

EBAFOSA

ECOSYSTEM-BASED ADAPTATION FOR FOOD SECURITY ASSEMBLY



CONSTITUTION OF THE
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(EBAFOSA)

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ARTICLE 1: THE ASSEMBLY

The Ecosystem-Based Adaptation for Food Security Assembly, hereinafter referred to as EBAFOSA, is hereby constituted as a pan-African assembly affiliated to a Host Institution.

ARTICLE 2: USE OF TERMS

For the purpose of this Constitution:

“**Host Institution**” means the institution in which Assembly is hosted.

“**The Assembly**” means the Ecosystem-Based Adaptation for Food Security Assembly.

“**Trust Fund**” means the Trust Fund of the Assembly established for promoting ecosystem-based adaptation.

“**AUC**” means the African Union Commission.

“**AMCEN**” means the African Ministerial Conference on Environment.

“**EBA**” means Ecosystems-Based Adaptation.

“**ACTS**” means African Centre for Technology Studies.

“**FARA**” means Forum for Agricultural Research in Africa.

“**AfDB**” means Africa Development Bank.

“**Executive Secretary**” means the person appointed to carry out the Assembly.

ARTICLE 3: VISION AND MISSION

1. **Vision:** A food secured Africa with sustainable ecosystems.
2. **Mission:** To provide a framework for ecosystem based adaptation that ensures food security in Africa.

ARTICLE 4: GENERAL PRINCIPLES

1. Food security is dependent on rich, diversified ecosystem services which can produce abundant food.
2. Achievement of environmentally sustainable food security in Africa under the changing climate is dependent upon EBA-driven agricultural actions at local, national, sub-regional and regional levels.
3. Food security in Africa is driven by the inclusion of all stakeholders including women, youth, civil society, Governments, business, private sector and academia in decision making, implementation and sharing of benefits.

ARTICLE 5: OBJECTIVES

1. To promote environmentally friendly approaches to food production.
2. To promote value addition for all EBA products by efficient technologies.
3. To develop a regional monitoring instrument and evaluation instruments on EBA.

ARTICLE 6: SCOPE

1. The Assembly's mandate shall cover all countries in Africa.
2. The Assembly's mandate may extend beyond Africa for purposes of realising food security, employment and sustainable development globally.

ARTICLE 7: STRUCTURE OF THE ASSEMBLY

The Assembly shall be composed of the following:

- i. The Assembly,
- ii. The Assembly Bureau,
- iii. The Assembly Secretariat,
- iv. The National Branches,
- v. The Trust Fund.

ARTICLE 8: FUNCTIONS AND RESPONSIBILITIES OF THE ASSEMBLY

1. The Assembly is the principal policy making organ.
2. The Assembly shall have the following functions and responsibilities:
 - a) To provide a platform for all African countries and stakeholders to discuss and provide policy and action-oriented solutions relating to food security,
 - b) To mobilise stakeholders, including civil society organisations, faith-based organisations, youth and women's movements, local and international non-governmental organisations, pro-poor private sector institutions, academics, researchers, educators, policy makers and individual citizens, towards utilising EBA approaches for food security,
 - c) To collaborate with national institutions responsible for agriculture, industrialisation, finance, environment, sustainable development and legal matters on food security,
 - d) To create a platform for integration and scaling-up of EBA for food security and value addition, and
 - e) To collaborate with AUC organs, sub-regional intergovernmental organisations and Pan African institutions, in the implementation of actions, policies and programmes having an impact on Africa's food security, ecosystems and resilience to climate change.
3. To collaborate with United Nations agencies and programmes in the implementation of the programmes and activities of the Assembly.
4. To provide strategies and techniques for an EBA-driven efficient and effective food production, sustainable industrial development, value addition and commercialisation at local, national, and regional levels to ensure inclusive growth and poverty eradication.
5. To encourage and promote food security and climate resilience campaigns at local, national, regional and global levels.
6. To establish such subsidiary bodies as may be necessary and determine their functions and operations.

ARTICLE 9: COMPOSITION OF THE ASSEMBLY

1. The Assembly shall be composed of the following:
 - (a) The President;
 - (b) Four Vice Presidents;
 - (c) A Rapporteur;
 - (d) National branches; and
 - (e) Such other persons or organisations as the Assembly shall determine.
2. The President, Vice Presidents and Rapporteur shall be elected at each ordinary session of the Assembly and shall hold office until the next ordinary session.
3. The Assembly shall determine the rules of procedure for the offices of the Assembly.

ARTICLE 10: PRESIDENT OF THE ASSEMBLY

1. The President shall convene and preside over the ordinary and special meetings of the Assembly and the Assembly Bureau.
2. The President shall represent the Assembly at meetings and functions with other bodies and institutions.
3. The President shall oversee the work of the Assembly Secretariat to ensure implementation of all programmes and projects of the Assembly.

ARTICLE 11: THE VICE PRESIDENTS

1. There shall be five Vice Presidents, representing each of the five sub regions of Africa, that is, West, Central, East, Southern and Northern Africa; to assist the President in carrying out his or her functions.
2. A Vice President shall carry out the functions of the President in his or her absence in accordance with the rules of procedure.
3. The Assembly's Rules of procedure shall determine the terms and conditions of the President and Vice Presidents.

ARTICLE 12: THE RAPPORTEUR

The Rapporteur shall be the spokesperson of the Assembly and shall be one of the Vice presidents.

ARTICLE 13: THE BUREAU OF THE ASSEMBLY

1. The Bureau of the Assembly shall be composed of the President, the Vice Presidents and the Rapporteur.
2. The African Union Commission, the African Development Bank, the Secretariat of the Assembly and the Secretariat of AMCEN shall be observers to the Bureau.

ARTICLE 14: MEMBERSHIP OF THE ASSEMBLY

1. The Assembly shall be composed of delegates from national branches and such other government representatives, non-governmental and civil society organisations, private sector, academia, and individual persons from Africa as shall be determined by the Assembly.
2. The rules of procedure of the Assembly shall determine the criteria, terms and conditions of membership of the Assembly.

ARTICLE 15: HOST INSTITUTION

1. The secretariat of the Assembly shall be hosted by a voluntary institution known as a Host Institution.
2. An institution that wishes to act as a Host Institution shall make an application in writing to the President of the Assembly demonstrating its capacity to fulfil the mandate of the Assembly.
3. The Assembly shall at the recommendation of the Bureau approve a host institution on such terms and conditions as shall be determined.
4. Upon expiry of the term, termination of service of a Host Institution or as may be determined by the Assembly, that institution shall handover all the assets, liabilities, records and the Trust Fund to the incoming host institution.

ARTICLE 16: ESTABLISHMENT OF NATIONAL BRANCHES

1. There shall be national branches composed of national delegates and such other representatives within the country including subnational representatives, non-governmental and civil society organisations, private sector, academia, and individual persons.
2. The rules of procedure of the Assembly shall determine the criteria, terms and conditions of membership of the national branches.

ARTICLE 17: OBSERVERS AND AFFILIATE BODIES OF THE ASSEMBLY

1. The Assembly may invite observers to support implementation of the functions and mandate of the Assembly.
2. Observers may participate in sessions of the Assembly but shall have no right to vote.
3. The Rules of procedure of the Assembly shall determine the terms and conditions of admission and participation of observers.

ARTICLE 18: THE ASSEMBLY SECRETARIAT

1. There shall be a secretariat of the Assembly whose functions are to:
 - (i) assist the President and the Bureau of the Assembly in implementing the decisions of the Assembly;
 - (ii) provide secretariat services to the Assembly and Bureau;
 - (iii) undertake co-ordination activities as shall be necessary for the smooth functioning of the Assembly in the achievement of its functions;
 - (iv) manage the day-to-day affairs of the Assembly and the Trust Fund;
 - (v) prepare draft programmes of work and budget for consideration and approval by the Assembly;
 - (vi) prepare financial reports and other reports as may be necessary for deliberation by the Assembly or the Bureau;
 - (vii) mobilise funds and other resources necessary for achieving the mission of the Assembly;
 - (viii) keep minutes and records of the Assembly and Bureau meetings;
 - (ix) perform such other functions as may be determined by the Assembly.
2. There shall be an Executive Secretary of the secretariat of the Assembly and such staff members as shall be appointed by the Host Institution.
3. The office-bearers of the Secretariat of the Assembly are employed by the Host Institution in accordance with the terms and conditions as agreed upon with the Bureau of the Assembly.

ARTICLE 19: SUBSIDIARY BODIES

1. The Assembly may establish subsidiary bodies or expert groups to provide technical and scientific advice relating to EBA for food security.
2. The rules of procedure of the Assembly shall determine the terms and conditions of the subsidiary bodies or expert groups of the Assembly.

ARTICLE 20: SESSIONS OF THE ASSEMBLY

1. The Assembly shall hold its Ordinary Sessions once every three years.
2. The sessions of the Assembly shall be held and hosted in a country with a national branch.
3. The selection of the host country shall be determined by the session of the Assembly at every ordinary session.
4. Any country having a national branch may volunteer to host the session of the Assembly and in the case where there is no volunteer to host the session, the Assembly Bureau may decide where to convene the session.

ARTICLE 21: SPECIAL SESSIONS

1. The Assembly may convene such special sessions as may be necessary to advance the work of the Assembly.
2. The conditions for holding a special session shall be determined by the rules of procedure.

ARTICLE 22: CONTRIBUTIONS

1. The necessary financial resources for sustaining activities of the Assembly shall be from obligatory contributions by the members of the Assembly to the trust fund.
2. There shall be an annual contribution whose amount shall be set by the Assembly.
3. The amount and manner of the contributions of the member of the Assembly shall be determined in the rules of procedure.

ARTICLE 23: TRUSTFUND

1. A Trust Fund is hereby established for purposes of voluntary contributions from members of the Assembly, observers and partners.
2. The Fund shall be managed by the Host Institution on behalf of the Assembly.
3. Pledges to the Trust Fund shall be made at each session of the Assembly and the Fund shall be an agenda item of each Ordinary Session.
4. The monies from the Trust Fund shall be used to support implementation of the decisions and programmes of the Assembly.
5. The Secretariat shall report on the status of the Fund at each Ordinary Session of the Assembly.

ARTICLE 24: MANAGEMENT OF FINANCES

1. The Executive Secretary shall be responsible for the management and accountability of the finances of the Assembly.
2. The financial records of the Assembly shall be subjected to an external audit once every year and the audit report submitted to the Assembly at its ordinary meetings.
3. The President may request for an audit of the finances of the Assembly at any time if circumstances so desire.
4. Financial matters shall be an item on the agenda of each Ordinary Session of the Assembly.
5. The amount and the financial rules shall be determined in the rules of procedure.

ARTICLE 25: RULES OF PROCEDURE

1. The rules of procedure shall be determined by the Assembly.
2. The Bureau shall determine and adopt the interim rules of procedure under this Constitution at its first session which shall be held not later than 31 December 2015.
3. The rules of procedure shall be presented for adoption by the Assembly at their first session

ARTICLE 26: ENTRY INTO FORCE OF THE CONSTITUTION

1. This Constitution shall be adopted at the Second Africa Ecosystems Based Adaptation for Food Security Conference held 30-31 July 2015 in Nairobi.
2. This Constitution shall come into force immediately upon adoption.

ARTICLE 27: AMENDMENTS

1. Any member of the Assembly may propose amendments to this Constitution.
2. Amendments to this Constitution shall be adopted at an Ordinary Session of the Assembly by at least three quarters majority of the national branch representatives present and the one delegate one vote principle shall prevail.
3. The Assembly shall make every effort to reach agreement on any proposed amendment by consensus.
4. The text of any proposed amendment shall be communicated to all members of the Assembly by the secretariat at least three months before the meeting at which it is proposed for adoption.

ARTICLE 28: DISPUTE SETTLEMENT

Matters relating to disputes of the Assembly or other matters affecting the operations of subsidiary bodies shall be determined by a Special Committee set up for that purpose by the President of the Assembly in consultation with members of the Bureau.

ARTICLE 29: DEPOSITORY

The AUC shall be the Depository of this Constitution.

ARTICLE 30: DISSOLUTION

1. The Assembly may be dissolved by a resolution supported by two thirds of all members participating and voting.
2. In case of dissolution, the assets of the Assembly shall be used to liquidate the liabilities and obligations of the Assembly, including the completion of on-going projects and shall be administered under the rules of the Trust Fund.
3. Determination of the assets and liabilities upon dissolution of the assembly shall be determined by the laws applicable to the host institution.

ARTICLE 31: TRANSITIONAL PERIOD

1. The African Centre for Technology Studies shall be the interim Host Institution of the Assembly until such a time that the Assembly shall otherwise determine.
2. The African Centre for Technology Studies, with the support of AMCEN, FARA and other partners, shall further be the interim secretariat of the Assembly until such a time that the Assembly shall otherwise determine.
3. The African Centre for Technology Studies shall be the interim host of the Trust Fund of the Assembly until such a time that the Assembly shall otherwise determine,

ARTICLE 32: AUTHENTIC TEXT

The original text of this Constitution shall be in the English and French languages both of which are authentically correct and the same.

ADOPTED at Nairobi on this 31 Day July, 2015.

