meetings

The TAC meets once a year prior to the EXCO session.

(b) Emergency Meetings

In case of issues requiring urgent decisions by EXCO and or the Council, emergency meetings of the TAC can be convened on the authority of the AMCOW President.

(c) Quorum

Quorum at TAC meetings shall be formed when all the five sub-regions are represented and fifty percent of TAC members plus one are present, failing which the meeting shall be rescheduled.

Quorum at a rescheduled TAC meeting shall be formed by fifty percent of TAC members plus one.

(e) Decisions

The TAC shall make its decisions by consensus or, failing this, by a two-thirds majority of the TAC members present and voting.

However, procedural matters, including the question of whether a matter is one of procedure or not, shall be decided by a simple majority.

2.4 The Secretariat

The AMCOW Secretariat provides all the constituent bodies of AMCOW with administrative, financial management and logistical support to fulfil their individual roles and functions. In addition, the Secretariat acts as a clearinghouse for relevant information on both the sectors of water and sanitation in Africa.

It is headed by an Executive Secretary (ES) who is responsible for the day-to-day running of the Secretariat.

2.4.1 Functions of the Secretariat

The Secretariat has the following functions:

- (a) To take action on the decisions of the Council and EXCO.

- (b) To prepare work programmes, budgets and reports for the consideration and/or approval of the Council.
- (c) To provide secretarial services for the sessions and meetings of all organs of AMCOW including:
 - i. interpreting speeches during meetings in AMCOW official languages;
 - ii. receiving, translating and circulating documents;
 - iii. printing, publishing and circulating as appropriate the records of sessions and meetings, the resolutions of the Council and other required documents; and
 - iv. having custody of the documents in the archives.

Also, any other duties assigned by the AMCOW President, EXCO and TAC.

2.4.2 Composition

The AMCOW Secretariat has its headquarters in Abuja, Nigeria, with regional offices in each of AMCOW's sub-regions hosted by:

- (a) Communauté Économique des États de l'Afrique Centrale (CEEAC) for Central Africa;
- (b) The Intergovernmental Authority on Development/East Africa Community for East Africa;
- (c) Union du Maghreb Arab (UMA)/Center for Environment and Development for the Arab Region and Europe (CEDARE) for North Africa;
- (d) The Southern African Development Community (SADC) for Southern Africa; and
- (e) The Economic Community of West African States (ECOWAS), in West Africa.

2.5 Sub-regional Ministerial Committees

Each of AMCOW's five sub-regions has a Sub-regional Ministerial Committee (SMC) whose mandate is to offer policy guidance on the implementation of AMCOW's work plan at the sub-regional level, as well as working to ensure its adoption and implementation at national level.

Each is headed by an AMCOW Vice President.

2.5.1 Roles and Functions of the SMCs

The SMCs have the following functions:

- (a) To decide on strategic directions for region-specific handling of water and sanitation matters.
- (b) To approve sub-regional programmes and budgets.
- (c) To report to EXCO.
- (d) To ensure that the decisions of the Council are implemented at sub-regional and national levels.

2.5.2 Composition

The SMCs comprise the AMCOW President (where applicable); an AMCOW Vice President and other members of the EXCO from the sub-region; and the ministers responsible for WASH affairs of the other Member States in the sub-region.

2.5.3 Meetings

(a) Ordinary Sessions

SMCs hold meetings once a year in the interim of the ordinary session of the EXCO.

(b) Extra-ordinary Sessions

The AMCOW Vice Presidents – in consultation with the AMCOW President – can authorise the convening of extra-ordinary sessions and/or emergency meetings of the sub-regional committees in case of issues that are unique to their individual sub-regions and require urgent decisions by the SMC.

(c) Quorum

Quorum at the SMC ordinary or extra-ordinary sessions shall be formed when fifty percent of SMC members from Member States plus one are present.

(d) Decisions

The SMCs shall make their decisions by consensus or, failing this, by a two-thirds majority of the SMC Member States represented and voting.

However, procedural matters including the question of whether an issue is one of procedure or not, shall be decided by a simple majority.

2.6 Technical Expert Committees

Each of AMCOW's five sub-regions has a Technical Experts Committee (TEC) whose mandate is to advise the SMC on technical matters regarding principles, procedures and programmes relating to the fulfilment of AMCOW's mandate at sub-regional level.

In this respect, the TEC's primary role is to ensure that the development of the AMCOW work plan is informed by sub-regional priorities, while action plans at sub-regional and national level reflect policy undertakings at continental level.

Each is headed by a TAC Vice Chair.

2.6.1 Roles and Functions of the TECs

The TECs have the following functions:

- (a) To raise awareness on and advocate for the implementation of AMCOW's work plan at the national level.
- (b) To provide technical support in the implementation of major water and sanitation

initiatives taking place within their respective sub-regions.

- (c) To facilitate two-way feedback on AMCOW initiatives, activities and programmes at sub-regional and country levels.
- (d) To review the status of implementation of the AMCOW work plan at sub-regional level and monitor its adoption and implementation at national level.
 - i. To provide leadership in the annual preparation, validation and submission of their individual Country Progress Reports on the implementation of the Sharm El-Sheik commitments to AMCOW's Monitoring and Evaluation (M&E) Unit.
 - ii. To coordinate consultative processes at national level for prioritising pressing water security and sanitation issues for the attention of the policy organs of AMCOW.
- (e) To provide national inputs to the sub-regional TAC report.

2.6.2 Composition

The TECs are comprised of the TAC Chair (where applicable), a TAC Vice Chair, other members of the TAC from the sub-region, sanitation technical experts from the Vice TAC Chairs' Member States and the water technical experts nominated by all other Member States in the sub-region.

2.6.3 Meetings

(a) Ordinary Meetings

TECs hold meetings once a year in the interim of the ordinary meetings of the TAC.

(b) Emergency Meetings

The AMCOW Vice Presidents, in consultation with the AMCOW President, can authorise the convening of extra-ordinary sessions and/or emergency meetings of the sub-regional committees in case of issues that are unique to their individual sub-regions and require urgent decisions by the SMC.

(c) Quorum

Quorum at the TEC ordinary or extra-ordinary sessions shall be formed when fifty percent of TEC members plus one Member State are present.

(d) Decisions

The TECs shall take their decisions by consensus or, failing this, by a two-thirds majority of the TEC members present and voting.

However, procedural matters, including the question of whether a matter is one of procedure or not, shall be decided by a simple majority.

2.7 National Focal Point Institutions

National Focal Point Institutions (NFPIs) in each Member State (the ministries responsible for

water affairs) bear the responsibility to coordinate, liaise and work with the Secretariat to prepare and implement national programmes to translate the AMCOW work plan into action. This responsibility also extends to harmonising national policies with the policy initiatives at continental level.

The ES shall request the individual ministers responsible for water affairs to nominate the TAC or TEC members to liaise with at national level in the implementation of AMCOW initiatives, activities and programmes.

2.7.1 Functions of National Focal Point Institutions

The key functions of each NFPI shall be as follows:

- (a) To provide a contact point for the Secretariat at national level.
- (b) To provide inputs to relevant bottom-up processes in the formulation of AMCOW policies and programmes.
- (c) To coordinate, monitor and evaluate the implementation of AMCOW initiatives, activities and programmes at national level.
- (d) To coordinate the convening of the National Stakeholders' Forum, as well as facilitating its activities, particularly those of gathering data for the annual preparation of Country Progress Reports on the implementation of the Sharm El-Sheik commitments.
- (e) To nominate and supervise the activities of the M&E Focal Point Officers.

3 Specific Powers and Responsibilities of Key Positions of the Constituent Bodies

3.1 The AMCOW President

The AMCOW President shall:

- i. chair meetings of the Council and Executive Committee, assuming complete control of proceedings and maintenance of order;
- ii. represent the Council, in consultation with the Executive Committee, in between sessions;
- iii. ensure observance of the Rules of Procedure of the Council;
- iv. designate a Chair of the TAC;
- v. represent AMCOW at international fora and processes of relevance to AMCOW's mission and objectives; and
- vi. exercise the powers and functions of the office of the President under the authority of the Council.

3.2 The Vice Presidents

The five Vice Presidents sitting on the EXCO have, in addition to this duty, the following additional responsibilities:

- (a) To provide leadership in the implementation of AMCOW's work plan at the sub-regional level and promote its adoption and implementation at national level.
- (b) To represent AMCOW in the water-related policy organs of Regional Economic Communities (RECs) and basin/aquifer management organisations, liaising with them to streamline AMCOW's work plan into regional water programmes.
- (c) To represent AMCOW in all international, regional and sub-regional meetings within their respective sub-regions.
- (d) To guide implementation of major WASH initiatives taking place within their respective sub-regions.
- (e) To convene annual sub-regional AMCOW meetings to:
 - (i) facilitate two-way feedback on AMCOW initiatives, activities and programmes at continental, sub-regional and country levels;
 - (ii) review the status of implementation of the AMCOW work plan in their respective sub-regions;
 - (iii) report annually to the policy organs of AMCOW and the AU on the implementation of the Sharm El-Sheik commitments; and
 - (iv) provide a consultative forum for proposing new initiatives, programmes and/or activities to be implemented in the sub-region and raise any issues of relevance to AMCOW.

- (f) To convene, in consultation with the AMCOW President, extra-ordinary sessions and meetings of the sub-regional committees in case of issues that are unique to their sub-region and require urgent decisions by the SMC.
- (g) To provide, with support from the Secretariat, a consolidated report on the annual sub-regional meetings to the full EXCO.
- (h) To mobilise resources for AMCOW's initiatives and programmes within their respective sub-regions, including overseeing Member State contributions to AMCOW within the sub-region.
- (i) To convene sectorial meetings as necessary.

3.3 The TAC Chair

The TAC Chair has the following responsibilities:

- (a) To serve as the technical advisor to the AMCOW President.
- (b) To coordinate the activities of the TAC at continental level.
- (c) To convene the TAC meetings in collaboration with the AMCOW Secretariat.
- (d) To chair the TAC meetings.
- (e) To support activities to mobilise financial resources for AMCOW activities at regional and international level.
- (f) To prepare, with support from the Secretariat, and present the TAC report to the EXCO.

3.4 The TAC Vice Chairs

The TAC Vice Chairs have the following responsibilities:

- (a) To serve as the technical advisor to the Vice President of their respective regions
- (b) To chair the sub-regional TEC.
- (c) To provide leadership to the TEC in raising awareness on and advocating for the implementation of AMCOW's work plan at sub-regional and national levels.
- (d) To coordinate TEC support in the implementation of major WASH initiatives taking place within their respective sub-regions.
- (e) To organise and support the convening of annual sub-regional AMCOW meetings (ministerial and technical expert committees) to:
 - i. facilitate two-way feedback on AMCOW initiatives, activities and programmes at continental, sub-regional and country levels;
 - ii. review the status of implementation of the AMCOW workplan in their respective sub-regions;
 - iii. report annually to the Monitoring and Evaluation Unit of AMCOW and the African Union Commission (AUC) on the implementation of the Sharm El-Sheik commitments; and

- iv. provide a consultative forum for proposing new initiatives, programmes and/or activities to be implemented in the sub-region and raise any issues of relevance to AMCOW.
- (f) To provide sub-regional inputs to the TAC report.
- (g) Any other function as delegated by the Sub-regional Ministerial Committee and or the AMCOW sub-regional Vice President.

3.5 The Executive Secretary

The ES is the overall lead for the institutionalisation of mechanisms for mobilising financial resources and investments for AMCOW activities and initiatives, under the oversight of the articulate and secure buy-in of AMCOW's vision, mission and strategic directions across a wide range of internal and external stakeholders.

The ES shall:

- i. lead the development of innovative approaches to leveraging the AMCOW brand within the African stakeholder landscape to generate resources;
- ii. lead the translation of all decisions of the Council of Ministers into action and impact;
- iii. submit through the TAC and EXCO, AMCOW work programmes, budgets and reports for consideration and/or approval by the Council of Ministers;
- iv. be overall lead in providing financial reports and accountability to the Council of Ministers and AMCOW partners;
- v. engender credibility and legitimacy as the chief spokesperson for the organisation on all issues;
- vi. provide leadership in developing long-term strategies and shorter-term strategic operational plans aligned with continental and global agendas for the water and sanitation sector;
- vii. oversee implementation of AMCOW's risk management strategy ensuring that institutional, programmatic and operational risks, including business continuity risk, are identified, managed and mitigated;
- viii. set the organisation's ethical tone and institutional commitment to zero tolerance for corruption, financial mismanagement and other forms of misconduct;
- ix. lead and demonstrate the organisation's commitment to inclusiveness and tolerance in its vision, programme implementation and institutional operations;
- x. promote and actively facilitate a conducive working environment for staff and AMCOW stakeholders at all times;
- xi. ensure that the organisation's capacities are adequately designed, resourced and effectively performing to deliver both corporate and programme outcomes;
- xii. ensure that the organisation has the right talent in terms of competence and other attributes both for current and emerging needs, and strive to retain them through development and implementing staff motivating policies;

- xiii. champion an organisational culture that is aligned with AMCOW's values and strategic direction;
- xiv. ensure appropriate management support to the Governing Council for effective discharge of its oversight responsibilities;
- xv. provide leadership in the implementation of Governing Council decisions;
- xvi. regularly appraise the Governing Council of the organisation's risk management efforts, including strategic and operational risks;
- xvii. act as accountable officer for the submission of annual reports and other relevant documents to the African Union Assembly of progress on the implementation of the Sharm El-Sheikh commitments on WASH through the TAC and EXCO;
- xviii. lead the fostering cooperation and regional integration effort on WASH matters at sub-regional, continental and international level;
- xix. lead the provision of secretariat services for the sessions and meetings of all organs of AMCOW; and
- xx. carry out any other duties assigned by the AMCOW President, organs of the AU, Council of Ministers, EXCO and the TAC.

3.6 The Deputy Executive Secretary

Under the guidance of the ES, the Deputy Executive Secretary shall:

- i. lead all operational matters of the AMCOW Secretariat including the implementation of the organisation's strategy and the effective translation of the organisation's strategic priorities into annual work programmes that are appropriately aligned with the resource envelope and developing strategies for any needed adjustments;
- ii. support the ES in the implementation of the decisions of the Council of Ministers;
- iii. lead the preparation of AMCOW work programmes, budgets and reports for consideration and/or approval by the ES;
- iv. ensure the timely preparation and submission of technical and financial reports and key meeting documents to the Council of Ministers and AMCOW partners through the ES;
- v. develop, implement and, where appropriate, institutionalise mechanisms for mobilising financial resources and investments for AMCOW activities and initiatives under the oversight of the ES;
- vi. lead the development and implementation of the organisation's resource mobilisation and financial sustainability strategies;
- vii. ensure that the organisation has efficient systems for implementing and monitoring its project portfolio;
- viii. promote gender mainstreaming in both programmes and operations;

- ix. ensure operational seamlessness with the African Union Commission (AUC) relating to the water and sanitation sectors in Africa in line with AMCOW's status as an STC of the AU;
- x. lead the compilation of annual reports of progress on the implementation of the Sharm El-Sheikh commitments on water and sanitation for submission to the TAC and EXCO through the ES;
- xi. lead AMCOW's research and development effort in the African water sector;
- xii. develop, institutionalise and regularly update management and operational systems, tools and controls for the functional running of the Secretariat;
- xiii. provide secretariat services for the sessions and meetings of all AMCOW organs; and
- xiv. carry out any other duties assigned by the Executive Secretary.

4 Operational and Management Arrangements

AMCOW shall adopt and apply such operational and management tools, mechanisms and systems as necessary to fulfil its aims, mission and functions. These will include, but will not be limited to:

- (a) The AMCOW Operational Strategy.
- (b) The Staff Management and Operations Manual – the AMCOW Staff Handbook – 2020.
- (c) The AMCOW Communication and Visibility Strategy and Plan.
- (d) The AMCOW Knowledge Management Strategy and Plan.
- (e) The AMCOW Resource Mobilisation and Financial Sustainability Strategy – 2021.
- (f) The AMCOW Staff Regulations and Rules – 2022.
- (g) The AMCOW Finance Rules and Regulations – 2022.
- (h) The AMCOW Employee Code of Conduct – 2020.
- (i) The AMCOW Conflict of Interest Policy – 2020.
- (j) The AMCOW ICT Policy and Procedures Manual – 2021.
- (k) The AMCOW Performance Management Policy and Procedure Manual – 2020.
- (l) The AMCOW Procurement Manual – 2021.
- (m) The AMCOW Security and Staff Safety Policy – 2021.

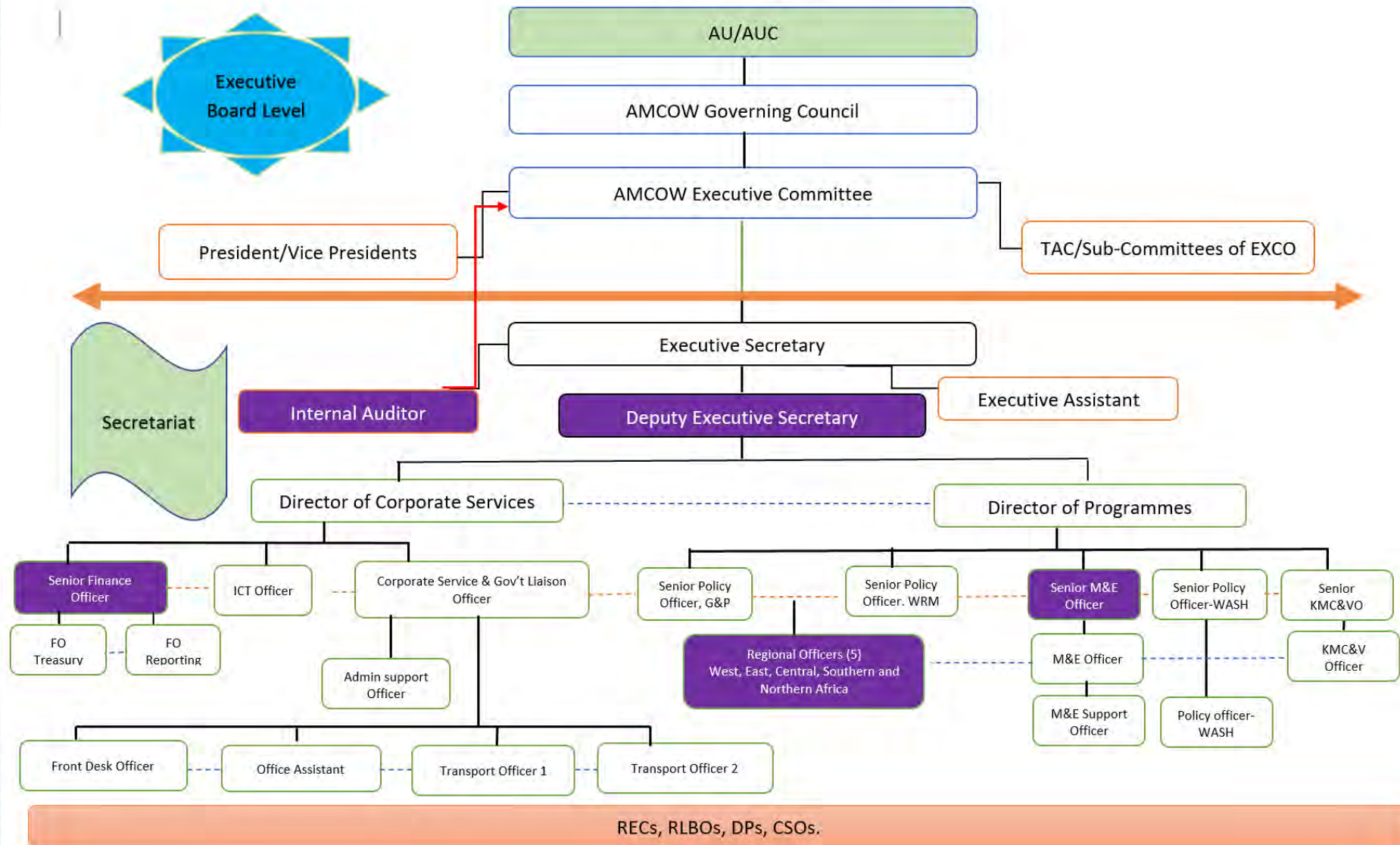
Details of the rationale and justification of the above-mentioned policies and strategies is provided in Volume II of the AMCOW Governance Framework.

4.1 Funding

The Secretariat shall receive and manage Member States' contributions and other funds for AMCOW activities from stakeholder contributions; funding and development cooperation partners; the private sector; and other sources as shall be established by the ES and the policy organs of AMCOW and the AU.

The core functions of the Secretariat shall be financed by the Member States themselves as a show of commitment to and ownership of AMCOW's initiatives.

Revised AMCOW Organogram



Overall responsibility for the Secretariat rests with the ES as the accounting officer, with direct support from the Deputy Executive Secretary (for operational functions), Director of Corporate Services (for administrative and finance functions) and a Director of Programmes (for the technical functions).

The Director of Programmes shall be assisted by Programme and Policy Officers who will be in charge of general duties relating to AMCOW's work programmes, and project officers for M&E, responsible for coordinating the annual preparation and submission of Country Progress Reports on the implementation of the Sharm El-Sheik commitments to the heads of state and governments of the AU.

The Senior Knowledge Management, Communications and Visibility Officer will have overall responsibility for coordinating all AMCOW media and communications activities, as well as the development, regular update and implementation of the AMCOW Knowledge Management, Communications and Visibility Strategy.

Regional Programme Officers shall have full responsibility for providing Secretariat services to the sub-regional committees and for ensuring the direct link between AMCOW activities at continental and sub-regional levels.

Full job descriptions of all positions in Figure 1.1 are provided in Volume II of the Governance Framework document.

5 Resource Mobilisation

AMCOW shall establish and institutionalise such resource mobilisation and funding mechanisms as are necessary to support the implementation of each triennial cycle of the AMCOW work programme.

As a key and integral element of AMCOW's triennial work programming, the Secretariat shall table an implementation strategy and budget for the Council's approval, against which the requisite funding shall be sourced. The Secretariat shall assume primary responsibility for mobilising these resources and for coordinating implementing partners' efforts to leverage the funds.

5.1 The African Water Facility

In accordance with the mandate bestowed upon it by AMCOW, the African Water Facility (AWF) shall be integral to AMCOW's resource mobilisation and funding mechanisms for water resources management and development activities in Africa. To this end, AMCOW shall contribute to the facility's policy direction through the appointment of five members of the AWF Governing Council.

The appointees shall be confirmed at the ordinary sessions of the AMCOW General Assembly to serve for a term of two years.

5.1.1 *Composition*

They shall comprise of the immediate outgoing AMCOW President and the four AMCOW Vice Presidents representing the sub-regions apart from that of the outgoing President.

They shall each be supported by the AMCOW TAC member of their respective countries, thus providing a direct link to the initiatives, programmes and activities of AMCOW.

APPENDIX I: The Abuja Ministerial Declaration on Water – A key to Sustainable Development in Africa.

**Launch of the African Ministerial Conference on Water (AMCOW). Abuja, Nigeria
29-30 April 2002.**

Preamble:

1. We, the African Ministers responsible for water meeting in Abuja, Nigeria, from 29-30 April 2002, adopt the 'Abuja Ministerial Declaration on Water—a key to Sustainable Development in Africa'.
2. We are fully conscious of the challenges and obligations in the Treaty establishing the African Union.
3. We have, in adopting the Declaration, critically examined the global water situation and its implication for Africa.
4. We have, in this regard, duly noted the following.

(a) the need of humanity for adequate supplies of freshwater, both for survival and social and economic development, will remain a major national, regional and international priority in the years to come. An adequate supply of freshwater is the most important prerequisite for sustaining human life, for maintaining ecosystems that support all life, and for achieving sustainable development;

(b) the inescapable reality is that, without adequate supplies of clean, safe water and sanitation people are dying suffering and many are dying prematurely, ecosystems will cease to perform their human sustaining functions and the potential for social and economic development will be drastically reduced; the plight of Africa's children in terms of their lack of adequate safe drinking water. Water quantity, quality and sanitation are the key factors in determining whether a child survives;

(c) ironically, freshwater is abundant throughout the world on a regional basis. It is, at the same time, however, unevenly distributed by nature and humankind;

(d) while some countries have high per capita water availability, many others are now facing, or will soon face, a situation of water scarcity and unacceptable pollution levels in which their populations and their social and economic development cannot be sustained with the available water resources in many regions, while in others, it is already at a critical stage;

(e) many hundreds of millions of people already do not have access to adequate supplies of clean water and adequate sanitation;

(f) in addition to these challenges, practices in many areas are aggravating the problems with the prevailing - and incorrect view that water will be perpetually available in quality and quantity.

(g) Traditional coping strategies such as migration and pastoralism are becoming less and less viable.

5. We have also taken stock of the lessons learnt, notably, the issues of concern to Africa and reaffirm the position stated in our Declaration to the International Conference on Fresh Water, in Bonn on 7th December 2001. In that Declaration, we drew attention,

to the fact that a decade after the United Nations Conference on Environment and Development (UNCED), more Africans lack access to safe water and sanitation. Almost half the people of the African continent, particularly women and children suffer from water-related diseases. The result is economically crippling, and from a humanitarian standpoint, simply degrading.

6. We are determined to respond to the new and emerging challenges in Africa:

(a) In the Treaty establishing the African Union and in the New Partnership for Africa's Development (NEPAD), our Heads of State and Government, have clearly indicated that the destiny of our continent is in the hands of our peoples. We also recognize that the primary responsibility for ensuring the sustainable and equitable management of water resources, in Africa, rests with our governments and peoples. The Ministers responsible for water resources, in this regard, have a special role to play.

(b) A growing number of our countries have put in place arrangements for the management of water resources at all levels. We shall strengthen institutional arrangements for the water and sanitation sector in Africa. We have already embarked on a series of water sector reforms. We continue to rely on our major partners, including the private sector, which have increasingly collaborated with our governments and are contributing to bringing water and sanitation services to our peoples.

(c) We realise that much more needs to be done to encourage riparian states to co-operate on all matters relating to shared waters.

RESOLUTIONS ADOPTED BY THE AFRICAN MINISTERS RESPONSIBLE FOR WATER

A. Mandate

(a) **Welcoming** the adoption, by our Continent's Heads of State and Government of the decision to establish the African Union;

(b) **Further welcoming** the recent launch of the New Partnership for Africa's Development (NEPAD) with the overall objective of encouraging new approaches to Africa's sustainable development challenges;

(c) **Taking note** of Africa's assessment of water and sanitation related issues before the World Summit on Sustainable Development (WSSD);

(d) **Fully aware** of the challenges posed by the Millennium Declaration and the regional intergovernmental responses essential to translating the Millennium Development Goals into reality in Africa;

(e) **Recognising**, the commitments undertaken in the Declaration of African Ministers Responsible for Water at the International Conference on Freshwater in Bonn, Germany on 7th December 2001;

(f) **Raising the profile of sanitation**, the much-neglected partner of water supply and its links with the water sector.

1. **Decide** to establish the African Ministerial Conference on Water (AMCOW).
2. **Also decide** that AMCOW's mission will be based on the vision outlined in the instruments establishing the African Union.
3. **Further decide**, that AMCOW shall strive to:
 - (a) Strengthen intergovernmental co-operation in order to halt and reverse the water crisis and sanitation problems in Africa;
 - (b) monitor progress in the implementation of major regional and global water resources and water supply and sanitation initiatives;
 - (c) review progress in the implementation of the commitments set forth in key international arrangements for the provision of financial resources and technology transfer in support of water sector reforms in Africa. Our review will take into account progress made globally, in the achievement of the water-related goals in both the Millennium and the Malmö Ministerial Declarations;
 - (d) receive and analyse, on a regular basis, reports or information, on the adequacy of financial and technological investments in the water and sanitation sector in Africa;
 - (e) consider information provided by African Ministers responsible for Water, for example during the regular sessions of AMCOW, regarding best practices in policy reforms in the water and sanitation sector at the country level;
 - (f) enhance and solidify intergovernmental and regional cooperation in the management of shared waters, including surface and ground water;
 - (g) consider, where appropriate, information regarding progress made or needed in the implementation of intergovernmental agreements on surface and ground water resources;
 - (h) assess and, where appropriate adopt best practices in global and regional programmes dealing with water and sanitation;
 - (i) engage in dialogue and consultations with regional economic groupings and with regional and global financial institutions on issues relevant to the water and sanitation sector in Africa.
4. **Also decide** that AMCOW shall support measures which:
 - (a) encourage stronger and better performing institutional arrangements for the water sector;
 - (b) strengthen the monitoring and assessment of available water resources;
 - (c) ensure sustainable water and sanitation infrastructure development and services delivery and the transfer of water to drought-prone areas for the poor majority in our region;
 - (d) promote policies for the appropriate allocation of water for domestic use and food security and other competing demands;

(e) support regional intergovernmental dialogue on the implementation of Chapter 18 (Freshwater) of Agenda 21 for the purpose of recommending measures needed to strengthen implementation.

B. Institutional Arrangements

5. **AMCOW decides** to establish a Steering Committee as an interim measure composed of Nigeria (chair) and representatives from the five sub-regions to finalize institutional arrangements which shall include:

- a) A Bureau whose membership shall consist of a President and Vice-Presidents in accordance with equitable geographical distribution;
- b) A Secretariat to be entrusted with the responsibility of facilitating the implementation of its decisions, noting President Obasanjo's gracious offer;
- c) Terms of Reference and rules of procedure for the Bureau and Secretariat;
- d) Proposals for financing arrangements; and
- e) The above should be finalized for consideration by AMCOW at its next session which will take place in Johannesburg in August 25-26, 2002 immediately prior to the commencement of WSSD.

6. **The Steering Committee** will work in close cooperation with the African Water Task Force and the cooperating partners and will consider their respective roles in relation to AMCOW.

C. New Partnership for Africa's Development (NEPAD) - Freshwater-related components

7. **Expresses its resolve to promote the goals** of the water-related components of NEPAD.

D. International Cooperation and Support

8. **We call on all cooperating partners** and other relevant UN agencies, the African Development Bank, our region's co-operation partners and donors, to support AMCOW's efforts in the implementation of the measures outlined in this Declaration. We particularly welcome the European Union's commitment and offer of assistance made during the AMCOW launching ceremony.

9. **We request** the African Union to provide political and other forms of support to AMCOW.

E. Upcoming Global Events

10. **We adopt** the "Statement of the African Ministerial Conference on Water (AMCOW) at the World Summit on Sustainable Development (WSSD)" and present it as an African contribution in the water sector to Bali, Johannesburg and Kyoto.

F. Notes of Appreciation

11. **We express** our profound gratitude and appreciation to the Government of Nigeria for the efforts made in convening and hosting the launch of AMCOW.

12. **We acknowledge** the gracious offer extended by His Excellency Chief Olusegun Obasanjo, the President of the Federal Republic of Nigeria to provide a fully equipped

Secretariat which will be supported by the Nigerian Government to provide all the services required to ensure the effectiveness of AMCOW, the African Region and its contribution to the success of the objective of NEPAD.

13. **In addition, we express** our appreciation for the commendable efforts of all the cooperating Partners including the United Nations Environment Programme (UNEP), United Nations Educational, Scientific and Cultural Organization (UNESCO), Secretariat of the United Nations System-wide Initiative for Africa (UNSI), Food and Agricultural Organization (FAO) World Meteorological Organization (WMO), the World Bank and the Institute for Public-Private Partnerships (IP3).

14. **We also express** our deep appreciation to Dr. Salim Ahmed Salim (former Secretary General of the Organization for African Unity OAU) who has agreed to be the African Water Ambassador for his commendable efforts to promote the cause of water in Africa.

Abuja, 30 April 2002.

The African Ministers responsible for Water

**APPENDIX II: MEMORANDUM OF UNDERSTANDING
OF THE AFRICAN MINISTERS' COUNCIL ON WATER
(AMCOW)**



ENTEBBE, UGANDA

NOVEMBER 2004

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PREAMBLE

We the African Ministers responsible for water representing our African Countries, meeting in Entebbe, Uganda.

Reaffirming our concern about the water situation in Africa, as a result of geography, population pressure, increasing economic activities, land degradation, climate variability and change.

Recognizing the need to provide adequate water for different uses such as agriculture and industry in general and for safe drinking water and sanitation services to the African people in particular.

Recalling our determination to confront and address the challenges expressed in the second and third World Water Forums held in the Hague and Kyoto respectively and the Abuja Declaration 29th to 30th April 2002

Reaffirming our belief that political leadership, advocacy and co-ordination are needed to implement:

- The African Water Vision as adopted during the second World Water forum in the Hague in March 2000
- Millennium Development Goals (MDGs) for water supply and sanitation
- The special regional initiative to support and expedite the preparation of Integrated Water Resources Management (IWRM) Plans by 2005
- The Water and Sanitation and Environment commitments as developed by New Partnership for Africa Development (NEPAD).

Following up our decision to set up an African Ministers' Council on Water (AMCOW) made in Abuja Declaration of 30th April 2002.

Hereby agree as follows:

SECTION I: DEFINITION OF TERMS

For the purposes of this MEMORANDUM OF UNDERSTANDING:

- (a) "The Council" means the Council of African Ministers responsible for Water
- (b) "President" means the President of the Council
- (c) "Executive Secretary" means the Chief Administrative Officer of the Council and the Head of the Secretariat
- (d) "Sub-region" means the geographical sub-regions in the continent
- (e) "Member States" means States which have accepted this MEMORANDUM OF UNDERSTANDING and are members of the Council.

SECTION II: ESTABLISHMENT

Article 1: An African Ministers' Council on Water (AMCOW) is hereby established.

Article 2: The Council shall be a Forum of African Ministers responsible of Water.

Article 3: The Council shall have its registered office and headquarters in an African State hosting the Secretariat.

Article 4: Membership: The Council is open to all African countries.

SECTION III: AIMS, MISSION AND FUNCTIONS

Article 5: The aim is to contribute and promote regional cooperation, social and economic development and poverty eradication in Africa through the adequate management of water resources and provision of water services.

Article 6: The mission of AMCOW is to provide political leadership, policy direction and advocacy in the supply and management of water for sustainable, social, economic, environmental development and the maintenance of Africa's ecosystems.

Article 7: The functions of AMCOW are:

- (a) To keep the state of Africa's Water Resources under review and promote desirable actions of common interest to Africa.
- (b) To facilitate sub-regional, regional and international co-operation through the co-ordination of issues relating to water policies and actions amongst African countries.
- (c) To support international cooperation on water-related issues through development of common positions on matters of global concern as well as co-operation in implementation of relevant conventions and international agreements.
- (d) To encourage mechanisms that will promote best practices in water policy reforms, integrated water resources management, food security, water supply and sanitation and also assist in delivery in national, sub-regional and regional programs.
- (e) To provide a forum for dialogue with UN agencies and other partners on water programs.

- (f) To promote in the region, studies regarding climate change, develop observation networks, encourage information exchange, and set up strategies for the management of water resources during drought and floods and develop policies and strategies for arresting the water crisis in Africa.
- (g) To keep under review and constantly seek to strengthen the financing of the water sector in Africa.
- (h) To promote sub-regional and basin and/or sub-basin cooperation.

SECTION IV: ORGANS OF AMCOW

Article 8: The organs of AMCOW shall consist of:

- (a) The Council of African Ministers responsible for Water
- (b) The Executive Committee
- (c) The Technical Advisory Committee
- (d) The Secretariat
- (e) The Sub-regional Committees

Article 9: The Council of Ministers responsible for Water

- (a) The Council of Ministers responsible for Water shall be the highest orientation and decision-making organ.
- (b) Once in two years, the Council shall elect for a two-year term member of an Executive Committee comprising three (3) representatives from each of the five sub-regional economic groups.
- (c) The President shall be elected by the General Assembly among the Council Members.
- (d) The Presidency shall rotate among the sub-regions for a two-year term.
- (e) Five (5) Vice-Presidents, one from each sub-region shall be elected for a two-year term by the General Assembly.
- (f) The Vice-President from a sub-region shall be one of the three (3) Executive Members from the sub-region.
- (g) In between sessions the President, in consultation with the Executive Committee, shall represent the Council.
- (h) The Council shall meet in ordinary session once in two years at such places it may decide.
- (i) Extra-ordinary sessions shall be convened at the request of one sub-region supported by another.
- (j) At ordinary and extra-ordinary sessions of Council fifty percent plus one of Member States shall form a quorum provided all the five (5) sub-regions are represented at such a meeting.
- (k) The Council may establish such ad-hoc committees as it may deem necessary to carry out particular assignments.
- (l) The Council shall have authority to delegate any of its functions as it may deem appropriate to either the Executive Committee or the Secretariat. The functions that the Council may delegate to Executive Committee and the Secretariat should be described in detail in this MEMORANDUM OF UNDERSTANDING .
- (m) Council may use services of its own staff or other persons or organizations in the public or private sectors as it may see fit.
- (n) The Council shall approve a two-year program and budget of the organization.

Article 10: The Executive Committee:

- (a) The Executive Committee shall ensure that decisions of the Council are implemented.
- (b) The Executive Committee shall be responsible for the preparation of the programs and budgets for the approval of the Council.
- (c) It shall be accountable to the Council.
- (d) The Executive Committee shall meet in ordinary session at least two (2) times in a year at such places that it shall decide.
- (e) It shall be responsible for preparing sessions of the Council.
- (f) At each session of the Executive Committee the President shall preside.
- (g) A simple majority shall form the quorum for meetings.
- (h) An extra-ordinary session may be convened at the request of the President.
- (i) It shall supervise the work of the Secretariat of the Council.

Article 11: The Technical Advisory Committee (AMCOW-TAC)

- (a) There shall be a Technical Advisory Committee which will consist of five technical experts designated for a two-year term from each of the five (5) sub-regions of Africa, viz: Southern Africa, West Africa, East Africa, Central Africa and North Africa.
- (b) The Chair of AMCOW-TAC shall be designated among the twenty-five (25) members of the Technical Advisory Committee.
- (c) It shall provide technical advice to the African Ministers' Council on Water.
- (d) It will provide support to AMCOW to do the following:
 - i. Formulation of Policies and Strategies
 - ii. Coordination with other institutions
 - iii. Operational follow-up of issues and decisions
- (e) It shall meet at least two (2) times in a year.
- (f) The Chair of AMCOW-TAC must be designated from TAC members and shall rotate among the sub-regions for a two-year term.

Article 12: The Secretariat

- (a) There shall be a Secretariat, which shall be headed by an ES who shall be responsible for the day to day running of the Secretariat.
- (b) The ES shall be answerable to the Executive Committee.
- (c) The Secretariat shall be responsible for taking action on the decisions of the Council, under the direction and supervision of the Executive Committee.
- (d) The ES shall be appointed by Council on such terms and conditions as it may decide on the recommendation of the Executive Committee.
- (e) The ES shall be appointed on a three-year contract, renewable once.
- (f) The ES shall have such qualification and experience necessary to head the Secretariat well.
- (g) The appointment of other staff of the Secretariat shall be governed by Staff Regulations, approved by the Executive Committee.
- (h) The detailed structure of the Secretariat shall be approved by the Council on the recommendation of the Executive Committee. All changes of this structure shall be approved by the Council.
- (i) The Secretariat shall prepare the Programs and Budgets for consideration by Executive Committee before being submitted to the Council for approval.
- (j) The Secretariat shall prepare and provide secretarial services for the sessions and meetings of all the organs of the Council.

- (k) Staff of the Secretariat shall be answerable to the Executive Secretary.

Article 13: The Sub-regional Committee

- (a) There shall be a sub-regional structure of AMCOW that will consist of Ministerial Committee, Technical Expert Committee and a coordinating secretariat.
- (b) The Sub-regional Ministerial Committee shall comprise one council member from each country of the sub-region. The sub-regional Ministerial Committee shall be headed by the Vice President from the sub-region, who is also the spokesman of the committee to AMCOW.
- (c) The Sub-regional Ministerial Committee shall:
 - i. be responsible of the approval of Sub-regional programs.
 - ii. report to the Executive Committee of AMCOW
- (d) The sub-regional Technical Expert Committee shall consist of one representative from each country of the Sub-region. It will be headed by one of the TAC members from the sub-region.
- (e) The Sub-regional Technical Expert Committee shall:
 - i. be responsible of developing Sub-regional programs.
 - ii. report to the Sub-regional Ministerial Committee for all its activities.
- (f) The Secretariat shall be responsible for coordination of sub-regional programs

SECTION V: FINANCE

Article 14: Sources of Funds:

The sources of funds shall comprise:-

- (a) Contributions by member states on a formula to be agreed by the Council on the basis of proposals by the Executive Committee
- (b) Contribution of any Foundation or Trust that may be agreed and established by the Council.
- (c) Contributions of Funds in Trust that may be set aside by Member States or Donors for particular projects.
- (d) Gifts or donations that may be made to the Council.

Article 15: Financial Regulation

- (a) The Secretariat shall operate under Financial Rules and Regulations to be approved by the Council on the recommendation of the Executive Committee.
- (b) A financial regulation, approved by the Council, on the recommendation of the Executive Committee, shall fix Financial Rules for the working of the AMCOW organs.

Article 16: Program & Budget

- (a) The Programs and Budgets approved by the Council shall form the basis for the mobilization and disbursement of funds.
- (b) The disbursement of funds shall be governed by the financial regulations of the Council.

SECTION VI: STAFF REGULATIONS

Article 17: Staff Rules & Regulations

- (a) The qualification and experience to fill an approved post shall be approved by the Executive Committee.
- (b) The salaries, fringe benefits, progression, annual performance appraisal promotion, discipline etc. shall be covered by the Staff Rules and Regulations approved by the Executive Committee and reported to Council, excluding appointment of ES as per Article 12(d)

SECTION VII MISCELLANEOUS PROVISIONS

Article 18: Amendments

- (a) The provisions in this MEMORANDUM OF UNDERSTANDING can be amended at the call of a member state through the sub-regional representative in the Executive Committee.
- (b) Proposals for amendments shall be addressed to the President of the Council who shall communicate it to all member states at least 60 days before the next Council.
- (c) Amendments shall be carried if voted on and accepted by two-thirds of the members of the Council.
- (d) The amendment shall come into force under the same conditions for coming into force of this MEMORANDUM OF UNDERSTANDING.

Article 19: Official languages:

The languages of the Council shall be English and French.

Article 20: Decision Making:

Except as otherwise provided in the present Memorandum of understanding, decisions of AMCOW shall be by consensus failing which by simple majority of the members in attendance.

Article 21: Dissolution

- (a) AMCOW may decide by a resolution supported by three-quarters of all members to dissolve AMCOW or any of its institutions and determine the terms and conditions of dealing with its liability and disposal of its assets.
- (b) A proposal for the termination of AMCOW may be made to the AMCOW General Assembly by any of the Sub-regions, for preliminary consideration, provided, however, that such a proposal shall be presented to the AMCOW for decision when all the Member States have been duly notified of it and a period of 12 months has elapsed after the submission to the AMCOW.

Article 22: Coming into effect

That the MEMORANDUM OF UNDERSTANDING shall come into force upon signature by two-thirds of African Ministers responsible for Water and such signatures will be annexed to this MEMORANDUM OF UNDERSTANDING.

Declaration

I as the Minister responsible for Water hereby append my signature to the Memorandum of Understanding establishing the African Ministers' Council on Water as a proof that with effect from the date of this signature is a member of AMCOW.

Done on the Day of

Article 19: Official languages:

The languages of the Council shall be English and French.

Article 20: Decision Making:

Except as otherwise provided in the present Memorandum of understanding, decisions of AMCOW shall be by consensus failing which by simple majority of the members in attendance.

Article 21: Dissolution

- (a) AMCOW may decide by a resolution supported by three-quarters of all members to dissolve AMCOW or any of its institutions, and determine the terms and conditions of dealing with its liability and disposal of its assets.
- (b) A proposal for the termination of AMCOW may be made to the AMCOW General Assembly by any of the Sub-regions, for preliminary consideration, provided, however, that such a proposal shall be presented to the AMCOW for decision when all the Member States have been duly notified of it and a period of 12 months has elapsed after the submission to the AMCOW.

Article 22: Coming into effect

That the MEMORANDUM OF UNDERSTANDING shall come into force upon signature by two-thirds of African Ministers responsible for Water and such signatures will be annexed to this MEMORANDUM OF UNDERSTANDING.

Declaration

I, MAMPHEKO KHAKHASE as the Minister responsible for Water hereby append my signature to the Memorandum of Understanding establishing the African Ministers' Council on Water as a proof that LESOTHO with effect from the date of this signature is a member of AMCOW.

Done at MASERU the 23rd Day of August 2006

Article 19: Official languages:

The languages of the Council shall be English and French.

Article 20: Decision Making:

Except as otherwise provided in the present Memorandum of understanding, decisions of AMCOW shall be by consensus failing which by simple majority of the members in attendance.

Article 21: Dissolution

- (a) AMCOW may decide by a resolution supported by three-quarters of all members to dissolve AMCOW or any of its institutions, and determine the terms and conditions of dealing with its liability and disposal of its assets.
- (b) A proposal for the termination of AMCOW may be made to the AMCOW General Assembly by any of the Sub-regions, for preliminary consideration, provided, however, that such a proposal shall be presented to the AMCOW for decision when all the Member States have been duly notified of it and a period of 12 months has elapsed after the submission to the AMCOW.

Article 22: Coming into effect

That the MEMORANDUM OF UNDERSTANDING shall come into force upon signature by two-thirds of African Ministers responsible for Water and such signatures will be annexed to this MEMORANDUM OF UNDERSTANDING.

Declaration

I ASTAW DINGAMO as the Minister responsible for Water hereby append my signature to the Memorandum of Understanding establishing the African Ministers' Council on Water as a proof that with effect from the date of this signature is a member of AMCOW.


Astaw Dingamo
Minister

Done on June the 27th Day of 2006

Article 19: Official languages:

The languages of the Council shall be English and French.

Article 20: Decision Making:

Except as otherwise provided in the present Memorandum of understanding, decisions of AMCOW shall be by consensus failing which by simple majority of the members in attendance.

Article 21: Dissolution

- (a) AMCOW may decide by a resolution supported by three-quarters of all members to dissolve AMCOW or any of its institutions, and determine the terms and conditions of dealing with its liability and disposal of its assets.
- (b) A proposal for the termination of AMCOW may be made to the AMCOW General Assembly by any of the Sub-regions, for preliminary consideration, provided, however, that such a proposal shall be presented to the AMCOW for decision when all the Member States have been duly notified of it and a period of 12 months has elapsed after the submission to the AMCOW.

Article 22: Coming into effect

That the MEMORANDUM OF UNDERSTANDING shall come into force upon signature by two-thirds of African Ministers responsible for Water and such signatures will be annexed to this MEMORANDUM OF UNDERSTANDING.

Declaration

I, Hon. Bai-Mass GIAL as the Minister responsible for Water hereby append my signature to the Memorandum of Understanding establishing the African Ministers' Council on Water as a proof that the Government of The Gambia subscribes to the mission, functions, and core principles of AMCOW with effect from the date of this signature is a member of AMCOW.

Done on June the 27th Day of 2006

Article 19: Official languages:

The languages of the Council shall be English and French.

Article 20: Decision Making:

Except as otherwise provided in the present Memorandum of understanding, decisions of AMCOW shall be by consensus failing which by simple majority of the members in attendance.

Article 21: Dissolution

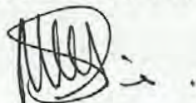
- (a) AMCOW may decide by a resolution supported by three-quarters of all members to dissolve AMCOW or any of its institutions, and determine the terms and conditions of dealing with its liability and disposal of its assets.
- (b) A proposal for the termination of AMCOW may be made to the AMCOW General Assembly by any of the Sub-regions, for preliminary consideration, provided, however, that such a proposal shall be presented to the AMCOW for decision when all the Member States have been duly notified of it and a period of 12 months has elapsed after the submission to the AMCOW.

Article 22: Coming into effect

That the MEMORANDUM OF UNDERSTANDING shall come into force upon signature by two-thirds of African Ministers responsible for Water and such signatures will be annexed to this MEMORANDUM OF UNDERSTANDING.

Declaration

I MOHAMMED SAIF MIA as the Minister responsible for Water hereby append my signature to the Memorandum of Understanding establishing the African Ministers' Council on Water as a proof that with effect from the date of this signature is a member of AMCOW.



26 - 10 - 2006

Done on the Day of

Article 19: Official languages:

The languages of the Council shall be English and French.

Article 20: Decision Making:

Except as otherwise provided in the present Memorandum of understanding, decisions of AMCOW shall be consensus failing which by simple majority of the members in attendance.

Article 21: Dissolution:

- (a) AMCOW may decide by a resolution supported by three-quarters of all member to dissolve AMCOW or any its institutions, and determine the terms and conditions of dealing with its liability and disposal of its assets.
- (b) A proposal for the termination of AMCOW may be made to the AMCOW General Assembly by any of the Sub-regions, for preliminary consideration, provided, however, that such a proposal shall be presented to the AMCOW for decision when all the Member States have been duly notified of it and a period of 12 months has elapsed after the submission to the AMCOW.

Article 22: Coming into effect:

That the MEMORANDUM OF UNDERSTANDING shall come into force upon signature by two-thirds of African Ministers responsible for Water and such signatures will be annexed to this MEMORANDUM OF UNDERSTANDING.

Declaration

Alh-Mukhtar S. Shugart as the Minister responsible for Water hereby append my signature to the Memorandum of Understanding establishing the African Ministers' Council on Water as a proof that.....NIGERIA..... with effect from the date of this signature is a member of AMCOW.

Done on.....July.....the.....24th.....Day of.....2006.....

APPENDIX III: AMCOW Rules of Procedure

I. SESSIONS

Number of sessions

Rule 1

Unless the African Ministers' Council on Water (AMCOW) decides otherwise, the Council of Ministers (the Council) shall hold sessions biennially.

Date of opening

Rule 2

1. The date of opening of each Council session shall be fixed by the Council, taking into account any recommendation of the Executive Committee of AMCOW.
2. In exceptional cases, the date of opening of a session may be altered by the AMCOW President in consultation with the Executive Committee, whenever practicable.

Place of sessions

Rule 3

In line with Rule 10, ordinary sessions of the Council shall be held biennially on or before the 30th day of June, unless the Council decides otherwise.

Ordinary sessions of the Council shall be hosted by the country of the in-coming AMCOW President.

Extra-ordinary sessions, whenever called, shall be held at the venue agreed by the Council, considering any recommendation of the Executive Committee with the notification of the ES.

Notification of opening date of sessions

Rule 4

The ES shall notify members of the Council of the date and place of the first meeting of each session at least six weeks in advance.

II. AGENDA

Drawing up of the provisional agenda

Rule 5

1. The ES, in consultation with the President, shall draw up the provisional agenda for each session.
2. The provisional agenda shall include all items required by these rules as well as items proposed by:

- (a) the council at a previous session;
 - (b) the President;
 - (c) the Executive Committee; and
 - (d) the Technical Advisory Committee.
1. Items proposed for inclusion in the provisional agenda pursuant to subparagraphs (c) and (d) of paragraph 2 shall be submitted with basic documents in sufficient time to reach the ES not less than seven weeks before the first meeting of each session.
 2. (i) Non-governmental organisations and specialised agencies may propose items for the provisional agenda of the Council provided that:
 - (a) An organisation that intends to propose such an item shall inform the ES at least nine weeks before the commencement of the session; and that before formally proposing an item, the organisation/agency shall give due consideration to any comments the Secretariat may make.
 - (b) The proposal shall be formally submitted with basic documents not less than seven weeks before the commencement of the session.
 - (ii) An item proposed in accordance with the provisions of this paragraph shall be included in the agenda of the Council if it is adopted by a two-thirds majority of the Technical Advisory Committee members present and voting.

When the term non-governmental organisations or “specialised agencies” is used in these rules, it refers to specialised agencies brought into relationship with the Council.

AW Rules of Procedure

Communication of the provisional agenda

Rule 6

1. The ES shall, not less than six weeks before the opening of the session, communicate the provisional agenda for a session of the Council and transmit the basic documents related to each item appearing thereon to the Members of the Council.
2. In exceptional circumstances, the ES may, for reasons to be specified in writing, transmit the basic documentation relating to items on the provisional agenda not less than four weeks before the opening of the session.

Adoption of the agenda

Rule 7

The Council shall at the beginning of each session, after the election of its officers, in accordance with rule 15, adopt the agenda for that session based on the provisional agenda referred to in rule 5.

Revision of the agenda

Rule 8

During a session, the Council may revise the agenda by adding, deleting, deferring or amending items. Only important and urgent items shall be added to the agenda during the session.

Draft provisional agenda for subsequent session

Rule 9

At each session of the Council, the ES shall submit a draft provisional agenda for the Council's subsequent session, indicating –in respect of each agenda item– the documents to be submitted under the items and the legislative authority for their preparation in order to enable the Council to consider the documents from the point of view of their contribution to the work of the Council and of their urgency and relevance in the light of the current situation.

AMCOW Rules of Procedure

III. REPRESENTATION

Terms of office of members

Rule 10

Unless the Council decides otherwise, the term of office of the Executive Committee members and President of the Council shall begin on the effective date of the handover from the outgoing leadership and shall end exactly 2 years from the date of the handover.

Representatives

Rule 11

Each member of the Council shall, after informing the ES and subject to confirmation by the Council, designate a person to serve as his/her representative on the Council.

Rights of representatives pending confirmation

Rule 12

A person designated as the representative of a member of the Council in accordance with rule 11 may, pending confirmation by the Council, participate in the work of the Council with the same rights as the other representatives on the Council.

Alternates

Rule 13

1. Each member of the Council may, after informing the ES, designate an alternate representative to act in place of his/her representative at a meeting of the Council or, except as provided in paragraph 2 of this rule of its subsidiary organs. When acting as representative, the alternate so designated shall have the same status as a representative, including the right to vote.

2. In the case of the AMCOW-TAC, the members which are experts nominated by Governments serving in their individual capacity, if a member is unable to attend all or part of a session s/he may, with the consent of her/his Government and informing the ES designate an alternate who shall have the same status as the expert serving as member on the subsidiary organ concerned, including the right to vote.

Advisors

Rule 14

1. The representative of a member of the Council may be accompanied by such advisors as may be required and at the cost of the member state.
2. Where such advisors accompany the representative to a session of the Council, they shall participate only as observers and will not have the right to vote.

IV: OFFICERS

Election of officers

Rule 15

At the commencement of its first meeting of a regular session, the Council shall elect from among the members, a President; five Vice-Presidents, each representing one of AMCOW's five sub-regions; and such other officers as may be required.

Terms of office

Rule 16

The officers of the Council shall, subject to rule 19, hold office until their successors are elected and, without prejudice to Rule 3 for the office of the President, may be eligible for re-election but not more than two successive terms. However, sub-regional representation and rotational principle shall be observed.

Acting President

Rule 17

1. If the President finds it necessary to be absent during a meeting or any part thereof, he shall designate one of the Vice-Presidents to take his or her place.
2. If the President ceases to hold office pursuant to rule 19, the remaining members shall designate one of the Vice-Presidents to take his or her place until the election of a new President.

Powers of the Acting President

Rule 18

A Vice-President acting as President shall have the powers and duties of the President.

Replacement of the President or other officers

Rule 19

If the President is unable to carry out his functions or ceases to be a representative of a member of the Council or if the State of which he is a representative ceases to be a member of the Council he or she shall cease to hold such office and a new officer shall be elected for the unexpired term.

Voting rights of the President

Rule 20

1. The President, or a Vice-President acting as President, may empower his or her alternate designated in accordance with rule 13 to participate in the proceedings and vote in the Council. In this case, the President or Acting President shall not participate in the proceedings except in his or her capacity as presiding officer of the Council.
2. In the event that voting in the Council or the EXCO is tied, the presiding officer shall vote to break the tie.

V: SUBSIDIARY ORGANS

Establishment of committees and working groups

Rule 21

1. During a session, the Council may set up such committees or working groups composed of members of the Council as are deemed necessary and refer to them any questions on the agenda for study and report.
2. The members of committees or working groups of the Council shall be nominated by the Executive Committee.

Establishment of sub-Committees

Rule 22

1. The Executive Committee shall set up only such sub-Committees as may be deemed necessary.
2. The Executive Committee shall determine the functions and composition of each sub-Committee.

Officers

Rule 23

1. Unless the Council decides otherwise, its subsidiary organs shall nominate their own officers.

2. The stipulation of paragraph (1) is not applicable in the case of a subsidiary organ which is composed of experts serving in their individual capacity.

Rules of procedure

Rule 24

The rules of procedure of the Council shall apply to the proceedings of its subsidiary organs as far as they are applicable.

VI. The Technical Advisory Committee (AMCOW-TAC)

The TAC shall hold meetings as and when the Council of Ministers responsible for Water and Sanitation Affairs (AMCOW) in Africa or President, acting on behalf of the Council, so decides.

Rule 25

1. The TAC Chair shall be designated by the AMCOW President for the two-year term of the President's mandate.
2. At the beginning of the meeting, the TAC shall elect, among its members, rapporteurs from among the members to be assisted by the Secretariat provided that the responsibilities of the rapporteurs shall cease at the end of the particular meeting for which they are elected.

Rule 26

In its normal reporting to the AMCOW Executive Committee, the TAC will present its findings and conclusions, including:

- i) those issues upon which consensus was reached; and
- ii) outstanding issues upon which consensus was not reached with an explanation of level of support, the various positions and alternates considered.

VII. SECRETARIAT

Duties of the Executive Secretary

Rule 27

1. The ES shall act in that capacity in all meetings of the Council. He or she may designate a member of the Secretariat to act as his representative.
2. He or She shall provide and direct the staff required by the Council and be responsible for all the arrangements that may be necessary for its meetings.
3. He or she shall keep the members of the Council informed of any questions that may be brought before it for consideration.
4. He or she shall provide secretariat services for the sessions and meetings of all organs of AMCOW.

Duties of the Secretariat

Rule 28

The secretariat shall:

- (a) interpret speeches made at meetings into AMCOW official languages;
- (b) receive, translate and circulate documents;
- (c) print, publish and circulate as appropriate the records of the session, the resolutions of the Council and the required documents;
- (d) have custody of the documents in the archives; and
- (e) generally perform all other work that may be required.

Statement by the Secretariat

Rule 29

The ES or his representative may subject to rule 43, make oral as well as written statements to the Council concerning any question under consideration.

Estimates of expenditure

Rule 30

1. The ES shall prepare and provide to the Executive Committee, through the TAC, estimates of the programme budget implications of implementing AMCOW initiatives and activities. The President shall draw attention to that estimate and invite discussion on the proposals as presented by the Executive Secretary.
2. Any programme budget proposal recommended by the ES to the Executive Committee for its approval must be stated in terms of the objectives to be achieved.

VIII: LANGUAGES

Official and working languages

Rule 31

English and French shall be the official and working languages of the Council.

Interpretation

Rule 32

Speeches made in an official language shall be interpreted into the other official language.

Languages of records

Rule 33

- i) Records shall be drawn up in both working languages.
- ii) Translated records in any of the official languages shall be maintained by the Secretariat and furnished if requested by a representative.

Language of resolutions and other formal decisions

Rule 34

All resolutions, recommendations and other formal decisions of the Council shall be made available in the official languages.

Summary records of meetings

Rule 35

No official records of meetings of the Council or any subsidiary organs shall be provided unless these have been specifically authorised by the Council.

Records of public meetings

Rule 36

1. Official records of the public meetings of the Council and its subsidiary organs, where authorised and required, shall be prepared by the Secretariat.
2. They shall be distributed, within two weeks of being authorised, to all members of the Council or of the organ concerned and to any other participants in the meeting.
3. The recipients may, within one week of receipt of the records, submit corrections to the Secretariat. In exceptional circumstances, the presiding officer may, in consultation with the ES, extend the time for submitting corrections.
4. Any disagreement concerning such corrections shall be decided by the presiding officer of the body to which the record relates, after consulting, where necessary, the sound recordings of the proceedings.
5. Corrections will be consolidated in a single corrigendum to be issued after the end of the session.
6. The official records and the consolidated corrigendum thereto shall be distributed promptly to the Members of the Council. On publication, these records may be hosted by the AMCOW website and be consulted by the public.

Reports to the Council

Rule 37

The Secretariat shall submit to the Council a report on the work of each session containing a concise summary of recommendations and a statement of issues requiring action by the Council. It shall, as far as practicable, frame its recommendations and resolutions in the form of drafts for approval by the Council.

Communication of formal decisions and reports

Rule 38

Within two weeks from the end of a session, the text of the formal decisions and reports adopted by the Council shall be distributed to all members of the Council and to any other participants in the session. The printed text of such decisions and reports shall be distributed as soon as possible after the close of the session to the Members of the Council.

Rule 39

Unless the Council decides otherwise its meetings shall be held in public

IX: CONDUCT OF BUSINESS

Rule 40

Quorum at a Council session shall be formed when all five sub-regions are represented and members of the Council from fifty percent plus one Member States are present.

General power of the AMCOW President**Rule 41**

1. In addition to exercising the powers conferred upon him or her elsewhere by these rules, the President shall:
 - a. declare the opening and closing of each meeting of the Council;
 - b. direct the discussions;
 - c. ensure observance of these rules;
 - d. accord the right to speak;
 - e. put questions to the vote; and
 - f. announce decisions.
2. The President, subject to these rules, shall:
 - a. assume complete control of the proceedings of the Council;
 - b. assume complete control over the maintenance of order at its meetings;
 - c. rule on points of order;
 - d. propose, where necessary, to the Council the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times each member may speak on an item, the adjournment or closure of the debate, and the suspension or adjournment of a meeting.
3. The President, in the exercise of his or her functions, remains under the authority of the Council.

Points of order**Rule 42**

1. During the discussion of any matter, a member may at any time raise a point of order, which shall be decided immediately by the President in accordance with these rules.
2. A member may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the ruling of the President shall stand unless overruled by a simple majority of the members present and voting.
3. A member may not, in raising a point of order, speak on the substance of the matter under discussion.

Speeches**Rule 43**

1. No one may address the Council without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their desire to speak.

2. Debate shall be confined to the question before the Council and the President may call a speaker to order if the remarks are not relevant to the subject under discussion.

Closing of list of speakers

Rule 44

During a debate, the President may announce the list of speakers and, with the consent of the Council, declare the list closed when there are no more speakers. The President shall, with the consent of the Council, declare the debate closed. Such closure shall have the same effect as closure by decision of the Council.

Rights of reply

Rule 45

The rights of reply shall be accorded by the President to the representative of any member who requests it. Members should attempt, in exercising these rights, to be as brief as possible and preferably to deliver their statements at the end of the meeting at which this right is requested.

Suspension or adjournment of the meeting

Rule 46

During the discussion of any matter, a member may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted, and they shall be put to the vote immediately.

Adjournment of debate

Rule 47

A member may at any time move adjournment of the debate on the item under discussion. Permission to speak on the motion shall be accorded only to two members favouring and to two opposing the adjournment, after which the motion shall be put to the vote immediately.

Closure of debate

Rule 48

A member may at any time move the closure of the debate on the item under discussion, whether or not any other member has signified the wish to speak. Permission to speak on the motion shall be accorded only to two members opposing the closure, after which the motion shall be put to the vote immediately.

Order of motions

Rule 49

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

- (a) To suspend the meeting

- (b) To adjourn the meeting
- (c) To adjourn the debate on the item under discussion
- (d) To close the debate on the item under discussion.

Submission of proposals and substantive amendments

Rule 50

Proposals and substantive amendments shall normally be submitted in writing to the Executive Secretary. Unless the Council decides otherwise, the proposals and substantive amendments shall be discussed or put to the vote no earlier than twenty-four hours after being circulated to all members.

Withdrawal of proposals and motions

Rule 51

A proposal or a motion may be withdrawn by its sponsor at any time before voting on it has commenced if it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Reconsideration of proposals

Rule 52

When a proposal has been adopted or rejected, it may not be reconsidered at the same session unless the Council so decides. Permission to speak on a motion to reconsider shall be accorded only to two members opposing the motion, after which it shall be put to the vote immediately.

XI. VOTING AND ELECTIONS

Voting rights

Rule 53

Each member of the Council shall have one vote

Request for a vote

Rule 54

A proposal or motion before the Council for decision shall be voted upon if any member so requests. When no member requests a vote, the Council may adopt proposals or motions without a vote.

Majority requirements

Rule 55

1. Except as provided in rule 52, decisions of the Council shall be made by consensus.
2. Where the Council fails to reach consensus, decisions shall be taken by a two-thirds majority of the members present and voting.

3. For the purpose of these rules, the phrase “members present and voting” means members present at the meeting and casting an affirmative or negative vote. Members that abstain from voting are considered as not voting.

Method of voting

Rule 56

1. Except as provided in rule 66, the Council shall normally vote by show of hands, except that a member may request a roll-call, which shall be taken in the English alphabetical order of the names of the States represented on the Council, beginning with the State whose name is drawn by lot by the President. The name of each member shall be called in all roll calls, and its member shall reply “yes”, “no” or “abstention”.
2. The vote of each member participating in any roll-call shall be inserted in the record.

Explanation of vote

Rule 57

Members may make brief statements consisting solely of explanation of their votes; before the voting has commenced or after the voting has been completed. A member sponsoring a proposal motion shall not speak in explanation of vote thereon except if it has been amended.

Conduct during voting

Rule 58

After the Chairperson has announced the commencement of voting, no representative may interrupt the voting except on a point of order in connection with the actual voting process.

Division of proposals and amendments

Rule 59

Parts of a proposal or an amendment shall be voted on separately if a member requests that the proposal be divided. Those parts of the proposal or the amendment that have been approved shall then be put to the vote as a whole, if all the operative parts of a proposal or an amendment have been rejected, the proposal or amendment shall be considered to have been rejected as a whole.

Amendments

Rule 60

An amendment is a proposal that does no more than add to, delete from or revise part of another proposal.

Order of voting on amendments

Rule 61

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the amendment further removed in

substance from the original proposal shall be voted on first and then the amendment next furthest removed therefrom and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted on.

Order of voting on proposals

Rule 62

1. If two or more proposals, other than amendment, relate to the same question, they shall, unless the Council decides otherwise, be voted on in the order in which they were submitted. The Council may, after each vote on a proposal, decide whether to vote on the next proposal.
2. A motion requiring that no decision be taken on a proposal shall have priority over that proposal.

Elections

Rule 63

All elections shall be held by secret ballot, unless, in the absence of any objection, the Council decides to proceed without taking a ballot on all agreed candidates or states.

XII. PARTICIPATION OF NON -MEMBERS OF THE COUNCIL

Participation of non-Member States

Rule 64

1. The Council may invite any State that is not a member of the African Union to participate in its deliberation.
2. A state thus invited shall not have the right to vote.

Participation of specialised agencies and Non-Governmental Organisations (NGOs)

Rule 65

1. The specialised agencies and NGOs shall be entitled to be represented at meetings of the Council and its subsidiary organs
2. Specialised agencies and NGOs are not entitled to vote

Participation of other intergovernmental organisations

Rule 66

Representatives of intergovernmental organisations may participate, without the right to vote, in the deliberations of the Council.

XIV. AMENDMENT AND SUSPENSION OF RULES OF PROCEDURE

Method of amendment

Rule 67

Only the Council may amend these rules.

Method of suspension

Rule 68

A rule of procedure may be temporarily suspended by the Council provided that such suspension shall not be inconsistent with any applicable decisions of Council and provided that twenty-four hours' notice of the proposal for suspension has been given, which may be waived if no representative objects. Any such suspension shall be limited to a specific purpose and to a period required to achieve that purpose.

APPENDIX IV: Volume II of the AMCOW Governance Framework Document: Information Note on rationale and justification of adopted operational and management arrangements

Legal Status

In accordance with the decision on the STCs – Assembly/AU/Dec.227(XII) – of the African Union Assembly at its Twelfth Ordinary Session in Addis Ababa, Ethiopia on 1-3 February 2009, AMCOW is designated as a Specialised Technical Committee of the African Union on Water and Sanitation. According to Article 15 of the Constitutive Act of the African Union, the functions of the STCs are to:

- a) prepare projects and programmes of the AU and submit it to the Executive Council;
- b) ensure the supervision, follow-up and the evaluation of the implementation of decisions taken by the organs of the AU;
- c) ensure the coordination and harmonisation of projects and programmes of the AU;
- d) submit to the Executive Council either on its own initiative or at the request of the Executive Council, reports and recommendations on the implementation of the provisions of this Act; and,
- e) carry out any other functions assigned to it for the purpose of ensuring the implementation of the provisions of this Act.

AMCOW is thus expected to work in close collaboration with the relevant departments and as a technical body of the AU. AMCOW's legal status as an Inter-governmental Organisation (IGO) shall, therefore, be negotiated under the auspices of the Constituent Act of the African Union.

The AMCOW Secretariat offices shall then be recognised as AU offices in a Member State and thus covered by existing AU agreements. AMCOW already has a host agreement with the Government of the Federal Republic of Nigeria for the Secretariat headquarters in Abuja.

Institutional Linkages and Stakeholder Engagement

AMCOW's aim of contributing to and promoting regional cooperation, socio-economic development and poverty eradication in Africa through the adequate management of water resources and provision of water services depends almost entirely on its Secretariat's capacity to mobilise, engage and administratively, technically and financially facilitate a broad spectrum of implementing partners at supra-national (RECs, R/LBOs) and national level. In essence, the effectiveness of the Secretariat's working relationships with stakeholders –as determined by which stakeholders are involved, what they are involved in, and how their inputs are used– will have an important influence on both the execution of AMCOW's initiatives and work programmes, as well as their outcomes.

AMCOW shall therefore adopt an AMCOW Framework for Water Governance and Management

Structures (Appendix IV) outlining:

- a) Institutional linkages, working relationships and operational arrangements with Member States; RECs, basin/aquifer management organisations and other regional partners (financing and implementing); Civil Society Organisations; and other stakeholders.
- b) Lead and support partner roles and responsibilities.
- c) Strategic directions, methods and priorities for engagement and participation in implementing action programmes.
- d) Policy on monitoring programmes and systems; data management; information generation, exchange and dissemination; and knowledge management.
- e) Collaborative mechanisms for planning as well as assessment processes across partner institutions and agencies.
- f) Administrative Functioning of the Secretariat.

On account of negotiations for AMCOW's legal status as an IGO pursuant to its designation as a Specialised Technical Committee of the AU, the Secretariat shall adhere to the AUC administrative procedures, including rules and regulations relating to:

- financial management, internal financial control systems, external audit and financial accounting; and staff administration and human resources development.

AMCOW shall adopt such management tools as an Operational Strategy (Volume II); and an AMCOW Staff Management and Operations Manual – Staff Handbook (Volume II) adapting the AUC administrative procedures to the specific needs of the Secretariat.

Whereas at the time of entry into force of this document the process of negotiating AMCOW's legal status as per the section above on the legal status of AMCOW will be ongoing, the adoption of the management tools as stipulated above shall be independent of the negotiation process. In the unlikely event that the legal status of AMCOW is secured outside the functional arrangements of an STC to the AU, the adopted management tools can be revised appropriately.

END

About AMCOW

The African Ministers' Council On Water (AMCOW) is an intergovernmental organization formed in 2002 by African Ministers Responsible for water affairs.

AMCOW's organs serve as working group of the African Union (AU) Specialized Technical Committee (STC) on Agriculture, Rural Development, Blue Economy, and Sustainable Environment (ARBE).

As its mission, AMCOW provides political leadership, policy direction and advocacy in the provision, used and management of Africa's water resources.

AMCOW's vision is an Africa where there is an equitable and sustainable use and arrangement of water resources for poverty alleviation, socio-economic development, regional co-operation and the environment.

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