

Distr.
LIMITED
PAMM/ED/57
September 1978
Original: ENGLISH

ECONOMIC COMMISSION FOR AFRICA

Intergovernmental Group Meeting on the
Proposed Establishment of an African
Institute for Higher Technical Training
and Research

Addis Ababa, 22-27 November 1978

DRAFT CONSTITUTION OF THE AFRICAN INSTITUTE
FOR HIGHER TECHNICAL TRAINING AND RESEARCH

Article 1

Establishment, Status and Membership of the Institute

1. There is hereby established the "African Institute for Higher Technical Training and Research" (hereinafter referred to as "the Institute"), with its headquarters at

2. The Institute shall be a subsidiary body of the Economic Commission for Africa and shall be governed in accordance with the provision of this Constitution.

3. The members of the Institute shall be all independent African State Members of the United Nations Economic Commission for Africa and the Organization of African Unity (hereafter referred to as "the member States").

Article 2

Purposes and Functions

1. The purpose of the Institute shall be to develop African higher level Technical manpower and technical education through training, research and consultancy services in order to meet the manpower requirements of its member States.

2. In pursuance of these purposes, the Institute shall carry out the following principal functions for the benefit of the member States:

- a) promote, organize, co-sponsor or facilitate the organization of higher technical training courses, workshops, seminars, or symposia designed to enhance the skills, and performance capability of African higher knowledge and level technical personnel, including technologists, engineers and technical instructors;
- b) provide from time to time such special or ad hoc training courses and programmes at the request of member States to meet specific urgent needs of the member States in the field of higher technical education;
- c) serve as a specialized regional centre for training, research and consultancy services in all aspects of higher technical education with particular focus on the training of higher level technical instructors; higher level technician training; refresher and technology development courses for practising engineers and offer appropriate examination courses and certification in these fields;
- d) undertake, co-sponsor or facilitate the conduct of studies; provide consultancy services in higher technical education planning and development to public and private organizations and training institutions within the member States, at their request;
- e) provide documentation and information services and act as a regional development centre in the field of higher technical education;
- f) test, evaluate and disseminate new methods and techniques of technical education teaching and curricula development, including information on teaching aids, laboratory tools and prototype equipment;
- g) collaborate with national, regional and international technical education institutions and associations in carrying out any or all of the above activities.

Article 3

Administration and Organization of the Institute

1. The Institute shall have its own Governing Council and budget. It shall be subject to the Financial Regulations and the Staff Regulations of the United Nations except as may be otherwise provided by the General Assembly. It shall also be subject to the Financial Rules, the Staff Rules and all other administrative directives of the Secretary-General, except as may be otherwise decided by him.

2. There shall be an Advisory Board on Training and Research.

3. The Institute shall also have a Director and supporting administrative and teaching staff and may organize its Secretariat into Departments, Divisions, Sections and Units as may be necessary for the effective performance of its functions.

4. The Institute may establish and develop sub-regional branches offices and programmes in fulfilment of its purposes and functions in co-operation with existing national institutions and such branches, offices and programmes shall form an integral part of the Institute.

Article 4 Composition of the Governing Council

1. The Governing Council shall consist of:

- a) The Executive Secretary of the Economic Commission for Africa, who shall serve as ex-officio Chairman of the Governing Council;
- b) one member with experience and competence in higher technical education development or technology research, appointed by each member State; each such member shall be appointed for a period of two years and may be eligible for re-appointment;
- c) during any period when UNDP is providing assistance to the Institute, a representative of UNDP shall be entitled to participate in the deliberations of the Governing Council without the right to vote.

2. The Director of the Institute as its Chief Executive Officer, shall attend all sessions of the Governing Council and shall serve as its Secretary.

Article 5 Powers and Duties of the Governing Council

The Governing Council shall:

- a) determine the general principles and policies of the Institute;
- b) consider and approve the training and research work programmes and corresponding budgets of the Institute;

- c) Consider and approve the annual reports of the Director of the Institute on the activities and progress of the Institute which shall include a budgetary and financial report for the preceding year;
- d) present an annual report on the activities of the Institute to the Conference of Ministers of the Economic Commission for Africa;
- e) review the administration of the Institute and make such recommendations for improvement as it may seem necessary;
- f) subject to the provisions of this Constitution, consider and make recommendations on the appointment, renewal and termination of contracts of senior staff of the Institute.

Article 6

Meeting of the Governing Council

1. The Governing Council shall meet in ordinary session twice a year. One such session shall be principally for the approval of the work programme, and the adoption of the budget of the Institute and the other session shall be principally for the consideration of the annual report on the activities and progress of the Institute. The Governing Council may meet in extraordinary sessions at the request of its Chairman or of one-third of its members.

2. Subject to provisions of this Constitution, the Governing Council shall determine its own procedure.

Article 7

Powers and Duties of the Chairman of the Governing Council

The Chairman of the Governing Council shall:

- a) arrange for the meetings of the Governing Council to be convened and its agenda to be prepared and preside over such meetings;
- b) make recommendations to the Secretary-General of the United Nations concerning the appointment of the Director of the Institute after consultation with the Governing Council;
- c) subject to the approval of the Governing Council and on behalf of the Institute seek and receive aid from UNDP, specialized agencies of the United Nations, intergovernmental, governmental and non-governmental organizations and from other sources.

Article 8
The Director

1. The Secretary-General of the United Nations shall, upon the recommendation of the Executive Secretary of the Economic Commission for Africa, appoint the Director of the Institute. The first appointment of a Director of the Institute shall be for a period of three years and may be renewed for succeeding periods of three years each.

2. The Director of the Institute shall be the chief executive officer of the Institute and shall be responsible to the Governing Council for:

- a) the proper administration of the Institute in accordance with the general principles and policies determined by the Governing Council;
- b) the submission for the consideration and approval of the Governing Council, of the training and research work programmes and corresponding budgets of the Institute;
- c) the execution of the approved work programme of the Institute and the management of its finances;
- d) the submission for the consideration and approval of the Governing Council, of the annual reports on the activities and progress of the Institute, including a budgetary and financial report of the preceding year;
- e) the submission of names of persons for approval and appointment by Secretary-General or the Executive Secretary of the Economic Commission for Africa as the case may be, according to the grade of office to be filled, as senior staff of the Institute;
- f) the appointment of the staff of the Institute, other than those referred to in sub-paragraph (e) of this Article, after due consultation with the Executive Secretary of the Economic Commission for Africa; the exercise of the necessary supervisory authority over any person undergoing a course of study at the Institute;
- h) the making of necessary arrangements with national and international organizations with respect to the use of the services and facilities provided by the Institute.

Article 9
Advisory Board on Training and Research

1. The Advisory Board on Training and Research shall consist of:

- the Director of the Institute;
- three members of staff of the Institute nominated by the Director of the Institute;
- a representative of the Economic Commission for Africa;
- four to five technical educators or practitioners from within the member States representing the sub-regions of the continent and one technical educator or practitioner from a developing country outside Africa, each appointed by the Chairman of the Governing Council.

2. Representatives of specialized agencies of the UN, inter-governmental organizations, governmental organizations and non-governmental organizations and other organizations as may be designated by the Chairman of the Governing Council.

3. Members of the Advisory Board on Training and Research appointed by the Chairman of the Governing Council shall be appointed for a period of two years and may be eligible for re-appointment.

4. The Director of the Institute shall be the Chairman of the Advisory Board on Training and Research.

5. The Advisory Board shall be responsible for giving technical advice on the training, research and consultancy programmes of the Institute.

6. The Advisory Board shall be convened normally once a year by its Chairman. At its meeting, it shall formulate recommendations to be submitted to the Governing Council on the future work programme of the Institute.

7. Subject to the provisions of this Constitution, the Advisory Board shall determine its own procedure.

Article 10
Co-operation with the Secretary of the
Economic Commission for Africa

1. The secretariat of the Economic Commission for Africa shall, within the limits of its resources, assist the Institute in every possible way in order to facilitate its work. In particular the Economic Commission for Africa shall from time to time make available to the Institute, on short-term basis, experienced staff to give lectures and to advise on the work of the Institute.

2. Upon the coming into force of this Constitution and until the establishment of the Institute's General Secretariat, until the establishment of the Institute's General Secretariat, the functions of the General Secretariat shall be performed provisionally by the Economic Commission for Africa.

Article 11
Resources of the Institute

1. The resources of the Institute shall consist of:
 - a) such movable and immovable assets and funds as may be vested in the United Nations for the purposes of the Institute by the Government of the host country as part of the host facilities granted for the Institute;
 - b) subscriptions by member States;
 - c) contributions by UNDP and other UN agencies;
 - d) contributions by way of grants, gifts, donations, and subventions;
 - e) tuition and other fees;
 - f) any other income.

2. The acceptance by the Institute of contributions or income under the provisions of sub-paragraphs (d) and (f) of paragraph 1 of this Article shall in every case be subject to the financial rules and regulations of the United Nations.

3. The Conference of Ministers of the Economic Commission for Africa shall, on the recommendation of the Governing Council, determine from time to time the subscriptions to be paid by the member States.

4. All funds received by and on behalf of the Institute, excepting the contributions of the UNDP, shall be deposited in a Trust Fund for the Institute.

Article 12
Privileges and Immunities

The United Nations shall enter into an agreement with the host Government of elaborating the facilities, immunities and privileges that may be granted the Institute, its property and its staff and such an agreement shall constitute a complementary part of this Constitution.

Article 13
Amendments

The Conference of Ministers of the Economic Commission for Africa may make amendments to this Constitution, including amendments as to the membership of the Institute.

Final and Transitional Provisions

1. The Executive Secretary of the Economic Commission for Africa shall negotiate and formulate the necessary agreements to be entered into between the United Nations and the Government of _____, concerning detailed arrangements for hosting the Institute and providing physical facilities and buildings to enable the Institute to become operational as soon as possible.

2. This Constitution with all other agreements and by-laws pertaining to it shall, on its coming to effect, be deposited with the Executive Secretary of the United Nations Economic Commission for Africa.

3. This Constitution shall enter into force provisionally in respect of all member States of the United Nations Economic Commission for Africa and the Organization of African Unity when duly subscribed to by not less than one-quarters of the membership of the Economic Commission for Africa and become effective permanently when ratified by an equal number of member States. For the purpose of this provision at least two such signatories shall be from each of the sub-regions of the African continent.

4. The Instruments of ratification shall be deposited with the Executive Secretary of the Economic Commission for Africa.

IN WITNESS WHEREOF the undersigned, having been duly authorized by their respective Governments to subscribe to this Constitution, have signed as hereunder to uphold its provisions:

[illegible]