

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

Addis Ababa, Ethiopia

P. O. Box 3243

Telephone: 5517 700

Fax: 5517844

Website: www.au.int

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ASSEMBLY OF THE UNION
Thirty Second Ordinary Session
10 – 11 February 2019
Addis Ababa, Ethiopia

Assembly/AU/Dec.713-748(XXXII)
Assembly/AU/Decl.1-8(XXXII)
Assembly/AU/Res.1(XXXII)
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**DECISIONS, DECLARATIONS,
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DECISION ON THE INSTITUTIONAL REFORM OF THE AFRICAN UNION

The Assembly,

1. **TAKES NOTE WITH APPRECIATION** of the work conducted by H.E Paul Kagame, President of the Republic of Rwanda and the Leader on the Institutional Reform of the AU;
2. **TAKES NOTE** of the Report of H.E. Paul Kagame, President of the Republic of Rwanda and the Leader on the Institutional Reform of the AU and the Report of H.E Moussa Faki Mahamat, Chairperson of the Commission, on the implementation of the Institutional Reform of the African Union;
3. **RECALLS** Decision Assembly/AU/Dec.691(XXXI), adopted at the 31st Ordinary Session held in Nouakchott, Mauritania, in July 2018, which approved the establishment of the African Union Development Agency (AUDA/NEPAD) and **ALSO RECALLS** Decision Ext/Assembly/AU/Dec.1(XI), adopted at the 11th Extraordinary Session held in Addis Ababa, Ethiopia, in November 2018 which outlined the mandate of AUDA/NEPAD;
4. **RECALLS** Decision Ex.CL/1108 (XXXIV), adopted at the 34th Ordinary Session of the Executive Council held in Addis Ababa, Ethiopia in February 2019, to hold an Extraordinary Session of the Specialized Technical Committee on Justice and Legal Affairs, prior to the 35th Ordinary Session of the Executive Council in Niamey, Niger, July 2019;
5. **DELEGATES** to the Executive Council, its authority to consider and approve the Statute and Rules of Procedure of the Governance Structures of the AUDA/NEPAD during its 35th Ordinary Session of the Executive Council in Niamey, Niger, July 2019;
6. **REQUESTS** the Commission, in collaboration with the AUDA/NEPAD, to report on the implementation of this Decision at the 33rd Ordinary Session of the Assembly of the Union in February 2020.

**DECISION ON THE AFRICAN CONTINENTAL FREE TRADE AREA
Doc. Assembly/AU/4(XXXII)**

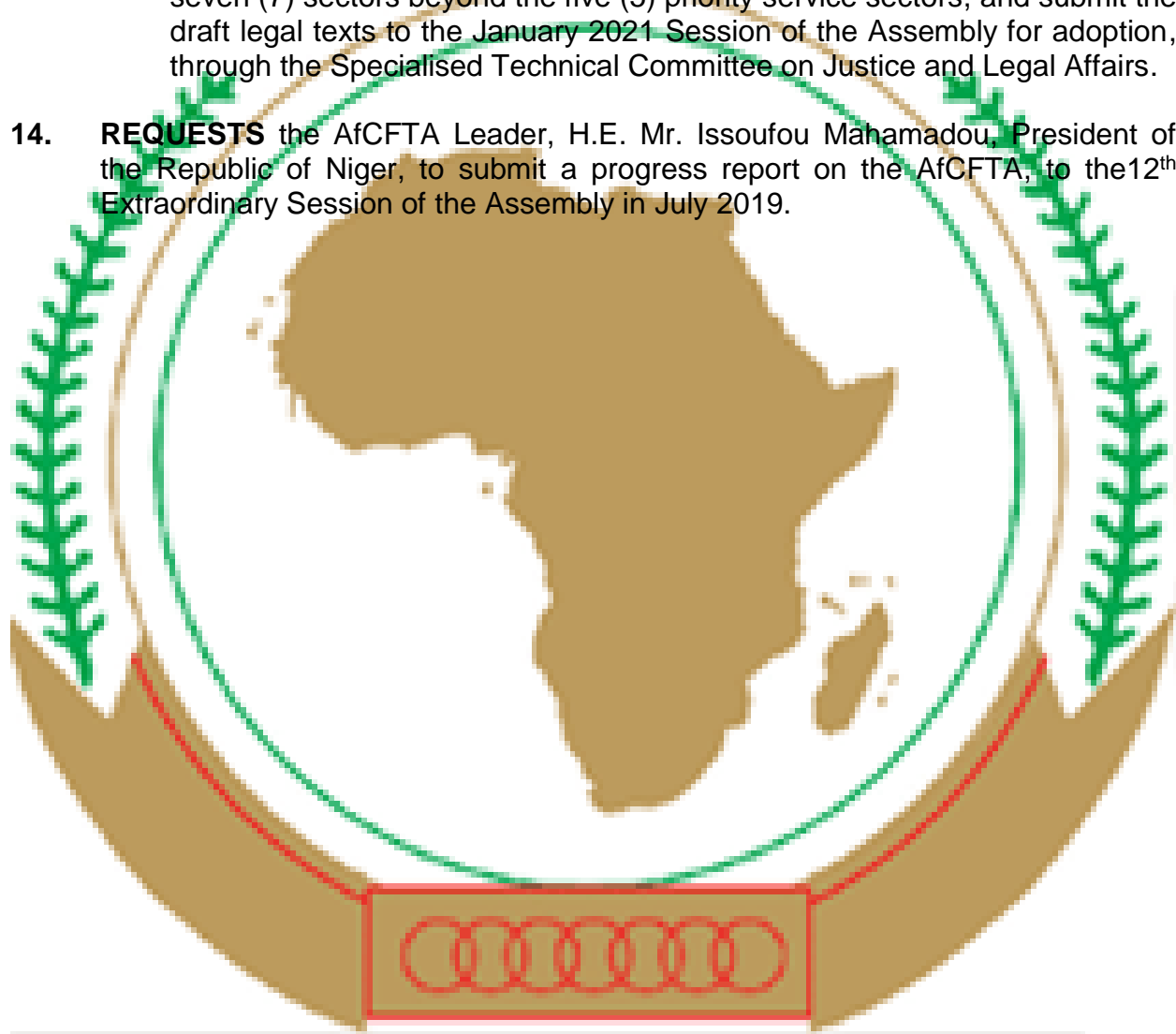
The Assembly,

1. **TAKES NOTE WITH APPRECIATION** of the Report of H.E. Mr. Issoufou Mahamadou, President of the Republic of Niger, the Leader of the African Continental Free Trade Area (AfCFTA), and the recommendations therein on the progress achieved on the establishment of the AfCFTA;
2. **RECALLS** Decision Assembly/AU/Dec.647(XXIX), adopted at the 29th Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, in July 2017, which approved the modalities for trade in services negotiations, as well as, modalities for tariff negotiations with a level of ambition of 90%, in line with the adopted Modalities, and urged the Ministers of Trade to conclude negotiations on Sensitive Products and Exclusion Lists;
3. **ENDORSES** the recommendations of African Union Ministers of Trade on:
 - i) the Template on Tariff Liberalization to be used by Member States in preparing the AfCFTA Schedules of Tariff Concessions; and
 - ii) the designation of Sensitive Products and Exclusion List, on the basis of the following criteria: food security, national security, fiscal revenue, livelihood and industrialization.
4. **AGREES** that the percentage for Sensitive Products will be 7% of total tariff lines and the Exclusion List will not exceed 3% of the total tariff lines and **FURTHER AGREES** that the application of these percentages will be subjected to double qualification and anti-concentration clauses, where the excluded products shall not exceed 10% of total import value from other State Parties. Thus, products to be excluded from liberalization will represent no more than 3% of tariff lines, accounting for no more than 10% of the value of imports from other African countries;
5. **ENDORSES** the recommendations of African Union Ministers of Trade, that a transitional period of 5 years or less, be used for countries which require this flexibility before the start of liberalization of Sensitive Products, thereby allowing for tariffs applicable to sensitive products to be maintained, provided that tariffs are eliminated by the end of the phase-down period outlined under the adopted modalities (10 years for developing countries and 13 for the least developed countries);
6. **ADOPTS** the Guidelines for Development of Schedules of Specific Commitments and Regulatory Cooperation Framework for Trade in Services and the new

Roadmap for finalization of AfCFTA Negotiations with a new deadline of June 2020;

7. **RECALLS** Decision Assembly/AU/Dec.692(XXXI), adopted at the 31st Ordinary Session, held in Nouakchott, Mauritania, in July 2018, to engage external partners as one block speaking with one voice, and **DECIDES** that Member States wishing to enter into partnerships with Third Parties should inform the Assembly with assurance that those efforts will not undermine the African Union Vision of creating one African Market;
8. **REQUESTS** the Commission, in collaboration with technical partners, to undertake an assessment of the requirements and challenges for the establishment of a future common market, including their implications, for consideration by the African Union Ministers of Trade;
9. **DECIDES** to hold an Extra-Ordinary Summit in July 2019, a day before the First Mid-Year Coordination Meeting of the African Union and the RECs, in Niamey, Niger, in order to celebrate the first Anniversary of the Signing of the AfCFTA, launch the operational phase of the African Internal Market and decide on the location and structure of the AfCFTA Secretariat;
10. **COMMENDS** the African Union Ministers of Trade (AMOT), the Senior Trade Officials, the Chief Negotiators, the Technical Working Groups (TWG), the Continental Task Force and the Commission for their efforts to conclude outstanding issues on the AfCFTA Negotiations;
11. **WELCOMES** the signatures of the AfCFTA and its Protocols by fifty two (52) countries, namely *Algeria, Angola, Botswana, Burkina Faso, Burundi, Cabo Verde, Cameroon, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Democratic Republic of Congo, Djibouti, Egypt, Equatorial Guinea, Eswatini, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Rwanda, Saharawi Arab Democratic Republic, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Tanzania, Togo, Tunisia, Uganda, Zambia, Zimbabwe*, and **STRONGLY URGES** other Member States who have not done so to sign the Agreement establishing the AfCFTA before the first anniversary;
12. **FURTHER WELCOMES** the deposit of instruments of ratification of the AfCFTA and its Protocols by fifteen (15) countries, namely *Chad, Côte d'Ivoire, Congo, Djibouti, Eswatini, Ghana, Guinea, Kenya, Mali, Mauritania, Namibia, Niger, Rwanda, South Africa, Uganda*, and **EQUALLY URGES** other countries to ratify it, as soon as possible, before the first anniversary;
13. **REQUESTS** the African Union Ministers of Trade to:

- i) submit the Schedules of Tariff Concessions and Schedules of Specific Commitments on Trade in Services, in line with agreed modalities, to the 12th Extraordinary Session of the Assembly in July 2019 and the 33rd Ordinary Session of the Assembly in February 2020, respectively, for adoption; and
 - ii) conclude the negotiations on the Protocols on Investment, Competition Policy and Intellectual Property Rights, Trade in Services on the other seven (7) sectors beyond the five (5) priority service sectors, and submit the draft legal texts to the January 2021 Session of the Assembly for adoption, through the Specialised Technical Committee on Justice and Legal Affairs.
14. **REQUESTS** the AfCFTA Leader, H.E. Mr. Issoufou Mahamadou, President of the Republic of Niger, to submit a progress report on the AfCFTA, to the 12th Extraordinary Session of the Assembly in July 2019.



DECISION ON POST-2020 PARTNERSHIP WITH THE EUROPEAN UNION
Doc. Assembly/AU/5(XXXII)

The Assembly,

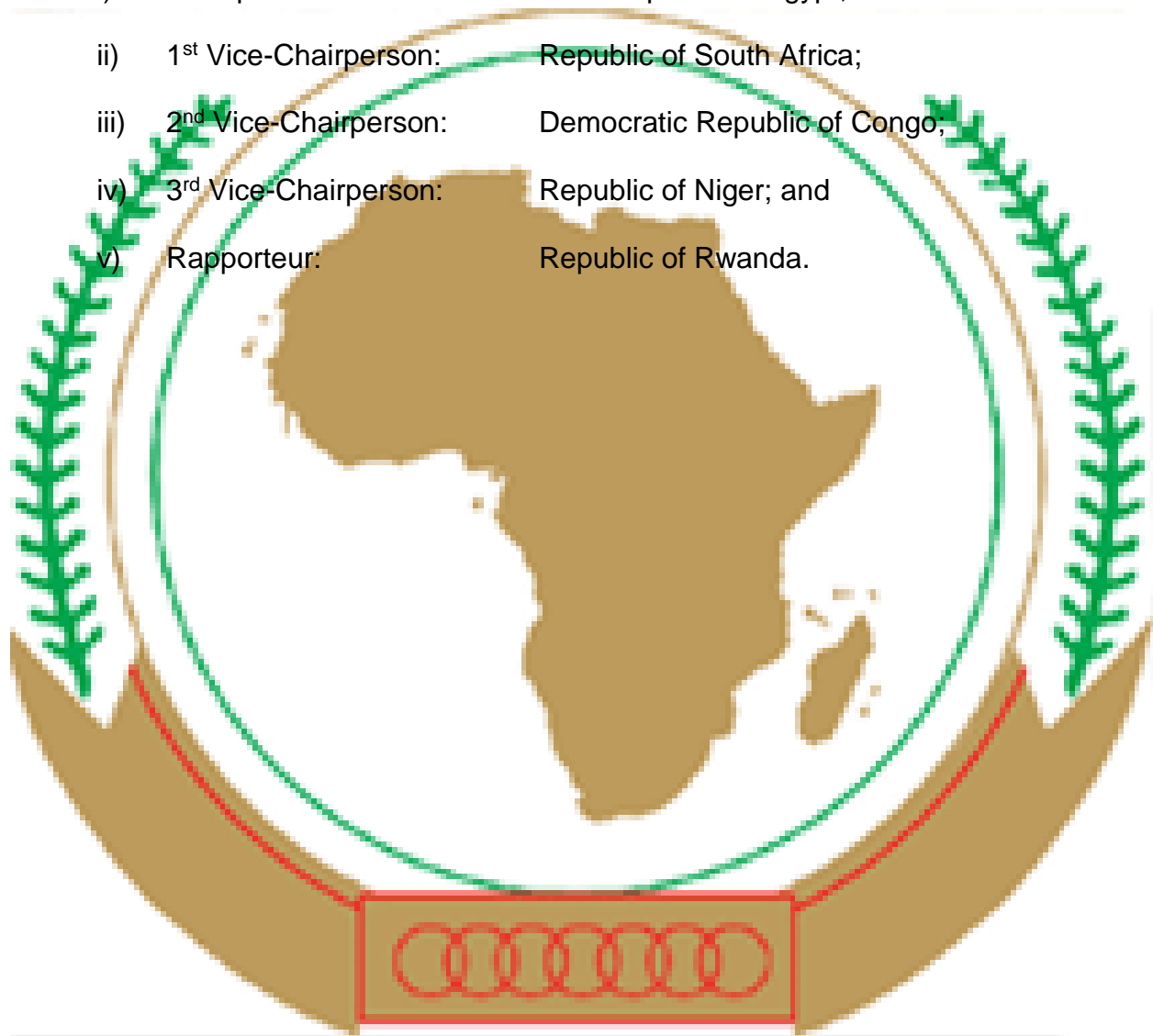
1. **TAKES NOTE** of the Report of the Chairperson of the Commission entitled, “Towards an Enhanced Continent-to-Continent Partnership with the European Union Post 2020,” and **COMMENDS** him, and his High Representative for AU-EU Partnership Post 2020, on the steps taken to implement the relevant Assembly Decisions within an appropriate timeframe;
2. **RECALLS** Decision Ext/Assembly/AU/Dec.4(XI), adopted at the 11th Extraordinary Session of the Assembly, held in Addis Ababa, Ethiopia, in November 2018, on Post Cotonou Negotiations, which stressed on the need to ensure that Africa speaks with one voice in the various platforms of partnership with the EU;
3. **WELCOMES** the outcomes of the 1st AU-EU Ministerial Follow-Up Meeting, held in Brussels from 21 to 22 January 2019, as indicated in the joint communiqué on the meeting, and **REQUESTS** the Chairperson of the Commission, in collaboration with the PRC, to pursue efforts towards the conclusion of an enhanced continent-to-continent partnership in time for the African side to engage the EU on it at the 2nd AU-EU Ministerial Meeting, to be held in Africa by the end of 2019, and the EU-AU Summit in 2020;
4. **REQUESTS** the Commission to ensure cohesion between the Post-Cotonou Agreement and the Post-2020 Continent-to-Continent Partnership, in order to reflect the continental priorities, as articulated in Agenda 2063 and other related instruments, to be consistent in both tracks;
5. **REQUESTS** the Chairperson of the Commission to report to the 33rd Ordinary Session of the Assembly in February 2020 on the implementation of this decision.

DECISION ON THE ELECTION OF THE BUREAU OF THE ASSEMBLY OF THE AFRICAN UNION FOR 2019

The Assembly,

1. **ELECTS** the Bureau of the Assembly of the Union for 2019, as follows:

- i) Chairperson: Arab Republic of Egypt;
- ii) 1st Vice-Chairperson: Republic of South Africa;
- iii) 2nd Vice-Chairperson: Democratic Republic of Congo;
- iv) 3rd Vice-Chairperson: Republic of Niger; and
- v) Rapporteur: Republic of Rwanda.



DECISION ON THE ELECTION OF THE CHAIRPERSON OF THE AFRICAN UNION FOR 2020

The Assembly,

1. **RECALLS** Decision Assembly/AU/Dec.635(XXVIII), adopted at the 28th Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, in January 2017, which stated that in order to ensure continuity and effective implementation of Assembly decisions, a troika arrangement between the outgoing, the current and the incoming African Union Chairperson shall be established, and that in this regard, the incoming Chairperson shall be selected one year in advance;
2. **ALSO RECALLS** the principle of rotation for Chairpersonship of the African Union, and takes into account that 2020 will be the turn of the Southern Region;
3. **TAKES NOTE** of the outcome of the consultations by the Southern Region as reported by the Republic of South Africa, Dean of the latter;
4. **DECIDES** that the incoming Chair of the African Union for 2020 will be the Republic of South Africa.



**DECISION ON THE REPORT OF THE PEACE AND SECURITY
COUNCIL ON ITS ACTIVITIES AND THE STATE OF
PEACE AND SECURITY IN AFRICA
Doc. Assembly/AU/6(XXXII)**

The Assembly,

1. **TAKES NOTE** of the continued efforts made towards finding a lasting solution to the crisis in Libya, including those of the neighbouring countries and the AU High-Level Committee on Libya, as well as the Conference held in Palermo, Sicily in November 2018. The Assembly **REQUESTS** the Chairperson of the Commission to expedite efforts aimed at convening in Addis Ababa, in 2019, an international conference on reconciliation in Libya under the auspices of the AU and UN. The Assembly **TAKES NOTE** of the efforts exerted towards finding a peaceful settlement of the conflict in Libya, in line with provisions of the Agreement signed by the Libyan parties in 2015, in Skhirat, Morocco. The Assembly **ALSO TAKES NOTE** of the conclusions of the Ministerial Meeting of the neighbouring countries of Libya held in Khartoum on 29 November 2018. The Assembly **REITERATES** the AU's continued commitment to continue to work with Libyan stakeholders, neighboring countries, regional and international organizations with a view to bringing lasting peace, security, stability and reconciliation in Libya;
2. **COMMENDS** the Malagasy people and stakeholders for the smooth and peaceful conduct and conclusion of the presidential election process. The Assembly **CONGRATULATES** President Andry Rajoelina for his election and **REAFFIRMS** to him the commitment of the AU to continue accompanying Madagascar in its journey towards enhancing democracy and development. The Assembly **PAYS TRIBUTE** to the AU Commission, in particular the High Representative of the Chairperson of the Commission for Silencing the Guns in Africa, Ambassador Ramtane Lamamra for his tireless efforts towards stability and reconciliation in Madagascar, as well as the Special Representative of the Chairperson of the Commission for Madagascar, Madame Hawa Ahmed Yousouf;
3. **REAFFIRMS** its commitment to peace and stability in The Comoros, recalling that the AU is the Guarantor of the Framework Agreement for Reconciliation in The Comoros, signed in Fomboni, on 17 February 2001. In this regard, the Assembly **TAKES NOTES** of the positive evolution in the political situation in The Comoros and **COMMENDS** the Comorian stakeholders for the promotion of the much needed peaceful political climate between the Government and the opposition. The Assembly **EXPRESSES** gratitude to the Chairperson of the Commission for his relentless efforts and engagement with a view to bringing together the two parties to a frank and constructive dialogue. Furthermore, the Assembly **URGES** the parties to demonstrate restraint through dialogue and consultation, in particular with regard to the upcoming elections. The Assembly also **COMMENDS** the Union of The Comoros for having invited all bilateral and multilateral partners, including the AU Commission, to be on the ground in The

Comoros before and during the planned election, in order to ensure a credible, free and transparent process;

4. **COMMENDS** the Federal Government of Somalia for the continued progress made in implementing the Somali Transition Plan (STP). The Assembly **ALSO COMMENDS** the African Union Mission in Somalia (AMISOM) for its critical role in degrading the capacities of Al-Shabaab and other terrorist groups in Somalia, as well as in the implementation of the STP. The Assembly, **ONCE AGAIN, PAYS TRIBUTE** to the AMISOM Troop and Police Contributing Countries (T/PCCs), for the immense sacrifices made in the promotion of peace, security, stability and reconciliation in Somalia. The Assembly further **COMMENDS** the Federal Government and the Federal Member States for their efforts in promoting durable solutions, in a peaceful manner, to challenges facing their country, which will facilitate the enhancement of the federal system, as well as the implementation of the National Security Architecture and the electoral processes, in 2020-2021, particularly the need for universal suffrage that will allow the Somali people to express its will on the future of their country;
5. **COMMENDS** the Government of Sudan and United Nations-African union Hybrid Operation in Darfur (UNAMID) for their collaborative efforts that facilitated the continued implementation of the UN Security Council resolution 2429 on the drawdown of the Mission. The Assembly **UNDERScores** the need for durable peace in Darfur through investment in sustainable development projects. In this regard, the Assembly **ENCOURAGES** the Commission, together with the UN, to undertake appropriate initiatives with a view to ensuring mobilization of adequate funds for post-conflict reconstruction and development in Darfur. The Assembly **URGES** the Government of Sudan and the SPLM-N, with the support of the AU High Level Implementation Panel for Sudan and South Sudan (AUHIP), to continue working towards finding a lasting solution to the issue of the Two Areas of South Kordofan and Blue Nile, including creating conducive conditions for the delivery of humanitarian assistance to the population in need, and **COMMENDS** the continued engagement of the Government of Sudan in this regard;
6. **WELCOMES** the commitment of Presidents Omar Hassan Al Bashir and Salva Kiir Mayardit to secure peace between their two countries through the Cooperation Agreements of 2012 and 2013, and **ENCOURAGES** the two countries to sustain their efforts towards promoting good neighbourliness that will contribute in ensuring the building of two viable states, living side by side in peace and harmony. The Assembly **CALLS ON** the two countries to address the final status of Abyei in order to further enhance their common border security and **ENCOURAGES** them to also continue cooperating with the AUHIP to resolve the outstanding issues as outlined in the Cooperation Agreement relating to their common border, including Abyei and other disputed areas;
7. **WELCOMES** the signing of the Revitalized–Agreement on the Resolution of the Conflict in the Republic South Sudan (R-ARCSS) on 12 September 2018. The

Assembly **COMMENDS** the South Sudanese stakeholders for the leadership demonstrated since the signing of the R-ARCSS and **CALLS ON** the opposition groups that have not yet done so to join the Agreement without any pre-conditions. The Assembly **ALSO CALLS ON** the South Sudanese parties to faithfully implement the R-ARCSS, in order to give chance to this renewed peace process and **ENCOURAGES** the international community to provide both political and financial support to the peace process, especially the implementation of the security arrangements. The Assembly **PAYS TRIBUTE** to the Heads of State and Government of the Inter-Governmental Authority on Development (IGAD) for their tireless efforts aimed at bringing lasting peace, security and stability in South Sudan. The Assembly **ENCOURAGES** the African Union High Level Ad Hoc Committee to sustain its support to the peace process, including through supporting the Independent Boundary Commission (IBC). The Assembly **CALLS ON** AU Member States, as well as the international community to support the AU Mission in South Sudan, with a view to ensuring AU's effective support to the peace process. The Assembly **PAYS TRIBUTE** to H.E. Festus Mogae, former President of Botswana, for his illustrious leadership of the JMEC since its inception, and **CALLS ON** the IGAD to expedite the designation of his successor;

8. **COMMENDS** the leaders of the Horn of Africa region for the positive developments witnessed in the region, which are critical steps towards consolidating peace and stability in this part of the continent. The Assembly **REITERATES** the AU's commitment to support the ongoing process between Ethiopia and Eritrea, as well as the Joint Declaration between Ethiopia, Eritrea and Somalia, the Process between Eritrea and Djibouti, and **ENCOURAGES** the AU Member States to support the region's efforts to consolidate peace and facilitate effective regional integration as part of the overall Continental integration effort. The Assembly **ALSO COMMENDS** Presidents H.E. Ismail Omar Guelleh of Djibouti and H.E. Isaias Afwerki of Eritrea for their efforts and commitments to normalize the relations between the two countries, in the framework of relevant PSC Communiqués and UN Resolution 2444 (2018). The Assembly **ENCOURAGES** the PSC, with the support of the Commission, including through the AUHIP, to continuously engage on the changing dynamics in the Horn of Africa. In this regard, the Assembly **UNDERScores** the need for intensified consultations at various levels for the early convening of the Conference on Peace, Security, Stability Cooperation and Development in the Horn of Africa (CPHA), pursuant to its Decision Assembly/AU/Dec.472 (XX) adopted at its 20th Ordinary Session held on 27 and 28 January 2013;

9. **WELCOMES** the peaceful organisation of the elections in the Democratic Republic of Congo (DRC), and **COMMENDS** the people and the leadership of the DRC for a landmark peaceful transition. The Assembly **CONGRATULATES** H.E. FelixAntoine Tshilombo Tshisekedi for his election as President of the DRC and **REAFFIRMS** AU's commitment to continue working with the DRC Government and all other Congolese stakeholders towards peace, security, stability and socio-economic development in the DRC. In this respect, the Assembly

ENCOURAGES all Congolese stakeholders to uphold their country's supreme interests above all other considerations and work together. The Assembly **APPEALS** to AU Member States and the international community to support the new authorities in the DRC in their efforts to consolidate peace, security and stability in their country and the region. The Assembly **REITERATES** its request to the European Union to immediately lift the targeted sanctions imposed against some of the Congolese political actors;

10. **WELCOMES** the signing on 6 February 2019 of the Political Agreement for Peace and Reconciliation in the Central African Republic between the Government and the armed groups of the Central African Republic, under the auspices of the African Initiative for Peace and Reconciliation in the CAR. The Assembly **COMMENDS** the Chairperson of the Commission and the Commissioner for Peace and Security, working together with countries of the region and the United Nations, for their renewed efforts and initiatives that made it possible to conclude this Agreement negotiated during the direct Political Dialogue in Khartoum, Sudan. The Assembly **URGES** all CAR stakeholders to place the interests of their country above all other consideration and uphold their commitment and work together, in good faith, in the implementation of the Agreement. The Assembly **ENCOURAGES** the Commission, the countries of the region and the partners to provide the necessary support to the effective implementation of the Agreement that should go a long way in contributing to the restoration of sustainable peace, security, stability and reconciliation in CAR. The Assembly **RECOGNIZES** the efforts of the UN Peacebuilding Commission, and particularly the Kingdom of Morocco, Chair of the UN Configuration of the CAR, in its efforts and commitment as it continues to mobilize support for the peace efforts in the CAR. The Assembly **CALLS ON** AU Member States and the international community to support and strengthen the Central African Republic National Recovery and Peace Building Program;
11. **CONGRATULATES** the Government of Burundi on initiating the preparatory process for the elections, especially the establishment, on 31 August 2018 of an Independent National Electoral Commission (INEC), according to the Burundian Electoral Code, as well as a Truth and Reconciliation Commission (TRC), in line with the Arusha Peace and Reconciliation Agreement, signed on 28 August 2000. In this regard, the Assembly, **ONCE AGAIN, WELCOMES** the statement made by President Pierre Nkurunziza not to stand as candidate for the presidential election in 2020, and **URGES** the Government and the political parties to work together for the smooth conduct of the next elections. The Assembly **EXPRESSES APPRECIATION** to the East African Community, in particular, to President Yoweri K. Museveni of Uganda, the Mediator, as well as to the Facilitator, former President Benjamin Mkapa, and **STRESSES THE NEED** for renewed initiatives, with the support of the AU, to accompany Burundians in their efforts for consolidating peace and security in their country. The Assembly **REITERATES** its request to the European Union to immediately lift the unilateral sanctions imposed on the Republic of Burundi;

12. **EXPRESSES FULL SUPPORT** to the on-going efforts in Guinea Bissau, under the leadership of ECOWAS and **ENSURES** all stakeholders of the AU's readiness and determination to continue supporting Bissau Guineans to overcome the challenges they are currently facing, while preparing for the legislative elections to be held in March 2019. The Assembly **ENCOURAGES** the Government and parties in Guinea Bissau to develop and ensure the adoption of a Code of Conduct, in line with the shared values and relevant instruments of the AU, including the African Charter on Democracy, Elections and Governance. The Assembly **COMMENDS** all multilateral and bilateral partners for their support for the organization of the planned elections and **CALLS ON** all AU members States and the larger international community to continue extending the necessary logistical and financial support to Guinea Bissau in this crucial phase of its democratic construction. The Assembly **ALSO COMMENDS** the important role being played by ECOMIB in consolidating peace in Guinea Bissau, despite the operational and financial challenges, and **UNDERScores THE NEED** for continued financial support for the maintenance of ECOMIB operations, until the necessary capacitation of the Guinea Bissau national security forces is accomplished;
13. **CONGRATULATES** H.E. Boubacar Keita, for his election as President of the Republic of Mali, and **ENCOURAGES** the Malian parties to the Agreement for Peace and Reconciliation in Mali emanating from the Algiers Process, to redouble efforts towards more effective and expedited implementation of their commitments. The Assembly **REAFFIRMS, ONCE AGAIN**, the centrality of the Algiers Agreement in stabilization efforts with the support of MINUSMA and the fight against terrorist groups that will be more and more isolated through a better implementation of the Agreement. The Assembly **ENCOURAGES** all Malian stakeholders to faithfully engage in dialogue and build the largest consensus possible around the institutional and constitutional reforms envisaged in line with the Agreement and the deepening of democracy in the country. The Assembly **STRONGLY CONDEMNS** all terrorist attacks in Mali and **STRESSES THE NEED** for efforts to stop the spill over of terrorist attacks in central Mali. The Assembly **ALSO STONGLY CONDEMNS** the recent terrorist attacks in Burkina Faso and **ENCOURAGES** the Commission to continue its efforts aimed at addressing the fragility of the security situation in the Sahel, in close collaboration with countries of the region, through the Nouakchott Process, and the partners including through effectively addressing the root causes of terrorism and violent extremism. The Assembly **REITERATES ITS APPEAL** to the international community to lend the necessary support to the G5 Sahel Joint Force, including appropriate, predictable and durable funding that will allow the Force to conduct its heavy mandate consisting in fighting terrorism and transnational organized crime and **CALLS** for the scaling up of strategic support by the AU Member States and the Commission towards the full operationalization of the G5 Sahel force in order to effectively combat terrorism and violent extremism in the region.

The Assembly **WELCOMES** the outcome of the G5 Sahel Summit held in Ouagadougou, on 5 February 2019. The Assembly;

14. **TAKES NOTE** of continued efforts by the countries of the Lake Chad Basin to neutralize the Boko Haram terrorist group, through the Multinational Joint Task Force (MNJTF) and **CALLS ON** the Commission to continue and intensify AU's support to the countries of the region in their fight against Boko Haram. The Assembly **WELCOMES** the outcome of the Ministerial Conference of the Lake Chad Basin Member States in collaboration with the Commission and the UNDP held on 30 August 2018, in Abuja, Nigeria, which validated and adopted the Regional Strategy for the Stabilization, Recovery and Resilience of the region, in-line with the UN Security Council Resolution 2349. The Assembly **CALLS UPON** the Member States of the Lake Chad Basin Commission to support the development of a clear roadmap and a comprehensive resource mobilization strategy for the implementation of the Strategy. The Assembly **ALSO CALLS ON** the newly established African Union Development Agency (AUDA/NEPAD) to play a leading role in the implementation of the Strategy by, among other things, contributing to the elaboration of the implementation roadmap and resource mobilization plan. The Assembly **REITERATES ITS CALL** on all AU Member States, RECs/RMs and the larger international community to extend the necessary financial and technical assistance to support the implementation of the Strategy, including additional support for the MNJTF so as to consolidate the security gains thus far made. The Assembly **COMMENDS** the convening of an International Conference on Saving the Lake Chad by Nigeria in collaboration with LCBC and UNESCO, from 26 to 28 February 2018, which drew attention to the multifaceted socio-economic crisis and increased insecurity caused by the shrinkage of the Lake over the last three decades, underscoring the need for concerted efforts to resuscitate the Lake, as called for by the PSC in the communiqué PSC/PR/BR. (DCCLXXIV) of its 774th meeting held on 21 May 2018. In this regard, the Assembly **ENDORSES** the outcome of the Conference (Abuja Declaration), in particular the Inter-Basin Water Transfer (IBWT) Initiative as a pan-African project to restore the Lake Chad and to promote navigation, industrial and economic development;
15. **COMMENDS** the Arab Republic of Egypt and the Commission for their active role in efforts to operationalize the AU PCRD Centre, and **CALLS FOR** the expeditious conclusion the Host Agreement for the Centre. In this context, the Assembly **EXPRESSES APPRECIATION** to Egypt for availing land and other facilities for the Centre. The Assembly **ENCOURAGES** Member States to provide the necessary resources, particularly funding, to support the full operationalization of the Centre. The Assembly **ENCOURAGES** the ongoing consultations between ECCAS and the Commission for the process of finalizing the ECCAS Policy and Strategy on PCRD, and **URGES** the Commission to ensure the finalization of these documents in a timely manner, in order to facilitate implementation of PCRD initiatives in the region;

16. **REAFFIRMS ITS DETERMINATION** to reinforce its efforts towards better and more effective conflict prevention action in Africa. In this respect, the Assembly **ENCOURAGES** Member States to take full advantage of the structural conflict prevention tools developed by the Commission, including the Country Structural Vulnerability and Resilience Assessment (CSVRA) and the Country Structural Vulnerability Mitigation Strategy (CSVMS), and to enhance the capacities of youth to meaningfully participate in peace and security issues at the national, regional and continental levels. The Assembly **ALSO ENCOURAGES** Member States to continue supporting the work of the Panel of the Wise in its contribution to peace efforts within the Continent, and **UNDERScores THE NEED** for Member States to enhance the capacities of women to participate in conflict prevention and mediation efforts at the national, regional and continental levels;
17. **COMMENDS** the PSC for its continued efforts in the further enhancement of the African Standby Force (ASF), including the ongoing steps to facilitate the harmonization of the African Capacity for Immediate Response to Crises (ACIRC) within the ASF Framework and to ensure that the Continental Logistic Base, in Douala, Cameroon, is fully operational and that the ASF Regional Logistic Depots are established. In this context, the Assembly **REQUESTS** the Commission to expedite the implementation of the provisions of the PSC Communique [PSC/PR/COMM.(DCCCXXI)], including the matrix adopted at the 821st PSC Meeting held on 9 January 2019 with regard to the harmonization of ACIRC within the ASF Framework;
18. **EXPRESSES DEEP CONCERN** at the increasing terrorist attacks in parts of the continent and **REITERATES** its condemnation of all acts of terrorism committed on the continent by whomever, wherever and for whatever purposes and **ALSO REITERATES** the AU's determination to rid Africa of the scourge of terrorism and violent extremism, which cannot be justified under any circumstances. The Assembly **EXPRESSES** the AU's full solidarity with the affected countries and the victims of terrorism. The Assembly **WELCOMES** the efforts made by Member States to prevent and combat terrorism and violent extremism, through enhanced legislation, operational capability and coordination among relevant national structures and **ACKNOWLEDGES** the contribution of African Institutions dedicated to support Member States in their fight against terrorism, namely CISSA, ACSRT and AFRIPOL particularly in the provision of counter-terrorism early warning, analysis and capacity building. The Assembly **EXPRESSES CONCERN** that, despite the progress made in developing a comprehensive normative and operational counter-terrorism framework, serious gaps continue to exist in terms of implementation and follow-up, thus undermining the effectiveness of Africa's response to the threat of terrorism and violent extremism. In this respect, the Assembly **STRESSES THE URGENT NEED** for an action-oriented approach to give concrete expression to the commitment made by the Member States to combat terrorism and violent extremism in all its forms and manifestations and **ENCOURAGES** them to develop comprehensive national counter-terrorism strategies covering prevention, response,

reconstruction and socio-economic development. The Assembly **CALLS ON** the Member States to promote exchange of experience in the field of countering violent extremism and hate speech;

19. **ENDORSES** the decision of the PSC to request the Commission, in close collaboration with relevant stakeholders, to explore ways to strengthen the existing AU and RECs/RMs mechanism on child protection and on that basis develop a child protection architecture for the Continent as a sub-aspect of APSA, to be considered and adopted by the PSC. In addition, the Assembly **CALLS UPON** the RECs/REMs to designate focal points on protection of children affected by armed conflicts to facilitate effective coordination with and efficient functioning of the existing mechanisms for child protection. In this context, the Assembly **ENDORSES** the PSC request for the Chairperson of the Commission to appoint a Special Envoy on Children in Situations of Conflict, to serve as a high level political interface between children in Africa and the AU. The Assembly **FURTHER ENDORSES** the decision of the PSC for the establishment of a continental reporting and monitoring framework to provide the AU with accurate, reliable and up-to-date data on the plight of children in situations of violent conflict and crisis;
20. **REQUESTS** the AU Commission to mainstream responses to the effects of climate change in its policies on refugees and IDPs. The Assembly **RECALLS** Communique [PSC/PR/BR. (DCCLXXV)] adopted by the PSC at its 775th meeting held on 22 May 2018, and **UNDERLINES** the importance for Member States to protect IDPs and refugee camps, against any form of militarization and to maintain the civilian character of these camps. The Assembly **ENDORSES** the PSC decision and **REQUESTS** the AU Chairperson to appoint an AU special envoy for climate change and peace and security in Africa. The Assembly **CALLS ON** the AU Commission, in close coordination with the International Organization (UNHCR, OCHA, PAM) as well as the hosting countries, to proceed to the census and registration of refugees and IDPs, taking in consideration the figures submitted by the these relevant international Organisations;
21. **COMMENDS** the efforts of the PSC in convening, in Cairo, Egypt from 29 to 31 October 2018, a Retreat dedicated to assessing the status of implementation of the African Peace and Security Architecture (APSA) and the African Governance Architecture (AGA), with a view to laying a solid foundation for the reform of the PSC, as called for in Decision Assembly/AU.Dec.635 adopted in January 2017. In this regard, the Assembly **ENCOURAGES** the PSC, working with the RECs/RMs, to continue its efforts and **LOOKS FORWARD** to receiving the final outcomes of the ongoing efforts, particularly concrete proposals on the reform of the PSC;
22. **ENDORSES** the Conclusions of the 6th High-Level Seminar on Peace and Security in Africa, held in Nairobi, Kenya, from 13 to 14 December 2018. The Assembly **COMMENDS** the efforts made by the African Members of the United

Nations Security Council (A3) in promoting and defending African common positions and concerns, decided by AU Policy Organs, within the Security Council. In this respect the Assembly **PAYS TRIBUTE** to Ethiopia for its invaluable contribution, in particular, with regard to efforts aimed at advancing the AU position on the Financing of African Peace and Security Agenda through predictable and sustainable funding to be secured from UN assessed contributions. The Assembly **WELCOMES** the election of the Republic of South Africa as a non-permanent member of the Security Council and **LOOKS FORWARD** to South Africa's contribution in advancing African peace and security Agenda in the UNSC. The Assembly **COMMENDS** Côte d'Ivoire for having tabled a draft resolution, following its endorsement by the PSC, to the Security Council and **REQUESTS** the A3 to continue to effectively articulate, defend and promote the African position on this issue. The Assembly **ALSO COMMENDS** Equatorial Guinea for having tabled a draft resolution on Silencing the Guns by 2020, and **CALLS ON** all the A3 and the African Group in New York to work together , with a view to facilitating the adoption of this landmark resolution. The Assembly **TAKES NOTE** of all challenges facing the A3 in their efforts to defend and promote African common positions within the Security Council and **REQUESTS** the PSC, working with the Commission to find best ways and means for further enhancing support to the work of the A3 in New York.



**DECISION ON THE FOURTH REPORT OF THE PEACE AND SECURITY COUNCIL
OF THE AFRICAN UNION ON THE IMPLEMENTATION OF THE AFRICAN UNION
MASTER ROADMAP OF PRACTICAL STEPS FOR SILENCING THE GUNS IN
AFRICA BY THE YEAR 2020**

The Assembly,

1. **TAKES NOTE** of the Fourth Report of the Peace and Security Council (PSC) of the African Union (AU) on the Implementation of the African Union Master Roadmap of Practical Steps for Silencing the Guns in Africa by the Year 2020;
2. **RECALLS** the Organization of African Unity/ African Union (OAU/AU) 50th Anniversary Solemn Declaration adopted on 25 May 2013, in Addis Ababa, in which the Assembly of the Union pledged not to bequeath the burden of wars to the next generation of Africans and undertook to end all wars in Africa by the year 2020, as well as decision Assembly/AU/Dec.630 (XXVIII) by which the 28th Ordinary Session of the Assembly, held in Addis Ababa, Ethiopia, on 30 and 31 January 2017, adopted, following submission by the PSC, the AU Master Roadmap of Practical Steps for Silencing the Guns in Africa by the Year 2020;
3. **TAKES NOTE WITH APPRECIATION** the progress made, so far, on the implementation of the AU Master Roadmap, in all its aspect namely, political, economic, social, environmental and legal. In this context, the Assembly **COMMENDS** all AU the Member States, the Regional Economic Communities/Regional Mechanisms for Conflict, management and Resolution(RECs/RMs), civil society organizations and the private sector, as well as the United Nations (UN) and other partners for their unwavering engagements towards implementation of the AU Master Roadmap, which contributes to creating conditions for realization of a conflict-free Africa;
4. **COMMENDS** the efforts deployed by the PSC in championing and steering forward the implementation of the AU Master Roadmap. The Assembly further **COMMENDS** the RECs/RMs, particularly the Common Market for Eastern and Southern Africa (COMESA) and Inter-Governmental Authority on Development (IGAD), Economic Community of Central African States (ECCAS), Southern African Development Community (SADC) and Economic Community of West African States (ECOWAS) for providing inputs on their activities in implementing AU Master Roadmap. In this regard, the Assembly **APPEALS** to all the stakeholders to deploy the required efforts to ensure that there is full coverage on the efforts being deployed in the implementation of the AU Master Roadmap and **LOOKS** forward to more detailed report to be submitted to the Ordinary Session of the Assembly in January/February 2020. In the same vein, the Assembly **COMMENDS** the AU Commission for the support that it continues to provide to the Member States in undertaking national programs and initiatives in line with the objectives of the AU Master Roadmap;

5. **EXPRESSES DEEP CONCERN** over the slow pace in the implementation of the AU Master Roadmap, given the impending December 2020 deadline for ending wars in Africa. While calling for the acceleration of the implementation of the AU Master Roadmap, the Assembly further **EXPRESS DEEP CONCERN** over the persistence of threats to peace and security in the continent, especially election-related crisis; the existence of ungoverned spaces which leave room for illegal activities; continued inflow of weapons into the continent and their illicit circulation and use in some parts of Africa; weak mechanisms or their absence in some cases, as needed in curbing illicit circulation of small arms and light weapons; inadequate border monitoring and control; persistence of corruption and high rate of unemployment, particularly among the youth; illicit financial flows which facilitate funding for illicit weapons and conflicts; illegal exploitation of natural resources which contribute to funding insurgencies and rebellions; the effects of climate change and increase in desertification; and slow processes in the ratification of AU instruments and policies. In the context, the Assembly **APPEALS** to all AU Member States, RECs/RMs and civil society, as well as the UN, and other partners to redouble their efforts to ensure that the AU flagship project of silencing the guns is effectively implemented;
6. While **COMMENDING** those countries which undertook activities in observance of the Africa Amnesty Month, namely, Burkina Faso, Madagascar, Mali, Sudan and Zambia for their commitments towards the goal of silencing the guns in Africa, the Assembly **URGES** all other Member States to emulate these efforts and give more visibility to the Africa Amnesty Month, September each year. The Assembly further **STRESSES** the need for Member States and other stakeholders to contribute to the sensitization of its citizens with regard to the Africa Amnesty Month, in order to facilitate the voluntary surrender the illegally owned weapons;
7. Given the significant potential of the observance of the Africa Amnesty month to contribute to curbing illicit circulation and use of weapons, the Assembly **ENDORSES** the PSC decision to the effect that the marking/commemoration of the Africa Amnesty Month is conducted on a rotational basis in the five geographic regional, with the RECs/RMs leading the process, with the full participation of local civil society and institutions/organizations, with the view of publicizing the month and bringing the initiative closer to those concerned;
8. **WELCOMES** the development of the technical and operational guidelines by the Commission aimed at informing national and regional efforts in conducting activities under the Africa Amnesty Month and a compendium of African experiences and good practices in implementing voluntary disarmament programs. The Assembly **REQUESTS** the AU Commission to speedily finalize these products and avail them to all AU Member States to strengthen their implementation efforts in the implementation of the AU Master Roadmap;

9. **WELCOMES** the initiatives of the Equatorial Guinea, in its capacity as the President of the UN Security Council for the month of February 2019, in including in the Council's agenda for February 2019 an open debate on the 'AU initiative on silencing the guns in Africa'. In this context, the Assembly **APPEALS** to the African Members of the UN Security Council (A3) and the entire membership of this Council to provide their full support to Equatorial Guinea and accelerate efforts towards adoption of the envisaged outcome;
10. **FURTHER WELCOMES** the development of an integrated framework to guide the handling of persons associated with terrorist groups in the Lake Chad Basin and **CALLS UPON** the concerned Member States to spare no effort in executing the procedures and principles outlined therein as part of the overall stabilization efforts in the region. The Assembly **ENCOURAGES** Member States to take ownership of the operational guidance notes developed by the Commission in response to growing complexities in the field of Disarmament, Demobilization and Reintegration (DDR);
11. **COMMENDS** the Commission for convening the 2nd Africa Forum on Security Sector Reform (SSR) as an important platform to reflect on progress and challenges to the implementation of the AU Policy Framework on SSR, and **WELCOMES** the efforts deployed by the Commission to support Member States in articulating and executing SSR processes, and to promote active and constructive engagement of civil society in these processes. In this context, the Assembly **UNDERScores** the need to streamline SSR in the AU's conflict prevention and resolution efforts, as well as in post-conflict reconstruction and development initiatives, in accordance with the relevant practical steps outlined in the AU Master Roadmap;
12. **WELCOMES** the development of the Draft AU Policy for the Management of Recovered Arms and Ammunition in peace support operations (PSOs) by the AU Commission and **LOOKS FORWARD** to its timely adoption by the Specialized Technical Committee on Defence, Safety and Security (STCDSS). Furthermore, the Assembly **CALL UPON** Member States to intensify their efforts, to prevent the diversion, illicit circulation and trafficking of small arms and light weapons, including through ratifying and effectively implementing the relevant African, regional and international instruments;
13. **RECALLS** decision AHG/Dec.135(XXXV) of the 35th Assembly of Heads of State and Government of the OAU, and **CALLS ON** Member States with outstanding clearance obligations, pursuant to the Anti-Personnel Mine Ban Convention, to consolidate their engagements in line with the Maputo 2025 Commitment. The Assembly **WELCOMES** the dialogue initiated by the Commission among Member States and partners, towards developing coherent and coordinated approaches to countering the growing threat of Improvised Explosive Devices (IEDs), and to promote institutional capacity building to mitigate the risk. The Assembly **LOOKS FOWARD** to the holding of the 4th Review Conference of the Mine Ban

Convention in Oslo, in November 2019, and **REQUESTS** the Commission, with the guidance of the PSC, to review the existing continental frameworks and develop an African common position ahead of the review conference;

14. **EXPRESSES ITS CONCERN** over the global challenges to the multilateral regimes against Weapons of Mass Destruction (WMD), yet such regimes constitute a critical pillar of the global peace and security architecture. In this regard, the Assembly **URGES** Member States that have not yet done so, to ratify the Pelindaba Treaty, as well as the biological and chemical weapons conventions. The Assembly **WELCOMES** the steps taken by the Commission to support the development of institutional capacities for the full and effective implementation of the regional and international instruments against WMD. Furthermore, the Assembly **REQUESTS** the AU Commission and the African Commission on Nuclear Energy (AFCONE) to provide annual briefings to the PSC on the status of implementation of the Pelindaba Treaty and the activities of the AFCONE;
15. **UNDERScores** the imperative for Member States, RECs/RMs and the Commission to enhance preventive diplomacy and conflict prevention, as part of the efforts to silence the guns with a view to realizing a conflict-free Continent. The Assembly **STRESSES** the importance of participation of women and youth in the full cycle of peace processes in the Continent with a view to ensuring that the need for women and youth are fully included in the implementation of the AU Master Roadmap;
16. **ENCOURAGES** all AU Member States to submit, in a timely manner, their reports on their implementation of the AU Master Roadmap in its five key dimensions, namely political, social, economic, environmental and legal aspects, to enable the PSC and the Assembly to have a comprehensive sight in to the actual trends in the implementation of the AU Master Roadmap;
17. **ENCOURAGES** Member States to volunteer resources, within their means, to facilitate the work of the High Representative, whose role complements that of the PSC in enhancing coordination of activities aimed at silencing the guns within Africa;
18. **REQUESTS** the PSC, with the support of the Commission, to take steps for the elaboration of a comprehensive report on the status of implementation of the AU Master Roadmap, in close coordination with the involved stakeholders, which will be submitted to the Ordinary Session of the Assembly in January/February 2020, with a view to take stock of progress and the challenges in view of the December 2020 deadline for silencing the guns in Africa.

DECISION ON THE STATE OF GOVERNANCE IN AFRICA
Doc. Assembly/AU/8(XXXII)

The Assembly,

1. **TAKES NOTE, WITH APPRECIATION,** of the Africa Governance Report presented by H.E. Idriss Déby Itno, President of the Republic of Chad and Chairperson of the Forum of Heads of State and Government, of the African Peer Review Mechanism (APRM);
2. **COMMENDS** H.E. President Idriss Déby Itno for his sterling leadership of the APRM Forum and his excellent presentation of the *Africa Governance Report* on behalf of the Mechanism;
3. **RECALLS** Decision Ext/Assembly/AU/Dec.1(XI), adopted at the 11th Extraordinary Session of the Assembly held in Addis Ababa, Ethiopia, in November 2018 - whereby the Assembly reaffirmed the need to strengthen the APRM capacity to deliver on the Expanded Mandate, enhance the Mechanism's functional autonomy, develop a report on the State of Governance in Africa, in collaboration with the African Governance Architecture (AGA), and requested APRM to present an update on the report to the 32nd Ordinary Session of the Assembly in February 2019;
4. **COMMENDS** APRM for developing the Africa Governance Report in collaboration with AGA, pursuant to Decision Ext/Assembly/AU/Dec.1(XI), and for presenting the Report to the 32nd Ordinary Session of the Assembly;
5. **WELCOMES** the Africa Governance Report and **URGES** Member States to consider the recommendations contained in the Report, with a view to enhancing good governance and sharing best practices at both country and continental levels;
6. **URGES** Member States to develop national governance reports as a self-assessment tool, for promoting good governance, in line with the recommendations of the Report;
7. **REQUESTS** the APRM Secretariat to provide technical support to Member States in developing Country Self-Assessment Reports (CSAR) on Governance;
8. **ALSO REQUESTS** APRM to launch the Report officially in collaboration with AGA, and **URGES** all AGA Members to incorporate the Report in their Annual Work Plans;
9. **DECIDES** that the Africa Governance Report shall be developed by APRM, in collaboration with AGA, and shall be presented every two (2) years for consideration by the Assembly at its Ordinary Sessions.

DECISION ON THE REPORT OF THE 28TH SUMMIT OF THE FORUM OF THE AFRICAN PEER REVIEW MECHANISM

The Assembly,

1. **TAKES NOTE, WITH APPRECIATION**, of the Report of the 28th Summit of the Forum of Heads of States and Government of the African Peer Review Mechanism (APRM) held on 9 February 2019, presented by H.E. Idriss Déby Itno, President of the Republic of Chad and Chairperson of the APRM Forum;
2. **COMMENDS** H.E. President Idriss Déby Itno for his sterling leadership of the APRM Forum and for his excellent presentation of the Report;
3. **RECALLS** Decision Assembly/AU/Dec.198(XI) adopted at the 11th Ordinary Session of the Assembly of the African Union held in Sharm El-Sheikh, Egypt, in June/July 2008, which decided that APRM structures, namely the APRM Forum, the APR Panel and the APRM Secretariat shall be part of the processes and structures of the African Union;
4. **ALSO RECALLS** Decision Assembly/AU/Dec.527(XXIII) adopted at the 23rd Ordinary Session of the Assembly of the African Union held in Malabo, Equatorial Guinea, in June 2014, on the integration of the APRM into the AU system as an autonomous entity;
5. **REAFFIRMS** Decision Assembly/AU/Dec.631(XXVIII) adopted at the 28th Ordinary Session held in Addis Ababa, Ethiopia in January 2017, and Decision Assembly/AU/Dec.686(XXX), of the 30th Ordinary Session held in Addis Ababa, Ethiopia, in January 2018, which conferred to the APRM an expanded mandate that covers all Member States of the African Union;
6. **REITERATES** Decision Ext/Assembly/AU/Dec.1(XI) adopted at the 11th Extraordinary Session of the Assembly of the African Union held in Addis Ababa, Ethiopia, in November 2018, integrating the APRM budget into the Statutory Union budget funded by Member States;
7. **REAFFIRMS** that the APRM remains the premier home-grown, African good governance tool conceived in 2003 and voluntarily acceded to by thirty-seven (37) Member States, representing 69% of AU Member States, more than half of whom, twenty-one (21), have undergone the review;
8. **REDEDICATES** ourselves to the cause of good governance in all its four manifestations of good political governance, sound economic governance and management, corporate governance and inclusive and broad-based socio-economic development;

9. **WELCOMES** the peer review Reports of Côte d'Ivoire and Mozambique and **CONGRATULATES** H.E Alassane Ouattara, the President of the Republic of Côte d'Ivoire and H.E Filipe Nyusi, President of the Republic of Mozambique, for their steadfast and sustained leadership in promotion of good governance in their countries and on the continent;
10. **FURTHER CONGRATULATES** the Panel of Eminent Persons that led the review work and **APPRECIATES** its resilience and commitment to the process;
11. **ENCOURAGES** both Côte d'Ivoire and Mozambique to take into account observations of Members States during the presentation of the review reports to the APR Forum' as well as the recommendations contained in reports in the development and implementation of their National Programme of Action as a necessary step in furthering the goal of the APRM;
12. **CONGRATULATES** the Republic of Botswana for its accession as a new member of the APRM, and **ENCOURAGES** more Member States to accede to the APRM, in line with Declaration Assembly/AU/Decl.4(XXX) adopted at the 30th Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, in January 2018, as well as Decision Ext/Assembly/AU/Dec.1(XI), adopted at the 11th Extraordinary Session of the Assembly held in Addis Ababa, Ethiopia, in November 2018, wherein the Assembly urged the remaining Member States to accelerate accession to APRM in order to achieve universality by 2023, as envisaged in the First Ten-Year Implementation Plan of Agenda 2063;
13. **COMMENDS** APRM for developing the Africa Governance Report in collaboration with AGA, pursuant to Decision Ext/Assembly/AU/Dec.1(XI);
14. **WELCOMES WITH APPRECIATION** the appointment by the APR Forum of new APR Panel Members, H.E Haile Mariam Desalegn, Former Prime Minister of the Federal Democratic Republic of Ethiopia and Dr. Ali Abderahman Hagggar from Chad and **EXPRESSES APPRECIATION** to the retiring APR Panel Members, for their unwavering commitment to the realization of the mandate of the APRM;
15. **WELCOMES WITH SATISFACTION** the extension of the tenure of Professor Edward Maloka, as the Chief Executive Officer of the APRM Secretariat, for another three years; **CONGRATULATES and WISHES** him the very best in carrying out his mandate and **ASSURES** him of the continued support;
16. **DECIDES** in line with Decision Ext/Assembly/AU/Dec.1(XI), that the 28th Ordinary Session of the APRM Forum shall be held on the margins of the 33rd Ordinary Session of the Assembly scheduled to be held in February 2020.

DECISION ON THE REPORT OF THE HIGH-LEVEL COMMITTEE ON LIBYA
Doc. Assembly/AU/9(XXXII)

The Assembly,

1. **TAKES NOTE** of the Report of the African Union High-Level Committee on Libya, meeting in Addis Ababa, Ethiopia on 10 February 2019;
2. **EXPRESSES**, once again, its concern over the gravity of the situation in Libya;
3. **REITERATES** the need for Africa to speak with one voice on the Libyan issue and to improve synergy of action and joint efforts between the African Union and the United Nations on the initiatives to be taken to reach a final settlement;
4. **STRESSES** the key role of the Libyans themselves in the search for a lasting solution to the situation and the need for them to take ownership of the process to end the crisis;
5. **REQUESTS** the Commission to take the necessary measures, jointly with the United Nations, with a view to organizing during the first half of July 2019, the Inclusive Libyan National Peace and Reconciliation Forum;
6. **ALSO REQUESTS** the Commission to take, jointly with the United Nations and the Libyan Government, all the necessary measures for the organization of presidential and legislative elections in October 2019;
7. **REQUESTS** the Commission to initiate the necessary contacts with the United Nations, with a view to establishing a framework for ongoing, regular consultations between the United Nations and the African Union;
8. **INVITES** the High-Level Committee to pursue its contacts with all the Libyan stakeholders, in order to reach a broad consensus on the modalities for the organization of the National Reconciliation Forum;
9. **URGENTLY CALLS FOR** the cessation of all external interference in Libya;
10. **COMMENDS** the efforts made by **H.E. Mr. Denis Sassou Nguesso**, President of the Republic of Congo, Chair of the African Union High-Level Committee on Libya, as well as those of the neighbouring countries, towards finding a lasting solution to the crisis in Libya.

**DECISION ON THE KATOWICE CLIMATE CONFERENCE (UNFCCC COP 24)
AND AFRICA'S ENGAGEMENTS AT THE GLOBAL CLIMATE
CHANGE CONFERENCE AT COP25/CMP 15
Doc. Assembly/AU/10(XXXII)**

The Assembly,

1. TAKES NOTE WITH APPRECIATION of:

- a) the Report by H.E. Ali Bongo Ondimba, President of Gabon, on the Coordinator of the Committee of the African Heads of State and Government on Climate Change (CAHOSCC), on the outcomes of the 24th Conference of the Parties to the UN Framework Convention on Climate Change (UNFCCC); 14th Meeting of the Parties serving as the Conference of the Parties to Its Kyoto Protocol (COP 24/ CMP14); and Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement (CMA1.3) and **ENDORSES** the recommendations therein;
- b) the successful operationalization by H.E. Denis Sassou Nguesso, President of the Republic of the Congo, of the Climate Commission for the Congo Basin and its Blue Fund;
- c) the successful operationalization by H.E. Mahamadou Issoufou, the President of the Republic of Niger, of the Climate Commission for the Sahel Region;
- d) the commitment of H.E. Denny Faure, President of the Republic of Seychelles, in expediting the operationalization of the Climate Commission for Island States and ocean economies.

2. **FURTHER ACKNOWLEDGES** the crucial role of Gabon as chair of CAHOSCC and AMCEN, and Egypt as chair of G77 and China, during the negotiations building up to COP24 in Poland, and commends the two countries for their dedication and support for the African cause in climate change;
3. **FURTHER TAKES NOTE WITH APPRECIATION**, of the two preparatory meetings convened by the African Ministerial Conference on the Environment (AMCEN) and the several meetings of the African Group of Negotiators on Climate Change (AGN) in preparation for the COP;
4. **ACKNOWLEDGES** the utmost commitment of CAHOSCC in the provision of the political directive and guidance that has been facilitating Africa to be stronger, bonded together in the spirit of Pan-Africanism and to continue to speak with one voice in the global Climate Change negotiations, highlighting African commitment to fully implement the Convention, the Paris Agreement in line with the Principles of common but differentiated responsibilities and respective capabilities;
5. **CONGRATULATES** the Commission, AUDA/NEPAD, AfDB; UNECA, in collaboration with the Kingdom of Lesotho and Republic of Gabon, and in

partnership with the Pan-African Parliament (PAP) and the African Risk Capacity (ARC), for organizing the Africa Day events at COP 24 on 3 December 2018 on the theme: **"The Africa NDC Hub: Going further and faster with NDC implementation in support of Agenda 2063"**;

6. **CONGRATULATES** Poland for successfully hosting COP 24/CMP14 and for the adoption of the Katowice Climate Package; and **WELCOMES** the offer by Chile to host COP 25/CMP 15/ CMA2, in December 2019;
7. **ACKNOWLEDGES**, the efforts and commitment of the African Ministers, who participated in facilitating the final days of the negotiations, towards the promotion of the African positions, and the work undertaken by the AGN, in the preparation and the negotiations leading to COP24 outcomes and in securing African priorities in the negotiations;
8. **REITERATES** the need of the multilateral approach of addressing the global challenge of climate change, through the UN Framework Convention on Climate Change and **REAFFIRMS** Africa's commitment to implement the Kyoto Protocol and the Paris Agreement, in the best interest of African countries, which are particularly vulnerable to climate change and already adversely affected by the impacts of this phenomenon, while ensuring that African countries are accorded policy space needed to achieve sustainable development;
9. **URGES** parties to the Paris Agreement to recognize the special circumstances and needs of African countries, in line with the relevant and previous decisions adopted by the Conference of the Parties and **CALLS UPON** the incoming presidency of the Conference of the Parties to continue with the consultations, with a view to reaching a decision in that regard, by the 25th session of the Conference of the Parties, scheduled to be held in Santiago, Chile, from 2 to 13 December 2019, and **REQUESTS** the AGN to continue pursuing the issue;
10. **URGES** Developed countries to continue to scale up mobilized climate finance towards achieving the 2020 finance goal, through private and public funds, to deliver on the US\$100 billion annually building on the needs of developing countries and enhancing the country ownership of developing countries, and further enhance the provisions of predictable and sustainable finance building on the floor of the 100 billion USD annually;
11. **WELCOMES** the role of the GCF in supporting African countries implementing their climate actions and projects, while concerned with the shortfalls of some pledges of the IRM, and commends the work achieved by the outgoing African board members and their positions defending Africa interests in the board and in this regard, **URGES** developed countries to enhance their contributions to the GCF to ensure a timely, successful, first replenishment process of the GCF, that reflects the commitment to tackle climate change both on mitigation and adaptation;

12. **HIGHLIGHTS** the importance of reaching an ambitious outcome of the GCF first replenishment of at least double the provisions of finance pledged during the initial resource mobilization 'IRM', taking into consideration the capacity of the GCF secretariat to program between 3 to 5 billion USD annually; while **STRESSING** on the importance of ensuring allocation of adequate share of GCF resources for Africa in particular for Adaptation through grant instruments;
13. **FURTHER URGES** the Parties and the COP 24 and COP 25 Presidencies to expedite action on consultations on the specific needs and special circumstances of Africa, as contained in the UN Framework Convention on Climate Change (UNFCCC), as mandated at COP 22;
14. **NOTES WITH CONCERN** that current levels of global warming have induced unprecedented and widespread insecurities, especially to the poor and vulnerable groups in the African communities, resulting in food insecurity, displacement of human and livestock populations, health challenges, and other negative impacts on livelihoods and economies;
15. **ALSO NOTES** the warning by the Intergovernmental Panel on Climate Change (IPCC), in its Special Report on the Implications of 1.5 degree Celsius warming, which recognizes that most of Africa has already surpassed 1 degree Celsius warming and could rapidly exceed 2 degrees in the absence of drastic action;
16. **CALLS UPON** the global leaders to implement radical policy measures as recommended by the IPCC, to ensure the integrity of the climate system and **REQUESTS** that such policies have a stronger focus on building the resilience of vulnerable groups in society;
17. **ALSO CALLS UPON** developed countries to enhance provisions of support, both financial, transfer of technology and facilitate access by African countries to this support, which should be provided on concessional and preferential basis;
18. **REQUESTS** the Commission, Pan African institutions, and Climate Commissions, in collaboration with Africa Adaptation Initiative (AAI), to embark on programmes to document climate impacts on Africa's economies and ecosystems and propose appropriate policy and other interventions to guide African States' climate response;
19. **IMPLORES** all Parties to work together for the effective operationalization of the Paris Agreement and completion of the pending work on the Paris Agreement Work Program (PAWP), beyond COP24 outcomes, in order to support Developing countries, especially Africa, in the implementation of the Nationally Determined Contributions (NDCs);
20. **ENCOURAGES** the African countries to ratify the Kigali Amendment of the Montreal protocol as a vehicle to strengthen efforts to tackle climate change;

21. **REQUESTS** the AGN to continue its efforts in relation to promoting and supporting Africa's priorities in the UNFCCC negotiations and other related fora, building on African common position document and relevant AMCEN and CAHOSCC decisions;
22. **ENCOURAGES** African and international stakeholders, especially those working on cities and local governments, including the UN organizations like UNHABITAT, UNEP, and as appropriate, other stakeholders like UCLGA, to enhance their support to African countries, to the extent possible, through coordination and cooperation with the AU Commission, the Permanent Representatives' Committee (PRC), through the Sub-Committee on Environment and the AGN, for the successful implementation of the African NDCs at local level, in line with the national rules and regulations;
23. **REQUESTS** the Commission, in collaboration with the AGN relevant initiatives such as AAI, Africa Renewable Energy Initiative (AREI) and Climate Commissions, with the support of relevant partners and stakeholders, to coordinate, support, monitor and report on the implementation of Nationally Determined Contributions of Member States;
24. **ALSO REQUESTS** the Commission, in collaboration with the AGN, the Climate Commissions, AAI and AREI, to continue its efforts and support for Africa's preparations for COP25, and facilitate the continent's showcase of Africa's efforts to adapt to the impacts of climate change and on-going efforts to mitigate climate change;
25. **URGES** the Commission, in collaboration with Pan African Agencies, to organize an African Summit on Climate Change in 2020, prior to COP26, as the year 2020 is critical in the global climate change calendar;
26. **WELCOMES** the Leaders' participation and **NOTES** the Solidarity and Just Transition Silesia Declaration;
27. **NOTES WITH APPRECIATION** the support provided by different African institutions and development partners, in particular AFDB, UNDP, UNEP, European Union and Germany, for the AGN and the Commission to enhance their engagement in the negotiations and other related processes;
28. **REQUESTS** the Commission to develop, in consultation with AMCEN, as appropriate, the rules of procedures for CAHOSCC to enhance effective operations of this High Level Committee for the consideration of the CAHOSCC at its next session;
29. **REQUESTS** Partners to support the Commission and the African Group of Negotiators at all levels in the implementation of this Decision.

DECISION ON THE REFORM OF THE UNITED NATIONS SECURITY COUNCIL **Doc. Assembly/AU/13(XXXII)**

The Assembly,

1. **TAKES NOTE** of the 20th Report of the Committee of Ten Heads of State and Government on the Reform of the UN Security Council(UNSC);
2. **REITERATES** the need to reform the UN to conform to the present geopolitical realities, in particular, the need to address Africa's non-representation in the Permanent category, and its under-representation in the Non-permanent category of the UNSC;
3. **ACKNOWLEDGES WITH APPRECIATION** the progress made by the Committee of Ten in advocating and canvassing support for the Common African Position as espoused in the Ezulwini Consensus and the 2005 Sirte Declaration on the UNSC Reform;
4. **WELCOMES** in that regard, the growing acceptance of the legitimacy of the Common African Position on the reform of the UNSC; in particular, the **FULL ENDORSEMENT** for the Common African Position as espoused in the Ezulwini Consensus and the Sirte Declaration by a number of Interest Groups and Member States from across all regions, during the Intergovernmental Negotiations at the UN in 2018;
5. **ALSO WELCOMES** and **APPRECIATES** the endorsement of the Common African Position by the Heads of State and Government of the Caribbean Community (CARICOM);
6. **REAFFIRMS** its firm commitment to the Common African Position espoused in the Ezulwini Consensus and the Sirte Declaration as the only viable option for Africa's full representation at the UNSC;
7. **REITERATES** that full representation of Africa in the UNSC means:
 - i) a minimum of two (2) Permanent seats with all the prerogatives and privileges of Permanent membership including the right of veto;
 - ii) five (5) Non-permanent seats; and
 - iii) that the African Union reserves the right to select its representatives for election to the UNSC, to act in its name and on its behalf.

8. REQUESTS

- i) the Committee of Ten Heads of State and Government to continue to reach out at the highest political levels, including with the five Permanent members of the UNSC, with a view to advancing the Common African Position on the reform of the UNSC;
 - ii) the Committee of Ten to also continue to intensify its engagement with other Interest and Regional Groups and stakeholders with a view to building on progress made in advancing the Common African Position on the reform of UNSC; in this regard, **ENCOURAGES** the Committee of Ten to continue holding its High-Level Meetings outside the margins of the Summit of the African Union;
 - iii) All African Union Member States to reflect in their respective national statements at the opening of the 74th Session of the United Nations General Assembly (UNGA) in September 2019, the concise common language to advance the Common African Position, and to reiterate the call for a comprehensive reform of the UNSC;
 - iv) all African Union Member States to include the issue of the UNSC reform among their foreign policy priorities in their engagements with non-African partners, in particular, the need to correct, without further delay, the historical injustice that the African continent continues to endure;
 - v) the Chairperson of the Commission to include the Item: **Reform of the UNSC** in the Agenda of the Closed-Closed Segment of the next Ordinary Session of the Assembly.
9. **REITERATES** the firm commitment to preserve Africa's unity and solidarity on all aspects of the UNSC reform process, including participation within and outside the intergovernmental negotiations, and to continue to speak cohesively with one voice in unity of purpose on all aspects of the reform process;
10. **ALSO REITERATES** that the C-10 continues to liaise with other African Union Member States in New York and Addis Ababa, through regular briefing on updates on matters related to the Intergovernmental Negotiations on the reform of the UNSC, including the activities of the C-10;
11. **FURTHER REITERATES** that the African Union Member States in New York with dual membership should consider withdrawal of such membership from all other Interest Groups, in order to further consolidate the Common African Position as contained in the Ezulwini consensus and the Sirte Declaration;

12. **DECIDES** that the Common African position on the reform of the UNSC shall be a strategic item on the Assembly's Agenda and work plan, and **REQUESTS** the Commission to continue to facilitate the work of the Committee of Ten;
13. **ALSO DECIDES** that the Committee of Ten remains seized of its mandate until Africa achieves its objectives on the reform of the UNSC.



DECISION ON THE REPORT ON MALARIA
Doc. Assembly/AU/14(XXXII)

The Assembly,

1. **RECOGNIZES** the “Progress Report of the African Union on Malaria” and the recommendations contained therein;
2. **FURTHER RECOGNIZES** the high level African leaders’ political commitment, national ownership and global solidarity;
3. **REITERATES** the Decision Assembly/AU/Dec.619 (XXVII), adopted at the 27th Ordinary Session, held in Kigali, Rwanda, in July 2016, which supported the replenishment of the Global Fund to Fight AIDS, TB and Malaria;
4. **EXPRESSES CONCERN** that progress towards malaria elimination is stalling and **CALLS** on Member States to increase domestic resources necessary to achieve elimination by 2030;
5. **COMMENDS** Member States that have launched the Zero Malaria Starts With Me campaign and **REQUESTS** the Commission, RBM Partnership to end Malaria and African Leaders Malaria Alliance (ALMA), to further support additional roll out and implementation including the development of a monitoring and evaluation framework;
6. **REQUESTS** Member States, with support of the Commission, RECs, RBM Partnership to End Malaria, ALMA and partners, to accelerate the establishment of national End Malaria Councils and Malaria Funds, to galvanise political commitment and increased domestic investments from the public and private sector;
7. **ENCOURAGES** increased utilisation and uptake of national malaria control and elimination scorecards, and action trackers by Member States to drive action and accountability;
8. **REQUESTS** Member States with the support of the Commission, RBM Partnership to End Malaria, ALMA and partners, to work towards an enabling environment and ensure the availability of affordable, effective, safe, next-generation malaria commodities, through regulatory harmonization and support for local production, including innovative initiatives to increase availability and scalability;
9. **ALSO REQUESTS** Member States to fully utilize the right to use, to the fullest extent, the provisions contained in the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights and subsequent declarations and articles to promote access to medicines for all;
10. **FURTHER REQUESTS** the Chairperson of ALMA to report to the Assembly annually on progress in responding to Malaria in Africa.

**DECISION ON THE REPORT ON COMBATTING TERRORISM
AND VIOLENT EXTREMISM IN AFRICA
Doc. Assembly/AU/17(XXXII)**

The Assembly,

1. **WELCOMES** H.E Abdelaziz Bouteflika's Report on the Issue of Combating Terrorism and Violent Extremism in Africa;
2. **EXPRESSES GRAVE CONCERN** over the worsening scourge of terrorism and violent extremism in Africa, and the growing linkages between terrorism and transnational organized crime, notably drug and human trafficking, money laundering, illicit trafficking in arms, and the threat this situation poses to the promotion and consolidation of peace and security on the Continent and the realization of the goal of Silencing the Guns by 2020 in Africa, in line with AU Agenda 2063;
3. **REITERATES ITS STRONG CONDEMNATION** of all acts of terrorism committed on the Continent by whomever, wherever and for whatever purposes, and **EXPRESSES FULL SOLIDARITY** with the affected countries and the victims of terrorism;
4. **REITERATES ITS DETERMINATION** to rid Africa of the scourge of terrorism and violent extremism, which cannot be justified under any circumstances, noting that terrorism cannot and should not be associated with any religion, nationality, civilization or group;
5. **COMMENDS** Member States for having developed and strengthened their legislative and operational capacities to combat the scourges of terrorism and violent extremism; and **COMMENDS** the AU institutions and mechanisms providing support to Member States in this respect, including the African Centre for the Study and Research on Terrorism (ACSRT), the AU Mechanism for Police Cooperation (AFRIPOL), and the Committee of Intelligence and Security Services of Africa (CISSA);
6. **EMPHASIZES** the need to address all conditions conducive to the spread of terrorism and violent extremism, including political exclusion, prolonged unresolved conflicts, deficits in the rule of law, violations of human rights, discrimination, socio-economic marginalization and poor governance, and **STRESSES**, however, that none of these conditions can excuse or justify acts of terrorism. In this respect, the Assembly **REAFFIRMS THE URGENT NEED** to fully implement all aspects outlined in the AU Master Roadmap of Practical Steps to Silence the Guns in Africa;
7. **COMMENDS** the work of H.E Abdelaziz Bouteflika and **EXPRESSES SUPPORT** to the Memorandum on the Pillars for joint AU action against the scourge of

terrorism and violent extremism, presented by himself, as the Champion on this issue, to inform and guide the updating of the AU Plan of Action on the Prevention and Combating of Terrorism, adopted by Decision EX.CL/Dec.13(II) of the 2nd Ordinary Session of the Executive Council, held in March 2003, in N'Djamena;

8. **REQUESTS THE COMMISSION** to continue supporting H.E Abdelaziz Bouteflika, in his capacity as the Champion on the Issue of Combating Terrorism and Violent Extremism in Africa, including by facilitating consultations among Member States, with a view to updating the AU Plan of Action and submit it for validation by an AU Ministerial Conference before submission for consideration by the Assembly in January 2020;
9. **REITERATES ITS APPEAL** to all Member States to volunteer resources to the AU Special Fund for Prevention and Combating of Terrorism and Violent Extremism in Africa, in line with Decision Assembly/AU/Dec.614 (XXVII), adopted at the 27th Ordinary Session of the Assembly, held in Kigali, Rwanda, in July 2016.



**DECISION ON THE AFRICAN UNION CAMPAIGN ON
ENDING CHILD MARRIAGE IN AFRICA
Doc. Assembly/AU/24(XXXII)**

The Assembly,

1. **TAKES NOTE, WITH APPRECIATION,** of the Report of H.E. Edgar Chagwa Lungu, President of the Republic of Zambia and Leader of Combating Early Marriage of Young Girls in Africa and the recommendations contained therein; and **DECIDES** to change the above title to Leaders of Ending Child Marriage in Africa;
2. **COMMENDS** Member States that have launched, nationally, the AU Campaign on Ending Child Marriage as well as those that have costed national strategies and action plans towards ending child marriage and **CALLS UPON** other Member States which are yet to launch and implement the campaign to do so;
3. **RECOGNIZES** that child marriage is a complex issue which adversely impacts the personal development and future opportunities, health and wellbeing of children, with detrimental consequences on children, women, families, communities and affects a nation's sustainable development;
4. **ALSO RECOGNIZES** that all children, both girls and boys, have fundamental human rights, especially the rights to non-discrimination, survival, development, education, health and welfare, and freedom to take advantage of opportunities available in harnessing their potential, and that child marriage is a serious violation of these rights;
5. **REAFFIRMS** our commitment towards the Implementation of the Common African Position on Ending Child Marriage in Africa and recommendations of the 1st African Girls Summit held in Lusaka, Zambia in November 2015, and all the recommendations from the 2nd African Girls Summit on Ending Child Marriage held in Accra, Ghana in November 2018;
6. **RECOMMITS** to keeping the fight to end child marriage in Africa, on national, regional and continental agendas; and ensuring accountability for results and targets to be reported back to the AU Assembly annually;
7. **FURTHER RECOMMITS** to take concrete actions to end child marriage in all its forms and manifestations, with firm commitment to article 21(2) of the African Charter on the Rights and Welfare of the Child;
8. **REQUESTS** a comprehensive report on the progress of Ending Child Marriage in Africa to be submitted through the reporting channels of the Policy Organs.

**DECISION ON THE ESTABLISHMENT OF CONTINENTAL OPERATIONAL CENTRE
IN KHARTOUM FOR COMBATING IRREGULAR MIGRATION
Doc. EX.CL/1122(XXXIV)**

The Assembly,

1. **RECALLS** Declaration Assembly/AU/Decl.6 (XXV) adopted at the 25th Ordinary Session of the Assembly held in Johannesburg, South Africa, in June 2015, endorsing the initiative on migration on the Continent, especially combating human trafficking and migrant smuggling;
2. **ENDORSES** the Executive Council's proposal on the establishment of the Continental Operational Centre in Sudan, for combating irregular migration, as a specialized technical office of the Union, with particular focus on human trafficking and migrant smuggling on the Continent;
3. **REQUESTS** the Commission to expedite the elaboration of the structural, financial and legal implications, as well as, the Statute Establishing the Continental Operational Centre in Sudan for combating irregular migration for consideration by the relevant Policy Organs of the Union.



**DECISION ON REVITALISING AND OPERATIONALISING THE AFRICAN UNION
POLICY ON POST CONFLICT RECONSTRUCTION AND DEVELOPMENT:
PRACTICAL POLICY OPTIONS AND ADAPTIVE MEASURES FOR SUSTAINABLE
SOLUTIONS TO ADDRESS ROOT CAUSES OF FORCED
DISPLACEMENT CHALLENGES IN AFRICA**

The Assembly,

1. **COMMENDS** the proposal of the Arab Republic of Egypt to launch a process to revitalize and operationalize the AU Policy on Post-Conflict Reconstruction and Development (PCRD), while aligning it with the evolving international discourse on peace building and sustaining peace and the actual needs of countries emerging from conflict in Africa;
2. **ALSO COMMENDS** the proposal of the Arab Republic of Egypt to launch substantive discussions at the AU and with the RECs/RMs in order to formulate a common African position on peace building and sustaining peace, to be presented at the upcoming review process of the UN Peace Building Architecture in 2020;
3. **EXPRESSES ITS DEEP APPRECIATION** for the workshop hosted by the Government of the Arab Republic of Egypt, Cairo on 15 - 16 October 2018 on “Operationalizing the African Union PCRD Policy in the Sahel: Charting the Way Forward”, and **ENDORSES** the recommendations of the said workshop;
4. **RECALLS** Decision Assembly/AU/Dec.710 (XXXI), adopted at the 31st Ordinary Session in July 2018, on accepting the offer of the Arab Republic of Egypt to host the AUC-PCRD and **REQUESTS** the Commission to fast-track the functioning of the centre in 2019, as a continental platform for strengthening the African ownership of PCRD activities;
5. **REQUESTS** the Commission, to work closely with the Arab Republic of Egypt, in taking forward the aforementioned proposals and to report on progress made in this regard to the 35th Ordinary Session of the Executive Council to be held in Niamey, Niger, in July 2019;
6. **STRESSES** the need for practical policy options and adaptive measures to address, inter alia, the root causes resulting in the protracted challenges of forced displacement in Africa, with a view to reaching effective sustainable solutions;
7. **MANDATES** H.E. Abdel Fattah El-Sisi, President of the Arab Republic of Egypt, to be Leader of the revitalization and operationalization of the African Union Policy on PCRD.

DECISION ON THE FOLLOW-UP ON THE ESTABLISHMENT OF THE AFRICAN MIGRATION OBSERVATORY IN MOROCCO

The Assembly,

1. **RECALLS** Decision Assembly/AU/Dec.695 (XXXII), adopted at the 31st Ordinary Session held in Nouakchott, Mauritania, in July 2018, on the establishment of the African Migration Observatory (AMO) in the Kingdom of Morocco;
2. **COMMENDS** the Kingdom of Morocco for its central role in hosting the Intergovernmental Conference, 10 - 11 December 2018, which adopted the Global Compact on Safe, Orderly and Regular Migration (GCM), and the important role the Observatory will undertake to implement the Marrakech Compact on Migration;
3. **TAKES NOTE** of the efforts deployed by the Commission and the Kingdom of Morocco in the operationalization of the African Migration Observatory (AMO);
4. **WELCOMES** the signing, on 10 December 2018 in Marrakech, of the Host Agreement between the Kingdom of Morocco and the Commission on the operationalization of the AMO;
5. **EXPRESSES** gratitude to the Kingdom of Morocco for offering to host the headquarters of the Observatory as specified by the Host Agreement;
6. **HIGHLIGHTS** the important role of the AMO in, *inter alia*, the support of existing continental initiatives on migration, through the collection, exchange, analysis and sharing of data with a view to efficiently address migration challenges;
7. **INVITES** Member States and development partners to provide the necessary technical and financial support for the AMO and its programmes;
8. **REQUESTS** the Commission to expedite the elaboration of the legal, structural and financial implications, as well as the statute establishing the African Migration Observatory for consideration and adoption by the relevant AU policy organs by February 2020;
9. **ALSO REQUESTS** the Commission to report on the operationalization of the AMO to the Policy Organs during the February 2020 Ordinary Session of the Assembly.

**DECISION ON THE DEBT CANCELLATION AS A MEANS TOWARDS
ENHANCING PEACE, SECURITY, DEVELOPMENT AND
DURABLE SOLUTIONS FOR DISPLACED SOMALIS**
Doc. EX.CL/1133(XXXIV)

The Assembly,

1. **TAKES** note of the Report;
2. **MINDFUL** of the critical role and stake that the African Union has, through the African Union Mission to Somalia (AMISOM), in seeing a peaceful, stable, and financially self-sufficient Somalia;
3. **RECOGNISES** that in re-emerging from decades of conflict, the Federal Republic of Somalia must undertake the immense task of reconstruction and development to establish the foundations of lasting peace and stability, thereby establishing favourable conditions for investment and employment creation;
4. **COGNISANT** of the AU's theme of 2019, "Year of Refugees, Returnees and Internally Displaced Persons in Africa: Towards Durable Solutions to Forced Displacement", Somalia is critically in need of the financial and technical assistance from the international community for the provision of durable solutions for displaced Somalis;
5. **COMMENDS** the Federal Government of Somalia for its determined efforts at socio-economic recovery through its eighth National Development Plan (NDP) and the forthcoming ninth NDP;
6. **ACKNOWLEDGES** that the Federal Government of Somalia and subnational tiers of government have meagre resources, both domestic and external, to stimulate economic recovery and reduce poverty, that are needed to allow Somalia to transition to a country of lasting peace and development;
7. **NOTES** that years of conflict in Somalia have resulted in the accumulation of arrears owed to external creditors, including bilateral and multilateral creditors, constraining the ability of Somalia to obtain external resources for reconstruction and development;
8. **BEARING IN MIND** that Somalia is among the last remaining eligible countries which are still to benefit from the Heavily Indebted Poor Country (HIPC) Debt Relief Initiative, an internationally agreed upon framework for providing comprehensive debt relief to low-income countries that qualify for the Initiative;
9. **AWARE** of the need for Somalia to normalize its financial relations with external creditors, thus unlocking financial resources for the country's stabilization,

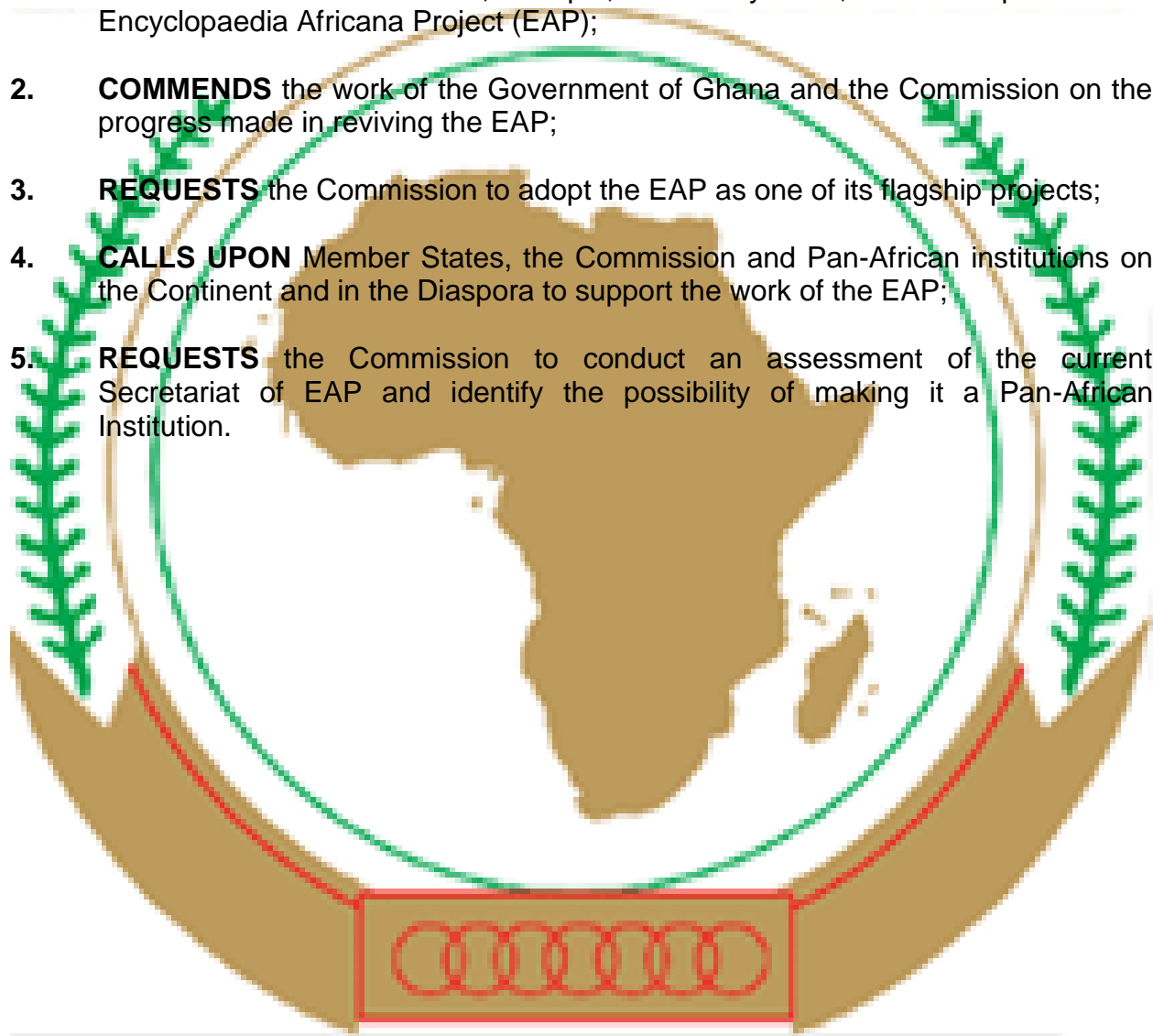
reconstruction, development and poverty reduction, including for the provision of durable solutions for displaced Somalis;

10. **NOTES WITH SATISFACTION** the Somali Government's commitment to resolving its external debt problem through establishing good economic and financial governance and through the implementation of much needed reforms, including Somalia's third IMF Staff Monitored Programme ending mid-2019;
11. **EXPRESSES** its full support and continued solidarity with the Somali people and their Government in their quest for normalization of financial relations with external creditors and full debt cancellation;
12. **URGES** Somalia's external creditors, especially the International Financial Institutions (IFIs) that have pledged financial support to step up their good faith efforts and accelerate: the normalization of financial relations with Somalia to fulfil their promises, the unlocking of development resources for the country and the full resolution of the external debt overhang;
13. **AWARE** that a number of AU Member States are among Somalia's external creditors;
14. **CALLS UPON** AU Member States that are Somalia's external creditors to fully cancel Somalia's debt obligations in the spirit of African solidarity; **REQUESTS** that the Commission facilitates debt cancellation discussions between Somalia and AU Member State creditors and **CALLS UPON** the latter to provide additional economic support to Somalia;
15. **FURTHER CALLS UPON** Somalia's external creditors to fully cancel Somalia's debt obligations as a means of relieving the country of a future debt servicing burden that may hinder its transition from conflict to peace and sustainable development.

DECISION ON THE ENCYCLOPAEDIA AFRICANA PROJECT – DOCUMENTING AFRICAN HISTORY TOWARDS DURABLE SOLUTIONS TO AFRICAN CHALLENGES INCLUDING FORCED DISPLACEMENT

The Assembly,

1. **RECALLS** Decision Assembly/AU/Dec.500(XXII), adopted at the 22nd Ordinary Session held in Addis Ababa, Ethiopia, in January 2014, on the adoption of the Encyclopaedia Africana Project (EAP);
2. **COMMENDS** the work of the Government of Ghana and the Commission on the progress made in reviving the EAP;
3. **REQUESTS** the Commission to adopt the EAP as one of its flagship projects;
4. **CALLS UPON** Member States, the Commission and Pan-African institutions on the Continent and in the Diaspora to support the work of the EAP;
5. **REQUESTS** the Commission to conduct an assessment of the current Secretariat of EAP and identify the possibility of making it a Pan-African Institution.



DECISION ON FINANCING THE UNION

The Assembly,

1. **TAKES NOTE** of the recommendations contained in the report of the meeting of the Committee of Fifteen Ministers of Finance (F15), held on 6th February 2019 in Addis Ababa, Ethiopia;
2. **RECALLS** Decision Assembly/AU/Dec.605(XXVII), adopted at the 27th Ordinary Session held in Kigali, Rwanda, in July 2016, which decided:
 - i) to institute and implement a 0.2 % levy on all eligible imported goods into the Continent to finance the African Union Operational, Program and Peace Support Operations Budgets starting from the year 2017; and
 - ii) to establish a Committee of Ministers of Finance, comprising [ten] Member States, representing the five (5) regions, expanded further to fifteen [three per region], to participate in the preparation of the annual budget.
3. **ALSO RECALLS** Decision AU/Dec.635(XXVIII), adopted at the 28th Ordinary Session held in Addis Ababa, Ethiopia, in January 2017, which emphasized that the Kigali Decision on Financing of the Union (Assembly/AU/Dec.605(XXVII)) should be implemented in full and without undue delay, and **COMMENDS** Member States implementing the 0.2% import levy;
4. **ALSO COMMENDS** the Commission for the speedy progress with regards to the implementation of the Golden Rules establishing clear financial management and accountability principles;
5. **MANDATES** the Commission to do the following:
 - i) provide technical support to Member States in accelerating the implementation of the 0.2% levy;
 - ii) facilitate the involvement of the F15 in the consideration of the annual audit report of the Union;
 - iii) facilitate a retreat of the F15 to assess mechanisms on its working methods as well as consider modalities on how it can accelerate the implementation of decisions on Financing of the Union;
 - iv) strengthen the Secretariat of the Financing of the Union with a view of providing adequate support to the F15 and Member States.
6. **AFFIRMS** that Member States, while implementing this Decision, will be availed flexibility in fulfilling their obligations, as per their constitutional provisions and national laws, in accordance with Rule 33 of the Rules of Procedure of the Assembly of the Union.

DECISION ON THE SCALE OF ASSESSMENT FOR THE REGULAR BUDGET AND THE PEACE FUND¹

The Assembly,

A. On the Scale of Assessment and Contributions:

1. **RECALLS** Decision Assembly/AU/Dec.578(XXV), adopted at the 25th Ordinary Session held in Johannesburg, South Africa, in June 2015, which decided that:
 - a) a new scale of assessment be adopted based on the principles of solidarity, equitable payments and capacity to pay in a way that ensures no single country bears a disproportionate share of the budget;
 - b) the scale of assessment will be based on achieving the following targets to be phased over 5 years starting from January 2016:
 - i) 100% of the Union's Operational budget;
 - ii) 75% of Union's Program budget;
 - iii) 25% of Union's Peace support operations budget.
 - c) The scale of assessment will be based on a tier system as follows:
 - i) All countries with a GDP above 4% - tier 1;
 - ii) All countries with a GDP above 1% but below 4% - tier 2;
 - iii) All countries with a GDP of 1% and below – tier 3.
2. **ALSO RECALLS** Decision Assembly/AU/Dec.605(XXVII), adopted at the 27th Ordinary Session held in Kigali, Rwanda, in July 2016, which stated that the Peace Fund shall be endowed with an amount of United States Dollars Three Hundred Twenty Five (USD 325) million in 2017, rising to Four Hundred (400) million in 2020. This total amount shall be raised from equal contributions from each of the five (5) AU Regions, as defined in the relevant instruments;
3. **REITERATES** Decision Assembly/AU/Dec.605(XXVII), which reaffirmed its determination to ensure that the African Union (AU) is financed in a predictable, sustainable, equitable and accountable manner with the full ownership by its Member States;
4. **RECALLS** Decision Assembly/AU/Dec.635(XXVIII), adopted at the 28th Ordinary Session held in Addis Ababa, Ethiopia, in January 2017, which stipulated that the

¹ Reservation by the Republic of Seychelles: "Seychelles would like to express its reservations regarding the conditions and proposals set on this matter, which we feel is indeed inequitable and requires deeper consultations at capital level." – Reservation entered during the adoption of decisions and confirmed through Note Verbale Ref. SEY/AU/3/1 Note No. 16/2019, dated 26 March 2019.

current scale of contributions should be revised based on the principles of ability to pay, solidarity, and equitable burden-sharing to avoid risk concentration;

5. **TAKES NOTE** of the recommendations of the AU Ministers of Finance during their meeting, held on the 9 August 2017 in Addis Ababa, in which they recommended that, in order to ensure equity and effective risk management, 'caps' and 'minima' should be introduced in the Scale of Assessment so that every country pays a minimum flat contribution and that no country or group of countries pays more than a specified share of the AU budget;
6. **ALSO TAKES NOTE** of the Report of the Joint Sitting of the Ministerial Committee on Scale of Assessment and Contributions and the Committee of Fifteen Finance Ministers on the AU Scale of Assessment and Contributions for Period 2020-2022;
7. **DECIDES** that, while still maintaining the Tier System as per the Johannesburg Decision of 2015 (Assembly/AU/Dec.578(XXV)) and while taking into account the recommendation of the African Union Ministers of Finance to introduce 'caps' and 'minima', the new scale shall be as follows:
 - i) Tier 1 assessed at 45.151% percent of the Union's assessed budget;
 - ii) Tier 2 assessed at 32.749% of the Union's assessed budget; and
 - iii) Tier 3 assessed at 22.100% of the Union's assessed budget.

The new scale of assessment and contributions is herewith attached to this decision;
8. **ALSO DECIDES** that no country shall pay less than \$350,000 or more than \$35,000,000 as a contribution for the regular budget and peace fund combined;
9. **FURTHER DECIDES** that with a view to addressing the growing burden to Member States, the 2020 regular budget shall be reduced by \$32 million as compared to the 2019 regular budget. The Commission is directed to find savings within the Union budget;
10. **MANDATES** the Commission to continue the ongoing efforts to consolidate the accountability and oversight mechanism on the AU budget processes and maintain an affordable and rationalized budget of the Union with the view to end its expansion taking into account the need for austerity measures.

B. On the Peace Fund:

11. **TAKES NOTE** that since 2017, fifty (50) Member States have made their contributions to the Peace Fund on the basis of the existing scale of assessment for the regular budget;
12. **COMMENDS** Member States for contributing [\$89m] to the AU Peace Fund since 2017 which demonstrates a high level of commitment by the Union to fully operationalize the Peace Fund;
13. **REQUESTS** the AU High Representative for Financing the Union and the Peace Fund, supported by the Commission, to undertake regional consultations on the matter of assessing the Peace Fund and report back to the Executive Council in Niamey, Niger, in June 2019;
14. **DECIDES** that, in the interim, the existing scale of assessment as applied to the regular budget of the Union shall be applied to the 2017-2019 assessment of the Peace Fund and, in the event that no concrete recommendations emerge from the consultations, the new scale of assessment as applied for the regular budget shall also be applied to the Peace Fund from 2020-2022².



² Reservation by the Arab Republic of Egypt: “The ruling of Paragraph no. 14 overrides the outcomes of the regional consultations to be undertaken by the AU High Representative according to the aforementioned decision. Besides, the Paragraph implies the implementation of the Scale of Assessment retroactively (for the years 2017-2019); such retroactive implementation contravenes the universal budgetary principles applied on national budgets and the African Union Budget.” – Reservation entered during the adoption of decisions and confirmed through Note Verbale No. /2019 – AU, dated 27 March 2019.

		Proposed new AU Scale of Assessment for 2020-2022	\$32Mil. Savings distribution (All TIERS)
	Member State		
		(%)	
1	Nigeria	7.525	2,408,042.65
2	Egypt	7.525	2,408,042.65
3	South Africa	7.525	2,408,042.65
4	Algeria	7.525	2,408,042.65
5	Angola	7.525	2,408,042.65
6	Morocco	7.525	2,408,042.65
	<u>TIER 1</u>	<u>45.151</u>	<u>14,448,255.92</u>
7	Ethiopia	3.999	1,279,680.00
8	Kenya	3.745	1,198,447.11
9	Sudan	3.811	1,219,634.27
10	United Rep. of Tanzania	2.236	715,557.89
11	Tunisia	2.763	884,316.31
12	Libya	3.778	1,208,813.31
13	Ghana	2.811	899,536.04
14	D. R. of Congo	1.883	602,616.40
	Cote d'Ivoire	3.000	960,000.00
16	Cameroon	1.740	556,906.47
17	Uganda	1.383	442,534.86
18	Zambia	1.599	511,618.49
	<u>TIER 2</u>	<u>32.749</u>	<u>10,479,661.16</u>
19	Zimbabwe	1.108	354,544.78
20	Botswana	1.152	368,611.06
21	Senegal	1.125	360,112.30
22	Gabon	1.274	407,674.52
23	Mozambique	1.132	362,181.02
24	South Sudan	1.062	339,680.87
25	Mali	0.942	301,281.82
26	Chad	0.944	302,232.78
27	Mauritius	0.938	300,310.28
28	Namibia	0.933	298,581.92
29	Burkina Faso	0.906	289,835.54
30	Madagascar	0.855	273,462.41
31	Equatorial Guinea	0.984	315,036.53
32	Congo	0.877	280,700.85

		Proposed new AU Scale of Assessment for 2020-2022	\$32Mil. Savings distribution (All TIERS)
	Member State	(%)	
33	Benin	0.689	220,518.76
34	Guinea	0.584	186,736.10
35	Rwanda	0.629	201,278.96
36	Niger	0.602	192,766.29
37	Malawi	0.407	130,094.90
38	Mauritania	0.382	122,091.41
39	Eritrea	0.354	113,351.83
40	Sierra Leone	0.384	122,811.20
41	Togo	0.515	164,763.92
42	Swaziland	0.472	151,163.00
43	Burundi	0.411	131,501.99
44	Lesotho	0.286	91,583.45
45	Liberia	0.257	82,100.06
46	Djibouti	0.228	73,080.57
47	Central African Rep.	0.226	72,430.40
48	Cabo Verde	0.234	74,730.45
49	Seychelles	0.204	65,269.02
50	Somalia	0.202	64,678.97
51	Comoros	0.174	55,731.16
52	Guinea-Bissau	0.180	57,515.22
53	Gambia	0.169	54,222.59
54	Saharawi Arab D.R.	0.164	52,466.38
55	Sao Tome and Principe	0.115	36,949.60
	TIER 3	22.100	7,072,082.92
	Total	100.000	32,000,000.00

DECISION ON THE DRAFT LEGAL INSTRUMENTS

The Assembly,

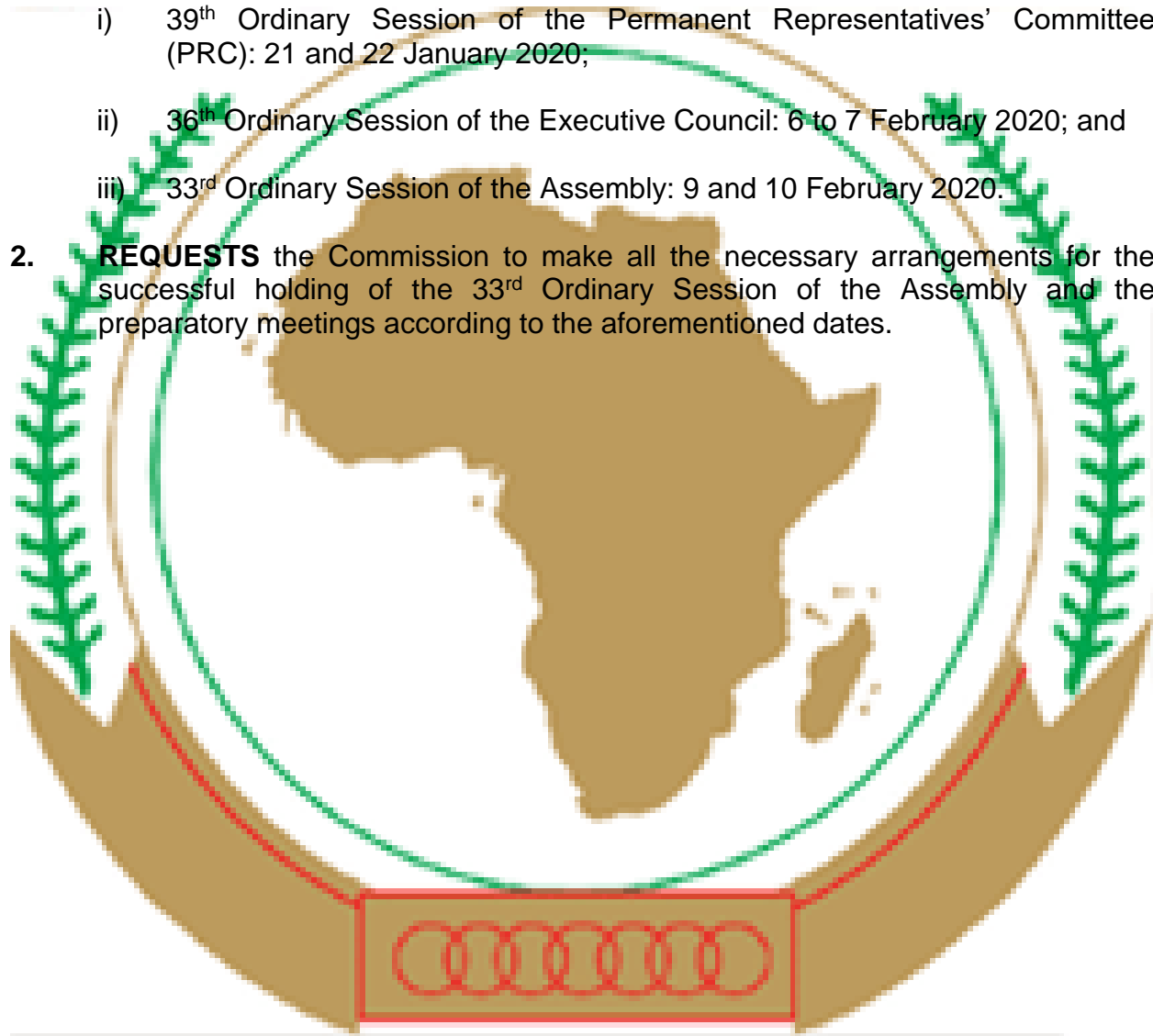
1. **TAKES NOTE** of the Recommendations of the Executive Council for the consideration and adoption of the Draft Legal Instruments;
2. **ADOPTS** the Legal Instruments as follows:
 - i) Treaty for the Establishment of the African Medicines Agency;
 - ii) Statute of the African Audio Visual and Cinema Commission;
 - iii) Statutes of the African Union International Centre for Girls' and Women's Education in Africa (AU/CIEFFA);
 - iv) African Union Transitional Justice Policy; and
 - v) Amendment to Article 35 of the Charter for African Cultural Renaissance.
3. **CALLS ON** Member States to sign and ratify the above Legal Instruments, where applicable, to enable them to enter into force as soon as possible.



DECISION ON THE DATES AND VENUE OF THE 33RD ORDINARY SESSION OF THE ASSEMBLY OF THE AFRICAN UNION IN FEBRUARY 2020

The Assembly,

1. **DECIDES** that the dates of the 33rd Ordinary Session of the Assembly, which will be held in Addis Ababa, Ethiopia, shall be the following:
 - i) 39th Ordinary Session of the Permanent Representatives' Committee (PRC): 21 and 22 January 2020;
 - ii) 36th Ordinary Session of the Executive Council: 6 to 7 February 2020; and
 - iii) 33rd Ordinary Session of the Assembly: 9 and 10 February 2020.
2. **REQUESTS** the Commission to make all the necessary arrangements for the successful holding of the 33rd Ordinary Session of the Assembly and the preparatory meetings according to the aforementioned dates.



DECISION ON GALVANISING POLITICAL COMMITMENT TOWARDS THE ELIMINATION OF FEMALE GENITAL MUTILATION IN AFRICA

The Assembly,

1. **RECALLS** Decision Assembly/AU/Dec.383(XVII) adopted at the 17th Ordinary Session of the Assembly held in Malabo, Equatorial Guinea, in June 2011, which called upon the United Nations General Assembly (UNGA) to adopt a resolution banning female genital mutilation worldwide in support of a draft resolution at the 66th Ordinary Session of the UNGA of the to ban female genital mutilation in the world;
2. **GUIDED** by the aspirations of Africa's Transformative Agenda 2063, on the elimination of all forms of gender based violence and harmful traditional practices, including female genital mutilation, and Target 5.3 of Sustainable Development Goal 5 in the 2030 Agenda for Sustainable Development, which calls for the elimination of harmful practices, particularly female genital mutilation, by 2030;
3. **COGNISANT** of the positive efforts and partnerships led by Member States and support of the UNICEF, UNFPA and UNFPA-UNICEF Joint Programme 'Female Genital Mutilation/Cutting: Accelerating Change' to strengthen capacities and engage with communities to shift this harmful social norm towards collective abandonment of the practice;
4. **REAFFIRMING** the binding continental instruments that uphold the rights and welfare of children, young girls and women, including the 1990 African Charter on the Rights and Welfare of the Child (ACRWC) and the 2003 Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol);
5. **RECOGNISING** the strong and forward looking recommendations and commitments in the UNGA Resolutions A/RES/67/146 (2012), A/RES/69/150 (2014) and A/RES/71/168 (2016) on 'Intensifying global efforts for the elimination of female genital mutilations' and the 2012 United Nations Secretary General's Report to the General Assembly E/CN.6/2012/8 on 'Ending Female Genital Mutilation';
6. **NOTING WITH CONCERN** the high rates of female genital mutilation in Africa, where 50 million girls are at risk of undergoing this injurious, harmful practice by 2030, the human rights violation perpetuated and the lifelong health complications resulting from the practice and affecting the maternal health outcomes on the continent;
7. **TAKES NOTE** of the AU led Continental International Conference held in Ouagadougou in October 2018, under the theme 'Galvanizing political Action to

Accelerate the Elimination of Female Genital Mutilation by 2030' and the Ouagadougou Call to Action on Eliminating Female Genital Mutilation submitted by Member States and their commitment, therein, endorsing the AU continental initiative known as Saleema on eliminating female genital mutilation, to advance political action at national, sub-regional and continental levels, to accelerate the elimination of female genital mutilation, within the framework of regional instruments and agreements, and national legislation;

8. **ENDORSES** the AU continental initiative led by the Commission to be known as 'Saleema: AU Initiative on Eliminating Female Genital Mutilation' and **CALLS** on Member States to implement the AU Initiative on Eliminating Female Genital Mutilation, with a focus on social norms and cultural dimensions addressing cross border practice of female genital mutilation; in addition to implementing strong legislative frameworks, allocating domestic financial resources, promoting use of evidence and data, regular reporting, and the engagement of civil society and community groups in ending female genital mutilation;
9. **REQUESTS** the Commission to put in place an accountability framework for the AU continental initiative – Saleema to assist Member States to account and monitor progress at the regional and national level in line with commitments made and **ALSO REQUESTS** the Commission to report periodically on female genital mutilation in Africa, through existing African Union instruments and platforms, including the African Committee of Experts on the Rights and Welfare of the Child and the African Commission on Human and People's Rights;
10. **DECIDES** to designate H.E. Roch Marc Christian Kaboré, President of the Republic of Burkina Faso, as the AU Leader for the Elimination of Female Genital Mutilation and **REQUESTS** the Commission to convene annually a high-level meeting to review progress, strengthen partnership and renew commitment for action on the elimination of female genital mutilation by 2030.

DECISION ON THE INTERNATIONAL CRIMINAL COURT
Doc. EX.CL/1138(XXXIV)

The Assembly,

1. **TAKES NOTE** of the Progress Report of the Commission on the Implementation of the Decisions of the Assembly on the International Criminal Court ("ICC") and the recommendations of the Open-ended Committee of Ministers of Foreign Affairs on the International Criminal Court (Open-ended Ministerial Committee);
2. **REITERATES:**
 - a) the unflinching commitment of the African Union and its Member States to combating impunity and promoting democracy, the rule of law and good governance throughout the entire continent, in conformity with the Constitutive Act of the African Union;
 - b) its previous decisions on the deferral or termination of proceedings against President Omar Al Bashir of the Republic of The Sudan in accordance with Article 16 of the Rome Statute;
 - c) the need for all Member States, in particular those that are also State Parties to the Rome Statute, to continue to comply with the Assembly Decisions on the warrant of arrest issued by the ICC against President Al Bashir of The Sudan pursuant to Article 23(2) of the Constitutive Act of the African Union and Article 98 of the Rome Statute of the ICC; and
 - d) the call for Member States to ratify the Protocol on Amendments to the Protocol of the African Court of Justice and Human and Peoples' Rights (Malabo Protocol).
3. **COMMENDS** the efforts of the Commission and the African Group in New York in successfully placing on the Agenda of the United Nations General Assembly (UNGA), the request for an Advisory Opinion of the International Court of Justice (ICJ) on the Question of Immunities of Heads of State and Government and other Senior Officials as it relates to the obligations of States Parties under the Rome Statute and international law, and **REQUESTS** the Commission to finalise the question based on the recommendations of the Open-ended Ministerial Committee;
4. **REQUESTS** the Commission to submit the final draft of the question to the Open-ended Ministerial Committee to allow all Member States of the Union the opportunity to make inputs to the draft. prior to submission to the UNGA, through the African Group in New York;

5. **CALLS UPON** all African Member States in New York, during consideration of the Agenda item by the UNGA, to support the transfer of the request for advisory opinion to the ICJ in order for all States, in particular those that are States Parties to the ICC Rome Statute, to obtain clarity on this issue of immunities;
6. **ALSO CALLS UPON** the ICC to respect the duty of all States Parties to the Rome Statute to honour their other international obligations as stipulated in Article 98, which includes the right to host international meetings and to ensure the participation of all invited delegations and high officials;
7. **EXPRESSES SATISFACTION** with the manner in which the Commission presented the position of the Union before the Appeals Chamber of the ICC, in the hearing on the Hashemite Kingdom of Jordan's appeal against the decision of the Pre-Trial Chamber II of the ICC on Jordan's legal obligation to arrest and surrender President Al Bashir of The Sudan while he was on the Jordanian territory attending the League of Arab States' Summit on 29 March 2017, and **CALLS ON** all Member States to oppose any decision of the Appeals Chamber that is at variance with the AU Common position and customary international law;
8. **COMMENDS** the Commission for echoing the position of the Union at the 17th Session of the Assembly of States Parties to the ICC (ASP), on the issue of immunities and clarifying the complimentary relationship between Articles 27 and 98 of the Rome Statute, which allows States Parties to honour their legal obligations under the Rome Statute and other sources of international law, and **REQUESTS** the African Group in New York and The Hague to request ASP to convene the working group of experts from amongst its Member States to propose a declaratory or interpretative clarification of the relationship between Articles 27 and 98, and other contested issues relating to the conflicting obligations of States Parties under international law;
9. **REQUESTS:**
 - i) the Commission and the African Group in New York to ensure that decisions of the AU Policy Organs are conveyed during the discussions on Universal Jurisdiction in the Sixth Committee of the UNGA and to make recommendations to the Summit on how to move this discussion forward, in view of the apparent impasse in the Sixth Committee; and
 - ii) the Commission to follow-up on implementation of this Decision and report to the next meeting of the Open-ended Ministerial Committee.

DECISION ON THE CONTINENTAL SCORECARD FOR NUTRITION

The Assembly,

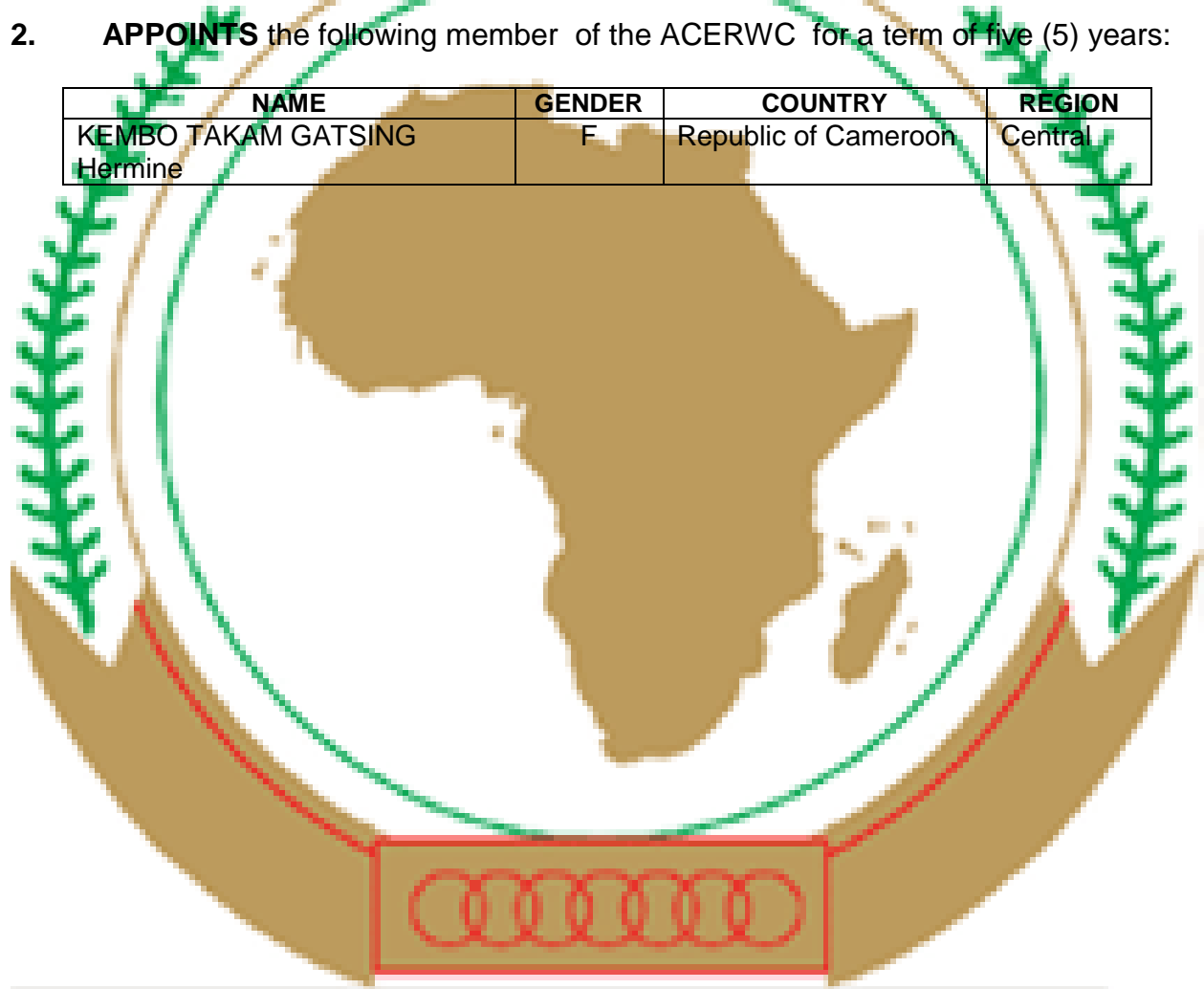
1. **EXPRESSES APPRECIATION** to efforts undertaken by H.M. King Letsie III of the Kingdom of Lesotho and Leader on Nutrition;
2. **RECALLS** Declaration Assembly/AU/Decl.1(XXIII) on 'Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods' and Declaration Assembly/AU/Decl.4(XXIII) on 'Nutrition Security for Inclusive Economic Growth and Sustainable Development in Africa', adopted at the 23rd Ordinary Session of the Assembly held in Malabo, Equatorial Guinea, in June 2014;
3. **ALSO RECALLS** Decision Assembly/AU/Dec.681(XXX) adopted at the 30th Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, in January 2018, which endorsed the African Leaders for Nutrition Initiative;
4. **COGNISANT** of the Six Global Nutrition Targets set by the World Health Assembly in 2012, and Goal 2 of the 2015 Sustainable Development Goals that seeks to end hunger, achieve food security and improved nutrition and promote sustainable agriculture;
5. **ENDORSES** the Continental Scorecard on Nutrition developed by the Commission and the Africa Leaders for Nutrition, with the support of the AfDB and other stakeholders, as a tool for increased accountability for the achievement of nutrition security by the Continent and to improve the monitoring of progress being made towards reaching the global and continental nutrition targets;
6. **DECIDES** to extend the mandate of H.M. King Letsie III of the Kingdom of Lesotho term as AU Leader on Nutrition from 2019 to 2021.

**DECISION ON THE APPOINTMENT OF ONE (1) MEMBER OF THE
AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS
AND WELFARE OF THE CHILD
Doc. EX.CL/1147(XXXIV)**

The Assembly,

1. **TAKES NOTE** of the election of one (1) Female Member of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) from the Central Region by the Executive Council;
2. **APPOINTS** the following member of the ACERWC for a term of five (5) years:

NAME	GENDER	COUNTRY	REGION
KEMBO TAKAM GATSING Hermine	F	Republic of Cameroon	Central

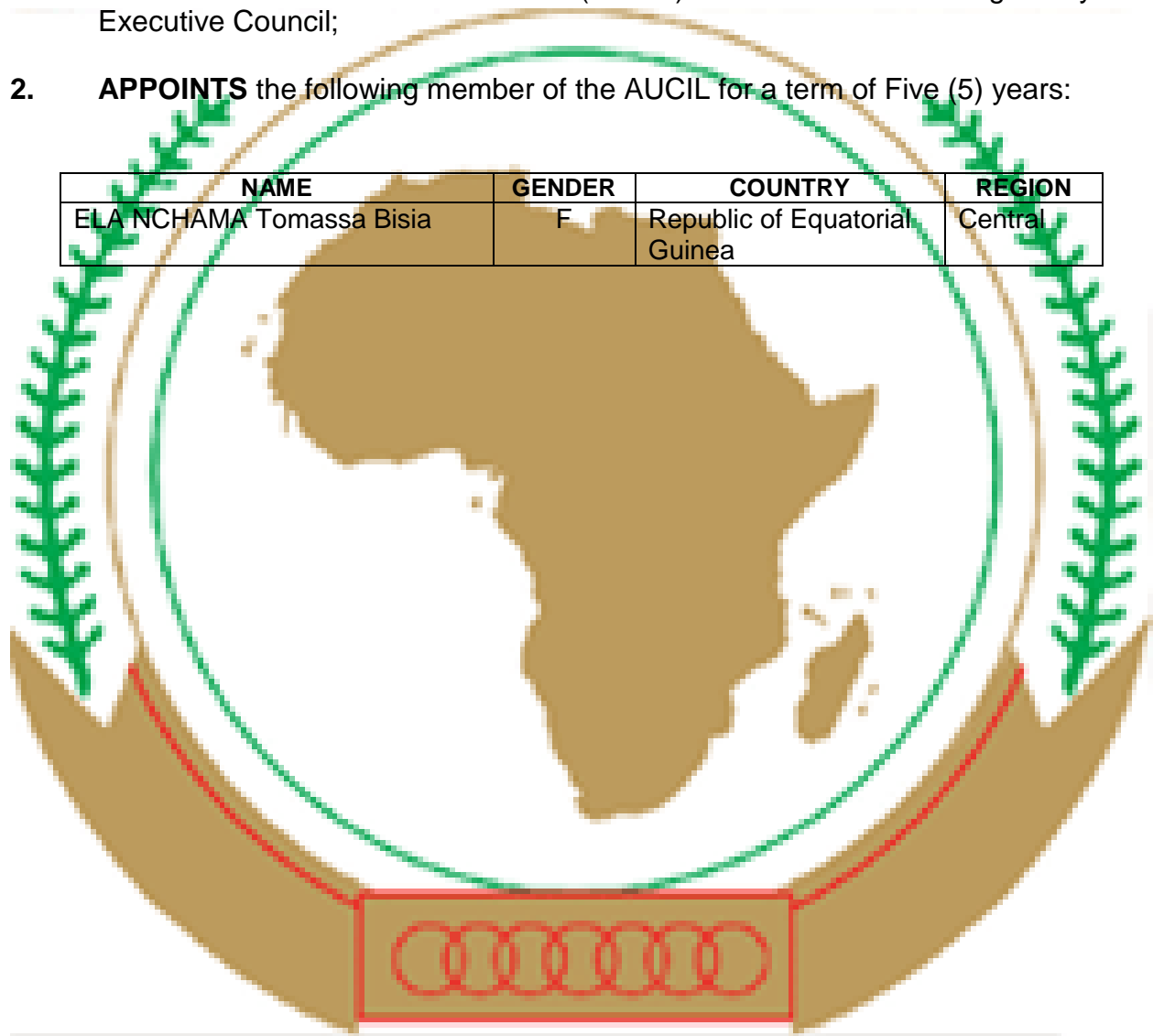


**DECISION ON THE APPOINTMENT OF ONE (1) MEMBER
OF THE AFRICAN UNION COMMISSION ON INTERNATIONAL LAW
Doc. EX.CL/1146(XXXIV)**

The Assembly,

- 1. TAKES NOTE** of the election of one (1) Female Member of the African Union Commission on International Law (AUCIL) from the Central Region by the Executive Council;
- 2. APPOINTS** the following member of the AUCIL for a term of Five (5) years:

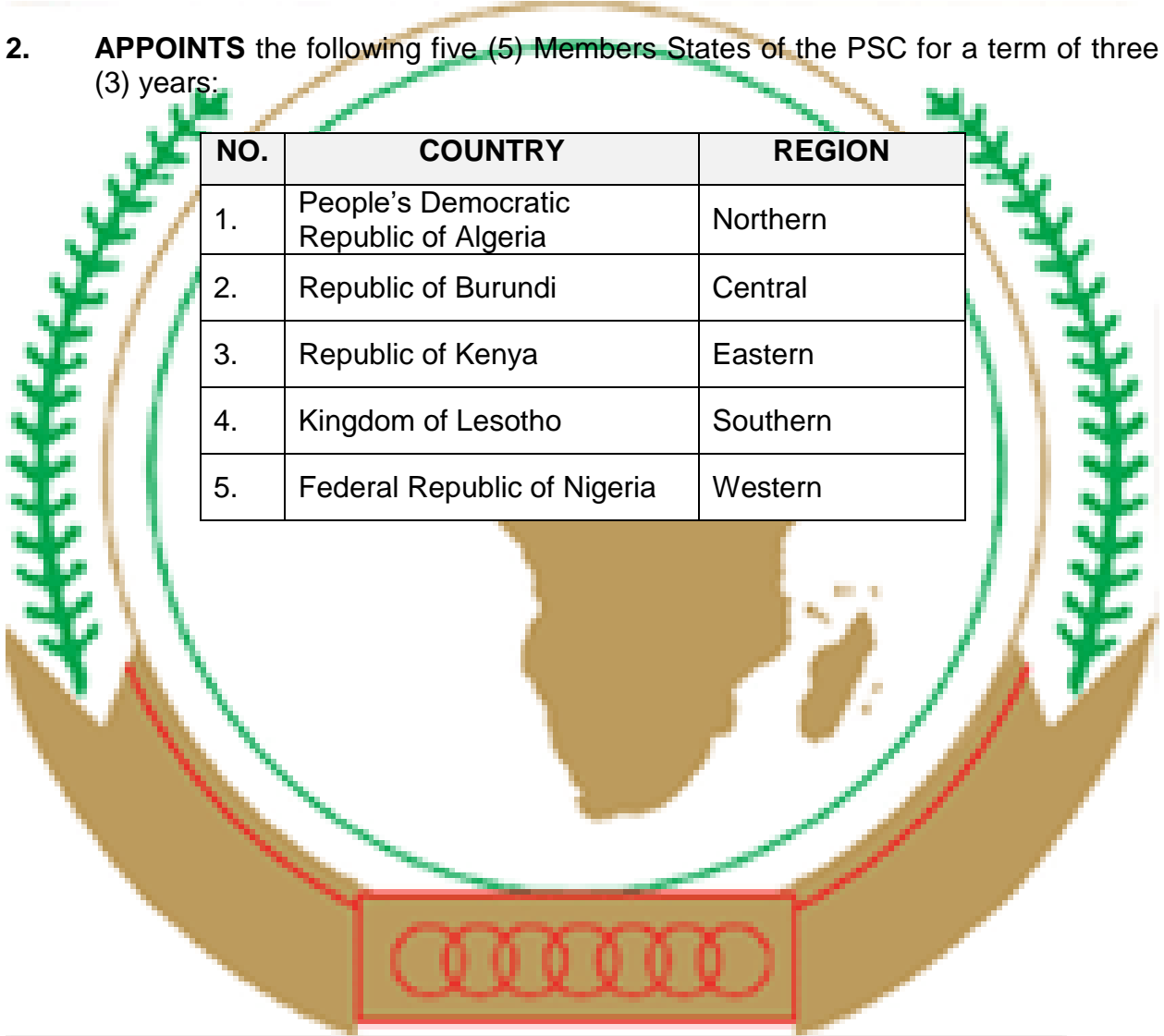
NAME	GENDER	COUNTRY	REGION
ELA NCHAMA Tomassa Bisia	F	Republic of Equatorial Guinea	Central



**DECISION ON THE APPOINTMENT OF FIVE (5) MEMBERS OF THE
PEACE AND SECURITY COUNCIL OF THE AFRICAN UNION
Doc. EX.CL/1149(XXXIV)**

The Assembly,

1. **TAKES NOTE** of the election of five (5) members of the Peace and Security Council (PSC) of the African Union by the Executive Council;
2. **APPOINTS** the following five (5) Members States of the PSC for a term of three (3) years:



The seal of the African Union is a large circular emblem in the background. It features a map of the African continent in the center, surrounded by a green wreath. At the bottom, there is a banner with the text 'AFRICAN UNION' in red. The table is positioned in the center of the seal.

NO.	COUNTRY	REGION
1.	People's Democratic Republic of Algeria	Northern
2.	Republic of Burundi	Central
3.	Republic of Kenya	Eastern
4.	Kingdom of Lesotho	Southern
5.	Federal Republic of Nigeria	Western

**DECISION ON THE APPOINTMENT OF SIX (6) MEMBERS
OF THE AFRICAN UNION ADVISORY BOARD ON CORRUPTION
Doc. EX.CL/1148(XXXIV)**

The Assembly,

- 1. TAKES NOTE** of the election of six (6) Members of the African Union Advisory Board on Corruption (AUABC) by the Executive Council;
- 2. APPOINTS** the following six (6) Members of the AUABC for a term of two (2) years:

NO.	NAME	GENDER	COUNTRY	REGION
1.	ANDRIAMIFIDY Jean Louis	M	Republic of Madagascar	Eastern
2.	BAMOUNI Pascal	M	Burkina Faso	Western
3.	BEGOTO Miarom	M	Republic of Chad	Central
4.	GNANSOUNOU FOURN Elisabeth Afiavi	F	Republic of Benin	Western
5.	NG'ANDU Agness Kayobo	F	Republic of Zambia	Southern
6.	SEEMA Sefako Aaron	M	Kingdom of Lesotho	Southern

3. DECIDES:

- i) that the election of one (1) Member of the AUABC for the floating seat will be carried out during the 35th Ordinary Session of the Executive Council in July 2019; and
- ii) to delegate its powers of appointment of Members of AUABC, under Article 22(4) of the African Union Convention on Preventing and Combating Corruption, to the Executive Council to be held in Niamey, Niger, in July 2019.

DECISION ON THE CHANGE OF DATE OF THE FIRST MID-YEAR COORDINATION MEETING OF THE AFRICAN UNION AND THE REGIONAL ECONOMIC COMMUNITIES (RECs), THE 35TH ORDINARY SESSION OF THE EXECUTIVE COUNCIL AND THE 38TH ORDINARY SESSION OF THE PERMANENT REPRESENTATIVES' COMMITTEE (PRC)

The Assembly,

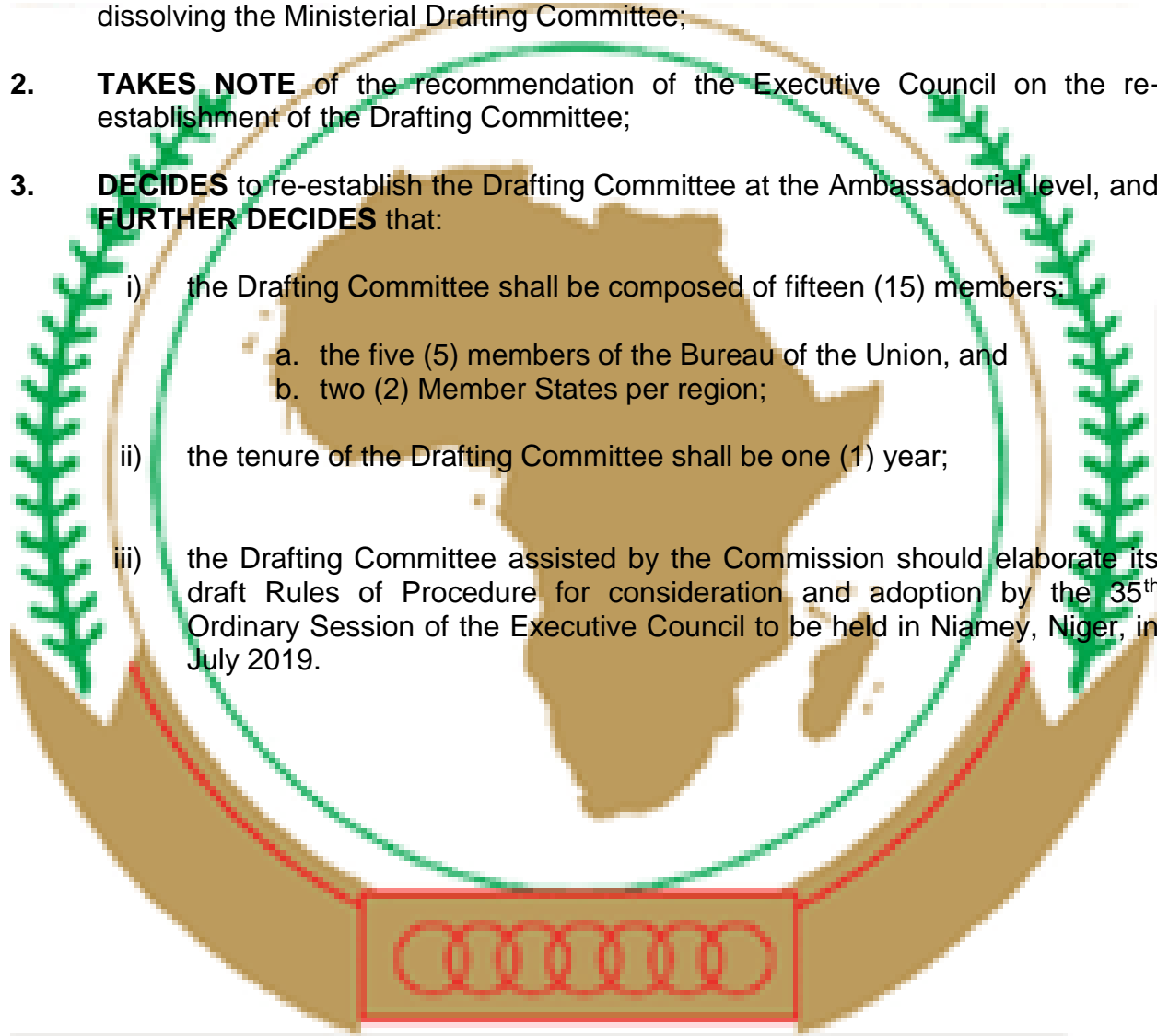
1. **RECALLS** Decision Assembly/AU/Dec.706(XXXI), adopted at the 31st Ordinary Session in July 2018, on the date and venue of the First Mid-Year Coordination Meeting of the African Union and the Regional Economic Communities (RECs), the 35th Ordinary Session of the Executive Council and the 38th Ordinary Session of the Permanent Representatives' Committee (PRC);
2. **DECIDES** that the dates of the Session shall be as follows:
 - i) the 38th Ordinary Session of the PRC from 17 to 18 June 2019 at AU Headquarters;
 - ii) the 35th Ordinary Session of the Executive Council from 4 to 5 July 2019, in Niamey, Niger;
 - iii) the 12th Extraordinary Session of the Assembly on 7 July 2019 in Niamey, Niger; and
 - iv) the First Mid-Year Coordination Meeting of the African Union and the RECs on 8 July 2019 in Niamey, Niger.



**DECISION ON THE REPORT OF THE COMMISSION ON
RE-ESTABLISHING THE DRAFTING COMMITTEE
Doc. EX.CL/1123(XXXIV)**

The Assembly,

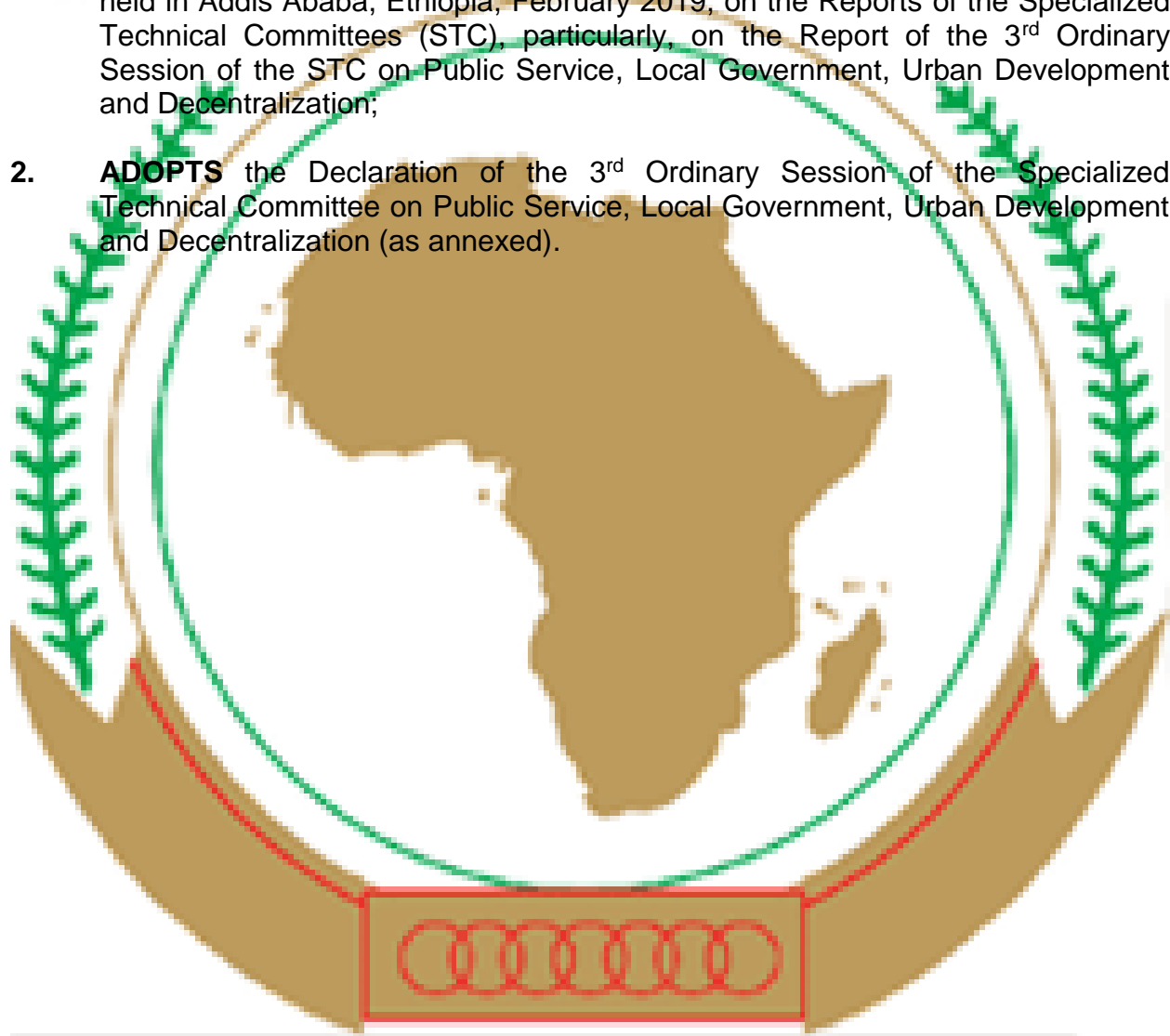
1. **RECALLS** Decision Assembly/AU/Dec.597(XXVI), adopted at the 26th Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, in January 2016, dissolving the Ministerial Drafting Committee;
2. **TAKES NOTE** of the recommendation of the Executive Council on the re-establishment of the Drafting Committee;
3. **DECIDES** to re-establish the Drafting Committee at the Ambassadorial level, and **FURTHER DECIDES** that:
 - i) the Drafting Committee shall be composed of fifteen (15) members:
 - a. the five (5) members of the Bureau of the Union, and
 - b. two (2) Member States per region;
 - ii) the tenure of the Drafting Committee shall be one (1) year;
 - iii) the Drafting Committee assisted by the Commission should elaborate its draft Rules of Procedure for consideration and adoption by the 35th Ordinary Session of the Executive Council to be held in Niamey, Niger, in July 2019.



**DECISION ON THE AU SPECIALIZED TECHNICAL COMMITTEE ON
PUBLIC SERVICE, LOCAL GOVERNMENT, URBAN
DEVELOPMENT AND DECENTRALIZATION
Doc.EX.CL/1109(XXXIV)**

The Assembly,

1. **RECALLS** Decision EX.CL/Dec.2(XXXIV), adopted at the 34th Ordinary Session held in Addis Ababa, Ethiopia, February 2019, on the Reports of the Specialized Technical Committees (STC), particularly, on the Report of the 3rd Ordinary Session of the STC on Public Service, Local Government, Urban Development and Decentralization;
2. **ADOPTS** the Declaration of the 3rd Ordinary Session of the Specialized Technical Committee on Public Service, Local Government, Urban Development and Decentralization (as annexed).



**ANNEX TO THE DECISION ON THE AU SPECIALIZED TECHNICAL
COMMITTEE ON PUBLIC SERVICE, LOCAL GOVERNMENT,
URBAN DEVELOPMENT AND DECENTRALIZATION**

AU-STC NO. 8. 2018 ADDIS ABABA DECLARATION

We, Members of the African Union Specialized Technical Committee on Public Service, Local Government, Urban Development and Decentralization, meeting during this Third Ordinary Session in Addis Ababa, Federal Democratic Republic of Ethiopia, this 5th Day of December 2018;

Reaffirming the decisions of the First and Second Ordinary Session of the STC 8;

Commend the AUC for availing some resources for the operations of the STC 8;

Note the need for allocation of adequate resources for the STC 8 to effectively execute its mandate

Recognizing the need to strengthen the Secretariat of the STC 8

Commend the Sub-Committees for effectively implementing their respective programmes under the STC 8

Cognizant of the recent decision of the Heads of State and Government on Reforms in the African Union at the 11th Extraordinary Session of the Assembly of the African Union, held in Addis Ababa, Ethiopia on 18 November 2018

1. **Express** our profound gratitude and appreciation to the People and Government of the Federal Democratic Republic of Ethiopia for hosting this Third Ordinary Session of the African Union STC on Public Service, Local Government, Urban Development and Decentralization;
2. **Commend** the Secretariat of the STC 8, Department of Political Affairs of the African Union Commission (AUC), for facilitating the smooth operations of the STC8;
3. **Commend** the outgoing Bureau for effectively steering the work of the STC 8 for the period 2017-2018
4. **Elect** the Members of the Third Bureau of the STC 8 as follows:

Positions	STC Sub-Committees	Regions	Countries
Chairperson	Urban Development and Human Settlements	Southern Africa	Lesotho
1st Vice Chair	Decentralization and Local Governance	Northern Africa	Morocco

2nd Vice Chair	Public Service and Administration	Eastern Africa	Tanzania
3rd Vice Chair	Urban Development and Human Settlements	Central Africa	Burundi
Rapporteur	Public Service and Administration	Western Africa	Niger

5. **Decide** that the 1st, 2nd and 3rd Vice Chairs of the AU-STC 8 Bureau will be the Chairs of the Decentralization, Public Service and Urban Development Sub-Committees respectively.
6. **Urge** the DPA/AUC to, in view of the reforms in the African Union, propose an appropriate structure of the Secretariat of the STC 8 (taking into account the specificities of each of the Sub-Committees) to the AU Reform Team for consideration and incorporation in the proposal for the overall structure of AUC that will be tabled for approval by the policy organs in June 2019.
7. **Further Decide** to start the process of reviewing the Rules of Procedure of the STC 8 to provide for more efficient operations of the STC 8 and its Sub-Committees;
8. **Request** the AUC, in collaboration with key institutional partners including the ECA and UN-Habitat, to incorporate the requirements of STC 8 in the overall resource mobilization strategy of the AUC.
9. **Urge** Member States to constitute a high-level national focal team for the STC 8 in line with the STC 8 Brazzaville Declaration;
10. **Also request** the Bureau of the STC 8 to prepare guidelines for operationalization of the national focal teams and submit to Member States;
11. **Request** the AUC to fast-track the development of an African Union Charter on Values and Principles of Sustainable Urban and Human Settlements Development to be tabled for consideration by Member States;
12. **Also Request** the AUC to expedite the operationalization process of the High Council of Local Authorities (HCLA) through the implementation of Executive Council Decision EX.CL/Dec.993(XXXII) of January 2018 and report to the Executive Council Session of June 2019, and request the AUC to initiate the process of elaborating the statutes and mandate of the HCLA with a view to consideration and adoption by the AU policy organs;
13. **Call for** the allocation of adequate budgetary provision for the work of the STC 8;
14. **Also Call** for strengthening of the advocacy for ratification of the Charter on Values and Principles of Decentralization taking into consideration the challenges in this regard, and appointment of an African Decentralization Champion to expedite the process of ratification of the Charter;

15. **Take note** of the STC 8 Work Plan for the period 2019-2020 and request the AUC in collaboration with key institutional partners to effectively facilitate its implementation and to report regularly to the Bureau and Member States;
16. **Endorse** the Harmonized Regional Implementation Framework for the New Urban Agenda in Africa;
17. **Call on** Member States to effectively participate in the implementation of the Harmonized Regional Implementation Framework for the New Urban Agenda in Africa as well as its monitoring and reporting mechanism;
18. **Decide** to commemorate an African Habitat Day and request the DPA-of the African Union Commission, in consultation with Member States and the UN-Habitat, to facilitate implementation of this decision;
19. **Commend** the STC 8 for developing Guidelines for the Implementation of the African Charter on Values and Principles of Public Service and Administration and call on Member States who have ratified to implement and report on progress and those who have not ratified to do so ;
20. **Commend** the establishment of the Conference of State Parties for the Charter on Values and Principles of Public Service and Administration;
21. **Encourage** Member States to participate in the All-Africa Public Sector Innovation Awards (AAPSIA) in 2020 and call on the AUC to ensure communication on AAPSIA is sent to all Member States in a timely manner and in all working languages;
22. **Call on** Member States to participate in the Africa Public Service Day (APSD) in June 2019 and June 2020;
23. **Decide** that the Sub-Committees meet at least once every two years;
24. **Request** the Chairperson of the AU STC 8 to bring this Declaration to the attention of the African Union Policy Making Organs for consideration;
25. **Decide** to hold the Fourth Ordinary Session of STC 8 in 2020.

DECISION ON DECOLONISATION OF CHAGOS ARCHIPELAGO

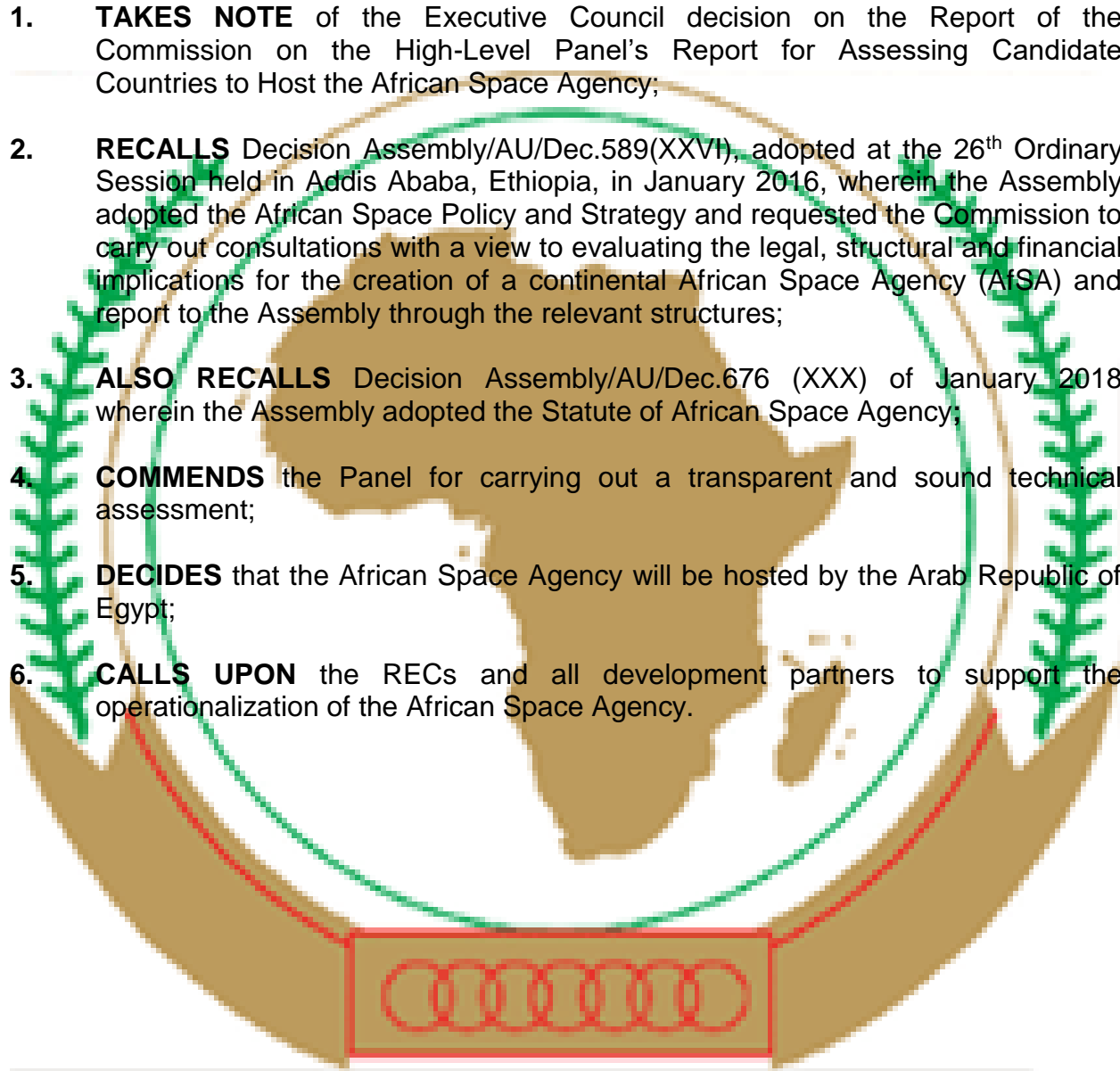
The Assembly,

1. **TAKES NOTE** of the Introductory Note of the Chairperson of the Commission to the Annual Report on the activities of the African Union;
2. **RECALLS** Decision Assembly/AU/Dec.684(XXX), adopted at the 30th Ordinary Session held in Addis Ababa, Ethiopia, in January 2018, which requested the Commission to report on the progress and implementation of this Decision to the Assembly in June/July 2018;
3. **CONGRATULATES** and **COMMENDS** the AU Member States and other States Members of the international community which participated in the International Court of Justice (ICJ) legal proceedings on the Chagos Archipelago;
4. **COMMENDS** the Commission for the excellent work done on behalf of the African Union in the ICJ legal proceedings in both the written submissions and oral hearings;
5. **URGES** Member States of the AU to redouble their efforts to contribute to the complete decolonization of Mauritius as requested by previous Assembly decisions;
6. **DIRECTS** members of the African Group in New York to support all actions at the UN General Assembly (UNGA) that are necessary to contribute to the immediate and complete decolonization of Mauritius, including in accordance with any requirements pursuant to the advisory opinion once it is handed down by the ICJ and received by the UNGA;
7. **REQUESTS** the Chairperson of the Commission, through the Office of the Legal Counsel, to maintain the efforts to follow up on the ICJ Advisory Opinion on the 'Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965' and to report on the results of these efforts in the next Assembly Session in February 2020;
8. **DECIDES** to remain actively seized with the matter.

**DECISION ON THE HIGH-LEVEL PANEL'S REPORT FOR ASSESSING
CANDIDATE COUNTRIES TO HOST THE AFRICAN SPACE AGENCY
Doc. EX.CL/1118(XXXIV)**

The Assembly,

1. **TAKES NOTE** of the Executive Council decision on the Report of the Commission on the High-Level Panel's Report for Assessing Candidate Countries to Host the African Space Agency;
2. **RECALLS** Decision Assembly/AU/Dec.589(XXVI), adopted at the 26th Ordinary Session held in Addis Ababa, Ethiopia, in January 2016, wherein the Assembly adopted the African Space Policy and Strategy and requested the Commission to carry out consultations with a view to evaluating the legal, structural and financial implications for the creation of a continental African Space Agency (AfSA) and report to the Assembly through the relevant structures;
3. **ALSO RECALLS** Decision Assembly/AU/Dec.676 (XXX) of January 2018 wherein the Assembly adopted the Statute of African Space Agency;
4. **COMMENDS** the Panel for carrying out a transparent and sound technical assessment;
5. **DECIDES** that the African Space Agency will be hosted by the Arab Republic of Egypt;
6. **CALLS UPON** the RECs and all development partners to support the operationalization of the African Space Agency.



**DECLARATION ON THE PROGRESS REPORT OF AIDS WATCH
AFRICA (AWA): OUTCOME OF THE LEADERSHIP IN HEALTH
FINANCING FUNDS HIGH-LEVEL MEETING
Doc. Assembly/AU/20(XXXII)**

We, the Heads of State and Government of the African Union, meeting at the 32nd Ordinary Session of the Assembly of the Union in Addis Ababa, Ethiopia from 10 to 11 February 2019, reviewed the progress, challenges and next steps needed for increased financing to strengthen health systems and achieve universal health coverage (UHC);

Taking Note of the key outcomes of the Africa Leadership Meeting – Investing in Health, we **recommit** to increase domestic investments in health and urged the private sector and global health financing mechanisms to increase investments to address Africa's health priorities;

Recalling *Agenda 2063*, Africa's blueprint for socio-economic transformation, that calls for increased domestic investments to strengthen health systems as a foundation for solid inclusive growth, prosperity, peace and structural transformation, the *Africa Health Strategy (2016-2030)* that seeks to strengthen health systems and achieve universal health coverage and ensure Africa's health security, the *Catalytic Framework to end AIDS, TB and Malaria in Africa by 2030*, the *Maputo Plan of Action (2016-2030) for Universal Access to Comprehensive Sexual and Reproductive Health Services in Africa*, all endorsed by the Assembly in 2016, and the Declaration on "Universal Access to Immunization as a Cornerstone for Health and Development in Africa" adopted by African Ministers of Health in 2016, and the 2017 Declaration committing to accelerate implementation of the International Health Regulations (IHR);

Recognizing the broader health and development agenda of *Agenda 2030* and the continued efforts to advocate for, and prioritise health as central to sustainable development and economic security;

Also Recognizing that Sustainable Development Goal 3 (SDG3) to achieve universal health coverage can only be achieved with strong country leadership, multi-sectoral collaboration, and the support of multi-lateral and bi-lateral partners, and the private sector;

Noting that the 2018 Africa Scorecard on Domestic Financing for health demonstrates that 36 of 55 AU Member States (65.5%) have increased the percentage of GDP invested in health over the previous financial year;

Noting With Concern that despite this increased investment in health, only 2 of the 55 AU Member States meet Africa's target of dedicating at least 15% of the government budget to health and that in no case does this investment reach the target of \$86.30 USD per capita;

Also Noting With Concern that only four high income countries consistently meet the commitment to allocate 0.7% of Gross National Income (GNI) to Official Development Assistance;

Bearing In Mind that the achievements of the last eighteen (18) years towards achieving Universal Health Coverage depended largely on the political will and commitment by Africa's top leadership as well as strategic partnerships at all levels;

Cognizant of the importance of health, alongside education, in developing the human capital needed to drive economic growth, stability, peace and security;

Taking Note of the upcoming Replenishments of the Global Fund to Fight AIDS, TB and Malaria and Gavi, the Vaccine Alliance, and of the importance of the recent Global Financing Facility (GFF) Replenishment and requests AU Member States and development partners to actively support these Replenishments and the development of the Global Action Plan;

Affirming that sustainable and diversified health financing is a shared responsibility which cannot be achieved without global solidarity and collective effort;

DO HEREBY SOLEMNLY:

1. **COMMEND** the continued global, continental, regional and national efforts to keep health financing high on the political agenda;
2. **ALSO COMMEND** the support of international development partners and Global Health Financing Mechanisms to increase investments in health in the context of competing development priorities;
3. **RE-AFFIRM** our commitment to increase domestic health resource mobilisation and progressive taxation;
4. **CALL UPON** the private sector to support and invest in expanding access to quality health care services, achieving universal health coverage, and ensuring the health security of the continent;

To this end, we **UNDERTAKE** to:

- i) **INCREASE** domestic investment in health, improve health financing systems and further expand efforts to increase prioritisation and efficiency in a context-appropriate manner so that each country can pursue its own path to achieving and sustaining universal health coverage and that the people of the African continent can receive the quality, accessible and affordable prevention, diagnosis, treatment and care services they need without suffering financial hardships;

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- ii) **MOBILISE** sufficient and sustainable financing to strengthen health systems, especially primary health care and national public health institutions, and achieve universal health coverage;
 - iii) **FOSTER** greater cooperation between the public and private sectors to create synergies for delivering sustainable, effective, efficient and equitable health for all, and safeguard the health security of the people;
 - iv) **REQUEST** the Commission and partners to ensure that strategies are in place for diversified, balanced and sustainable financing for health through the development of strategic health investment plans and strategies that include the private sector;
 - v) **ALSO REQUEST** the Commission to work with partners to create regional health financing hubs to support relevant ministries (including finance and health) and **REQUEST** partners to catalyse, capture and scale innovations and best practices to address gaps in domestic health financing; and **FURTHER REQUEST** multilateral, bilateral and private sector partners to support the hubs and to use them to align their efforts to those of Member States to increase domestic financing, including through improved taxation and other financing mechanisms;
 - vi) **FURTHER REQUEST** the Commission to work with partners to improve the monitoring of health financing through greater annual implementation of National Health Accounts and wider dissemination;
 - vii) **REQUEST** the Commission to lead the development of a '*Progress Tracker*' that will complement the *Africa Scorecard on Domestic Financing for Health* by enabling Member States to track, step-by-step progress, towards increased domestic financing and its efficient and effective allocation, pooling and use;
 - viii) **CALL UPON** Member States to strengthen public financial management (PFM) capacity to help improve tax collection and/or increase the proportion of tax revenue collected as a percentage of GDP, through equitable and efficient general taxation and improved revenue collection, and to strengthen the capacities of ministries of finance and tax revenue authorities to achieve this;
 - ix) **CALL UPON** Member States to reorient health spending and health systems to target the diseases and conditions across the lifecycle that have the greatest impact on mortality and human capital development with the mix of interventions that will deliver the greatest impact in combatting them;
 - x) **ENHANCE** national health financing systems, including by exploring options to reduce fragmentation, exploring national health insurance (where

appropriate), strengthening capacities to purchase services effectively and increasing efforts to improve prevention, cost-effectiveness and allocative efficiency. Member States should also foster greater coordination with multilateral and bilateral partners, including the AfDB, Gavi- the Vaccine Alliance, the Global Fund to Fight AIDS, TB and Malaria and the Global Financing Facility; In turn, these organisations will work with a few pioneer countries to develop mechanisms for countries to access these funds to support national health platforms and systems (e.g. procurement, supply chain, etc.) and, where appropriate, public and private health insurance systems.

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5. **REQUEST** the Commission to monitor the implementation of the recommendations of the Africa Leadership Meeting – Investing in Health, and report to the Assembly regularly;
 6. **ALSO REQUEST** the Commission and partners to support the implementation of the commitments on health financing and to develop an accountability framework to monitor implementation of this Declaration;
 7. **EXPRESS** our gratitude to H.E. President Paul Kagame of the Republic of Rwanda, for hosting the Africa Leadership Meeting-Investing in Health;
 8. **APPOINT** His Excellency President Paul Kagame as a Leader for domestic health financing.

DECLARATION ON THE AU RECOGNITION OF THE 400TH ANNIVERSARY OF THE TRANSATLANTIC SLAVE TRADE

WE, Heads of State and Government of the African Union, assembled on 11 February 2019 at our 32nd Ordinary Session in Addis Ababa, Ethiopia;

Evoking the unity of all African peoples, bound together by neighbourliness, cultural affinity, historical experiences, our common struggles for independence and dignity, our civilizational heritage, and our common destiny with all peoples of African descent;

Recalling the depredations and evils of the Transatlantic Slave Trade, its industrialisation of racism, dispossession, discrimination and dehumanisation;

Also Recalling, with pride, the strong spirit of resistance that responded to the evils of the slave trade, the rise of the Pan African movement in multiple continents and its continued inspiration to us African peoples;

Reaffirming our commitment to the unity of African people, to building an integrated Africa, to forging cultural, political, social and economic linkages that further the Pan Africanist dream among all peoples of African descent;

HEREBY:

1. **REQUEST** the Commission to work with well-organised and well-meaning initiatives to commemorate the 400th Anniversary of the Transatlantic Slave Trade in 2019, by holding and participating in events and engaging African states to send appropriate representatives;
2. **URGE** all people of African descent to make this a year of reconnection and re-engagement with our African identities, collective interests and to seek to forge practical and ambitious initiatives that will build our unity and offer prosperity to our peoples;
3. **ALSO URGE** all Member States of the Union to consider immigration, economic, cultural and social policies that allow the Africans descended from the victims and survivors of the Transatlantic Slave Trade to reconnect and re-engage with their brethren in the African continent.

DECLARATION ON ADDRESSING SOCIAL DETERMINANTS OF HEALTH IN AFRICA: ADOPTION OF HEALTH IN ALL POLICIES APPROACH

WE, the Heads of State and Government of the African Union, meeting at the 32nd Ordinary Session of the Assembly of the Union in Addis Ababa, Ethiopia, 10 - 11 February 2019;

Aware of the pivotal role of a healthy population as a driver for sustainable, equitable, and inclusive economic growth and national development, and hence the advancement towards achieving Universal Health Coverage and the Sustainable Development Goals;

Reaffirming that addressing Social Determinants of Health is the responsibility of all governments in order to assure adequate, healthy and sustainable environments in homes, schools, workplaces, and communities for the health of their populations and that equity in health is an expression of social justice;

Recognizing that Social Determinants of Health in the African Region could not be tackled or addressed properly within the Ministries of Health alone, therefore, countries are required to promote intersectoral collaboration through adopting and implementing Health in All Policies Whole of- government approach;

Reaffirming that different governmental sectors, development partners, communities, private sector and Civil Society Organizations have pivotal roles and responsibilities in achieving Sustainable Development Goals and advancing towards Universal Health Coverage, where the health needs of the poor, underserved, disadvantaged and vulnerable populations including Refugees, Returnees and IDPs receive due attention and that health is in all policies of every State within the African Union;

Recognizing that effective implementation of Health in All Policies in the African Region requires the highest attainable level of Political commitment and effective coordination and monitoring mechanisms;

Noting with appreciation, that the World Health Organization and other global actors and initiatives, such as the Global Network for Health in All Policies play a vital role in institutionalization and implementation of Health in All Policies Approach worldwide;

WE HEREBY STRONGLY:

1. **COMMIT** to support and enhance the reform of the health sector in the African countries through adopting the Health in All Policies Approach in order to progress towards achieving Universal Health Coverage and Sustainable Development Goals in Africa by:

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- (i) **COMMITTING** to health and health equity as political priority by adopting the principles of Health in All Policies and taking action on the social determinants of health;
 - (ii) **ENSURING** effective structures, processes and resources that enable implementation of Health in All Policies Approach across all Member States of the African Union;
 - (iii) **STRENGTHENING** the capacities of Ministries of Health in all Member States to engage other sectors of government through leadership, partnership, advocacy and mediation to enable the implementation of Health in All Policies and provide evidence on the determinants of health and inequity and effective responses to improve health outcomes;
 - (iv) **GENERATING** evidence and documenting good practices on the effectiveness of Health in All Policies on addressing Social Determinants of Health in order to support Member States to adopt whole-of-government and whole-of-society approaches;
 - (v) **PROMOTING** regional and global transfer of knowledge and best practices in the implementation of Health in All Policies;
 - (vi) **BUILDING** partnerships and collaborations with countries and international institutions in order to positively affect global health and health-related policies and to reduce the negative consequences of these policies for the African Region;
 - (vii) **REQUESTING** the Commission to report annually on the progress made in implementation of Health in All Policies, which is an expression of the Sustainable Development Goal 17, 'Strengthen the means of implementation and revitalize the global partnership for sustainable development', and its Indicator 17.14.1, 'Number of countries with mechanisms in place to enhance policy coherence of sustainable development'.
2. **SUPPORT AND CHAMPION** all issues raised in this Declaration, both at national, regional and continental level.

**DECLARATION OF THE AFRICA LEADERSHIP MEETING – INVESTING IN
HEALTH “ADDIS ABABA COMMITMENTS TOWARDS SHARED
RESPONSIBILITY AND GLOBAL SOLIDARITY
FOR INCREASED HEALTH FINANCING”**

WE, the Heads of State and Government of the African Union, meeting at the 32nd Ordinary Session of the Assembly of the Union in Addis Ababa, Ethiopia, from 10 to 11 February 2019, reviewed the progress, challenges and next steps needed for increased financing to strengthen health systems and achieve Universal Health Coverage (UHC);

Taking Note of the key outcomes of the Africa Leadership Meeting – Investing in Health, we recommitted to increased domestic investments and urged the private sector and global health financing mechanisms to increase investments to address Africa's health priorities;

Recalling Agenda 2063' Africa's blueprint for socio-economic transformation that calls for increased domestic investments to strengthen health systems as a foundation for solid inclusive growth, prosperity, peace and structural transformation, the 'Africa Health Strategy (2016-2030)' that seeks to strengthen health systems and achieve universal health coverage, the 'Catalytic Framework to end AIDS, TB and Malaria in Africa by 2030', the 'Maputo Plan of Action (2016-2030) for Universal Access to Comprehensive Sexual and Reproductive Health Services in Africa', all endorsed by the Assembly in 2016, and the Declaration on 'Universal Access to Immunization as a Cornerstone for Health and Development in Africa', adopted by African Ministers of Health in 2016;

Recognizing the broader health and development agenda of 'Agenda 2030' and the continued efforts to advocate for, and prioritise health as central to sustainable development;

Also Recognizing that Sustainable Development Goal 3, on the achievement of universal health coverage, can only be achieved with country leadership and the support of multi-lateral and bi-lateral partners, other strategic partners and the private sector;

Noting that the Africa Scorecard on Domestic Financing for Health of 2018 demonstrates that 36 of 55 AU Member States (65.5%) have increased the percentage of GDP invested in health over the previous financial year;

Noting with Concern that, despite this increased investment in health, the level of investment means that only 2 (3.6%) of 55 AU Member States meet the target of dedicating at least 5% of the government budget to health and for this level of investment to exceed \$86.30 USD per capita;

Also Noting with Concern that very few developed countries meet the commitment to allocate 0.7% of Gross National Product (GNP) to Official Development Assistance;

Bearing in Mind that the achievements of the last eighteen (18) years towards achieving Universal Health Coverage depended largely on the political will and commitment by Africa's top leadership as well as strategic partnerships at all levels;

Expressing Concern on increased public health threats on the continent that require more concerted efforts to strengthen health systems and significant increase in investments to meet continental targets to end priority diseases by 2030;

Affirming that sustainable and diversified health financing is a shared responsibility which cannot be achieved without global solidarity and collective effort and cognizant of the importance of health and education in developing the human capital needed to drive economic growth, stability, peace and security;

Taking Note of the upcoming Replenishments of the Global Fund to Fight AIDS, TB and Malaria, Gavi, the Vaccine Alliance and the African Development Bank (AfDB) and of the importance of the recent Global Financing Facility (GFF) Replenishment meeting and **requests** African Union Member States to actively support those Replenishments;

DO HEREBY SOLEMNLY:

1. **COMMEND** the continued global, continental, regional and national efforts to keep health financing high on the political agenda;
2. **ALSO COMMEND** the support of international development partners and Global Health Financing Mechanisms to increase investments in health in the context of competing development priorities;
3. **REAFFIRM** our commitment to increase domestic health resources mobilisation and progressive taxation;
4. **CALL UPON** the private sector to support and invest in expanding access to quality health care services and achieving UHC;
5. **ALSO CALL UPON** Member States and partners to fully implement the Pharmaceutical Manufacturing Plan for Africa Business Plan and Regulatory Harmonisation for increased access to affordable and quality-assured medicines, vaccines and new health technologies, including generics, as well as negotiating for affordable prices for vaccines and medicines for priority diseases;
6. **To this end, WE UNDERTAKE** to:
 - i) **increase** domestic investments in health and improve health financing systems in a context-appropriate manner so that each country can pursue its own path to achieving and sustaining Universal Health Coverage and that the people of the African continent can receive qualitative, accessible

and affordable prevention, diagnosis, treatment and care services they need without suffering financial hardships;

- ii) **mobilise** sufficient and sustainable financing to strengthen health systems and achieve Universal Health Coverage;
 - iii) **foster** cooperation between public and private sectors to create synergies and deliver health for all;
 - iv) **request** the Commission and partners to ensure that strategies are in place for diversified, balanced and sustainable financing for health through the development of strategic health investment plans and strategies, including from the private sector;
 - v) **also request** the Commission to work with partners to create regional platforms to support relevant ministries, including finance and health, to catalyse, capture and scale innovations, best practices and gaps and requests multilateral, bilateral and private sector partners to support the platforms and to use them to align their efforts to those of Member States to increase domestic financing, including through improved taxation and health insurance efforts;
 - vi) **further request** the Commission to organise a biennial meeting of Ministers of Health and Finance to review the work of the platforms and to monitor progress;
 - vii) **request** the Commission to work with partners to improve the monitoring of health financing through greater annual implementation of National Health Accounts and wider dissemination; and
 - viii) **redouble** efforts to promote national health insurance systems, including greater coordination with and access to resources of the Global Fund to Fight AIDS, TB and Malaria, Gavi, the Vaccine Alliance and the AfDB;
7. **REQUEST** the Commission to monitor the implementation of the recommendations of the Africa Leadership Meeting-Investing in Health and report to the Assembly regularly;
 8. **ALSO REQUEST** the Commission and partners to support the implementation of the commitments on health financing and to develop an accountability framework to monitor implementation of this Declaration;
 9. **EXPRESS** our gratitude to H.E. President Paul Kagame of the Republic of Rwanda for hosting the Africa Leadership Meeting-Investing in Health;
 10. **APPOINT** His Excellency President Paul Kagame as Leader for Domestic Health Financing.

**DECLARATION ON THE 11th ORDINARY MEETING OF THE SPECIALISED
TECHNICAL COMMITTEE ON DEFENCE, SAFETY AND SECURITY (STCDSS)
ADDIS ABABA, 12 OCTOBER 2018**

WE, the Heads of State and Government of the African Union, meeting at the 32nd Ordinary Session of the Assembly of the Union in Addis Ababa, Ethiopia from 10 to 11 February 2019, adopt the declaration of the Specialized Technical Committee on Defence, Safety and Security (STCDSS) of the African Union (AU) held at the 11th Ordinary Meeting held in Addis Ababa, Ethiopia, in October 2018 (as annexed).



**ANNEX TO THE DECLARATION ON THE 11th ORDINARY MEETING OF THE
SPECIALISED TECHNICAL COMMITTEE ON DEFENCE, SAFETY AND
SECURITY (STCDSS)
ADDIS ABABA, 12 OCTOBER 2018**

“**WE**, Members of the Specialized Technical Committee on Defence, Safety and Security (STCDSS) of the African Union (AU) met at the 11th Ordinary Meeting held in Addis Ababa, Ethiopia, in October 2018 and considered the Conclusions of the African Chiefs of Defence Staff and Heads of Safety and Security (ACDS);

Our meeting was preceded by the 14th Meeting of the ACDS, held respectively from 11 to 12 October 2018, and a Meeting of Experts held from 8 to 11 October 2018;

On the basis of our deliberations, we declare as follows:

1. **ADOPT** the draft amended Rules of Procedure for the STCDSS;
2. **CALL FOR** consultations with the AU, RECs/RMs and Member States on the draft MoU on the Deployment and Employment of the African Standby Force (ASF) and submit the finalised MoU to the next meeting of the STCDSS. In this regard, the Commission should provide timelines for its completion to Member States by November 2018;
3. **DIRECT** the Commission to ensure that the Maputo Five Year Work Plan (2016-2020) focuses on the enhancement of the ASF;
4. **URGE** the PSC to expedite its efforts on the way forward on the harmonization of ACIRC within the ASF Framework. In respect of harmonization, the meeting took note of the advice provided by the AU Office of Legal Counsel;
5. **DIRECT** the Commission to separate the issue of harmonization of African Capacity for Immediate Response to Crises (ACIRC) from that of cooperation with *ad hoc* coalitions, which should be a standalone issue;
6. **ENCOURAGE** Member States to consider the Draft AU Border Governance Strategy and provide written submissions to the Commission within a maximum period of three months in order to allow the Commission to resubmit the document to the next meeting of the STCDSS;
7. **TAKE NOTE** of the Declaration of the African Union Border Programme and the Measures for its Consolidation;
8. **URGE** the Peace and Security Council (PSC) and the Military Staff Committee (MSC), to visit the Continental Logistics Base (CLB) and provide strategic

guidance on the use of the equipment, including possible utilization by current Peace Support Operations (PSOs);

9. **DIRECT** the Commission to provide the PSC with regular updates on the CLB in respect of maintenance and storage of equipment, personnel and future plans;
10. **URGE** Member States to provide additional support to the CLB with regard to storage facilities, maintenance of equipment and staffing;
11. **ALSO URGE** AU Member States to continue providing all kinds of support to AU PSOs;
12. **DIRECT** the Commission to circulate the Draft Policy on Conduct and Discipline for PSOs and the draft Policy on Prevention and Response to Sexual Exploitation and Abuse for PSOs to all Member States for their inputs within one month of this 11th STCDSS and subsequently submit the revised drafts to the PSC for their consideration and adoption;
13. **CONGRATULATE** the Republic of Cameroon for its continued commitment to the operationalization of the CLB, and commend its offer to deploy two officers, in response to the Note Verbale from the Commission requesting Member States to deploy staff to the CLB, at own cost;
14. **COMMEND** the Republic of Zambia and the Republic of Zimbabwe for seconding a staff officer each to the CLB, as well as the Republic of South Africa and the Republic of Kenya for their offer on the same, at their own cost;
15. **ALSO COMMEND** the People's Democratic Republic of Algeria for the offer to second an officer, at its own cost, to the AUC to support the processes for the establishment of the Continental Movement Coordination Centre (CMCC);
16. **EXPRESS GRATITUDE** to the Republic of Rwanda for its financial contribution of one (1) million USD for the Joint Force of G5 Sahel;
17. **EXPRESS APPRECIATION** to the Commission for its continued support to the Joint Force of G5 Sahel;
18. **URGE** Member States to consider providing additional capabilities for the ASF Rapid Deployment Capability;
19. **EMPHASIZE** the importance of women in AU PSOs, including ensuring greater participation and placement in leadership positions;
20. **CALL ON** Member States to ensure that the Policy on Conduct and Discipline for PSOs and the draft Policy on Prevention and Response to Sexual Exploitation

and Abuse for PSOs, once adopted, become part of national legislation and training efforts;

21. **REQUEST** the Commission to avail working documents in a timely manner, in all AU working languages;
22. **TAKE NOTE** of the statement made by the Representative of the Republic of The Gambia in welcoming the technical assistance provided by AU Member States and the Commission in support of security sector reform and transitional justice in the country;
23. **COMMEND** the People's Republic of China and the Republic of Turkey for the equipment provided to the AU, particularly for the CLB and PSOs;
24. **ENCOURAGE** the Commission to continue to provide regular updates and reports on progress towards the implementation of our decisions in the next meetings of the STCDSS;
25. **EXPRESS GRATITUDE** to the Federal Democratic Republic of Ethiopia for its hospitality;
26. **REITERATE** the role of the STCDSS, as per Decision Assembly/AU/Dec.227(XII) and in line with the provisions of Article 15 of the Constitutive Act of the African Union (2000). In this regard, we hereby submit our Declaration to the Executive Council of the AU for onward transmission to the 32nd Ordinary Session of the Assembly of the Union, scheduled to take place from 10 to 11 February 2019."





Abbreviations and Acronyms



ACIRC	African Capacity for Immediate Response to Crisis
AHRM	Administration and Human Resources Management
ASF	African Standby Force
AU	African Union
AUC	African Union Commission
AUPOL	African Union Police
C&D	Conduct and Discipline
CC	Contingent Commander
CDU	Conduct and Discipline Unit
CoC	Code of Conduct
FC	Force Commander
FPU	Formed Police Unit
HoM	Head of Mission
IEC	Information Education Communication
IHL	International Humanitarian Law
IHRL	International Human Rights Law
MoU	Memorandum of Understanding
NGO	Non-Governmental Organization
PC	Police Commissioner
PCC	Police Contributing Country
PSC	Peace and Security Council
PSD	Peace and Security Department
PSOD	Peace Support Operations Division
PSOs	Peace Support Operations
IRL	International Refugee Law
SEA	Sexual Exploitation and Abuse
SOFA	Status of Force Agreement
SOMA	Status of Mission Agreement
SOP	Standard Operating Procedures
SRCC	Special Representative of the Chairperson of the Commission
TCC	Troop Contributing Country
UN	United Nations

Definitions

For the purpose of the present Policy, the following definitions shall apply:

1. **“Board of Inquiry”** refers to the management tool used to assist the HoM in discharging his/her responsibilities in establishing facts or investigating allegations of misconduct by mission personnel. It is not a judicial body and it does not consider questions of compensation or legal liability.
2. **“Chairperson”** means the Head of the African Union Commission (AUC).
3. **“Civilian Personnel”** comprises of all individuals in the service of the PSO, regardless of their contractual arrangement, who are not members of the police or military component and includes staff members of the African Union Commission when deployed to the mission area.
4. **“Complainants”** are persons who bring an allegation of misconduct committed by mission personnel or other AU staff to the attention of the AU in accordance with established procedures, but whose claims have not yet been established by the relevant administrative, investigative and judicial processes. A Complainant may be a victim, witness or any other person who is aware of the misconduct.
5. **“Constitutive Act”** means the Treaty establishing the African Union (AU).
6. **“Consultant”** means any person/firm recruited/appointed for the purpose of providing services on a pre-determined timeframe and upon specific terms and conditions of service for a period not exceeding three months.
7. **“Contractor”** means a natural person, business or corporation which provides goods or services to another entity under terms specified in a binding legal agreement.
8. **“Dismissal”** means a separation of a staff member from the service of the Union as a result of serious or gross misconduct.
9. **“Harassment”** means all forms of harassment covered by the AUC Harassment Policy (2016).
10. **“Injury”** refers to any harm caused to any person or institution, in body, mind, reputation or property.
11. **“Military Personnel”** means all members of the military component, including Military contingent members, Military Staff Officers, Individual Military Personnel and other members of armed forces deployed to the PSO.

12. **“Misconduct”** is any act, omission or negligence, including criminal acts, that is a violation of:
- i) the core AU principles and norms as elaborated upon in its Constitutive Act, Protocols, Policies, and Directives as may be applicable in the Mission Area;
 - ii) mission specific directives, Standard Operating Procedures (SOPs), Rules of Engagement (ROEs), Directives on the Use of Force or applicable rules, Regulations or Administrative issuances;
 - iii) Status of Forces Agreement/Status of Mission Agreement (SOFA/SOMA);
 - iv) relevant and applicable local laws that are not contrary to human rights norms and standards; and
 - v) international humanitarian law, international and regional human rights law and international refugee law.
13. **“Mission Area”** means the designated area of a PSO as described in the PSC mandate.
14. **“Mission Personnel”** consists of all individuals in the military, police and civilian components in a PSO.
15. **“Police Personnel”** means all members of Formed Police Units and Individual Police Officers in a PSO.
16. **“Remedy”** means a redress or relief provided to a victim or his/her next-of-kin who has sustained bodily or mental harm caused by acts or omissions attributable to members of mission personnel or AU staff. In the context of this Policy, a remedy includes legal remedies, reparations, compensation, restitution, damages or equitable relief.
17. **“Seconded staff”** means any person from a Member State or any organization transferred to the Union to hold a temporary assignment with an Organ of the Union upon agreed terms and conditions by all the parties concerned.
18. **“Sexual exploitation and abuse”** is defined as follows:
- a) **“Sexual abuse”** refers to any action or behavior of a sexual nature that coerces, threatens or forces a person to engage in a sexual activity (penetrative and non-penetrative), that they would not otherwise have engaged in, and often without being able to give their consent. Sexual abuse includes the actual or threatened physical intrusion of a sexual

nature, and occurs under coercive conditions, which are often reflective of unequal power relations and harmful behavior;

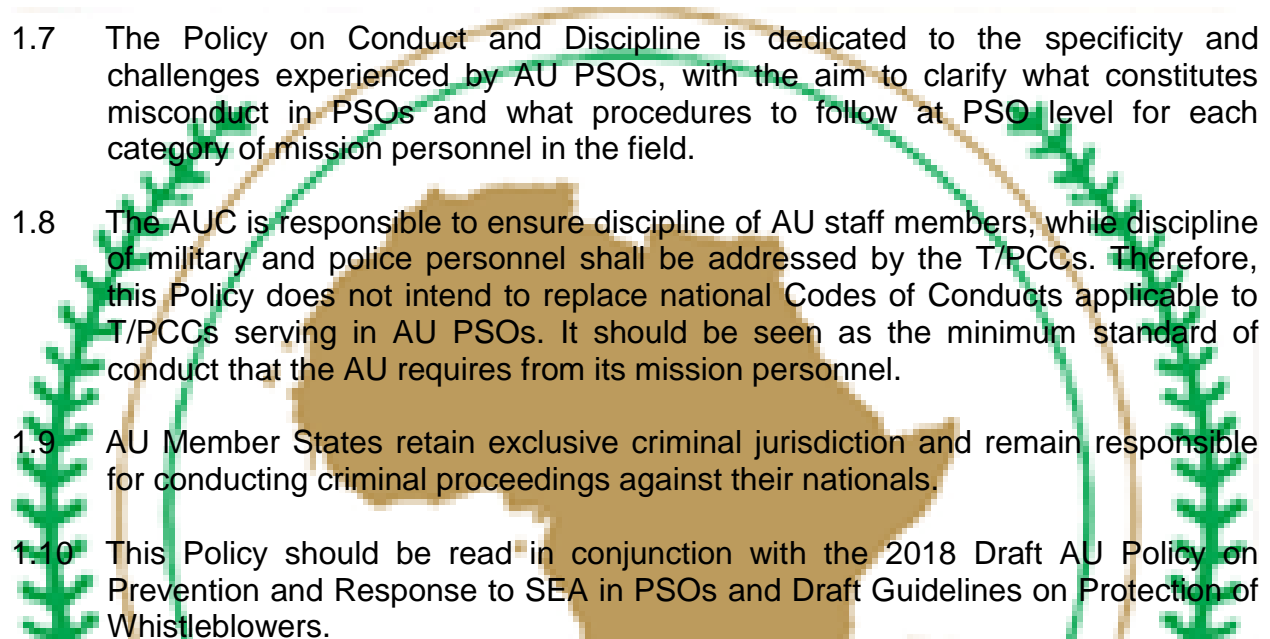
- b) **“Sexual exploitation”** is defined as the inducement, incitement, coercion and/or compelling of another person to undertake a sexual activity through abuse of a position of vulnerability, differential power, dependency or trust. Sexual exploitation includes, but is not limited to, actual or attempted exploiting of material, monetary, social, psychological and political advantages to induce a person to engage in a sexual activity. An act of sexual exploitation occurs when the particular person would have had no substantial option, and no reasonable choice but to succumb to pressure to engage in a sexual activity. Sexual exploitation is harmful and exploitative behavior which occurs in the context of hierarchical interactions and relationships.
19. **“Sexual violence”** includes acts of sexual nature against one or more persons or that cause such person or persons to engage in an act of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, or by taking of advantage of coercion environment or such person’s or persons’ incapacity to give genuine consent. Forms of sexual violence include rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual aggression of comparable gravity.
20. **“Staff Member”** as defined in AU Staff Regulations and Rules (2010), means any person employed by the AUC as continuing regular, fixed-term or short-term personnel on the basis of a daily wage or monthly salary.
21. **“Victim”** is a person whose allegations have been substantiated and confirmed through the necessary and clearly outlined AU administrative, investigative and/or judicial procedures.
22. **“Whistleblower”** is any person who exposes any kind of information or activity that is deemed illegal, unethical, and/or evidence of past, current or prospective PSO misconduct or any other violation or act which jeopardizes the integrity and mandate of the PSO. It includes any individual(s) who may be applicants, current or former Staff Members of the AU Commission (irrespective of employment status and duration), personnel who are engaged in activities relevant to the PSOs or individuals who are adversely affected by the activities of the PSOs irrespective of their affiliation with the PSOs.

References

1. OAU General Convention on Privileges and Immunities, 1965.
2. African Charter on Human and People's Rights, 1981.
3. AU Charter on the Rights and Welfare of the Child, 1999.
4. Constitutive Act of the AU, 2000.
5. Protocol Relating to the Establishment of the Peace and Security Council (PSC) of the African Union, 2002.
6. Protocol to the African Charter on Human and People's Rights on the Rights in Africa, 2003.
7. United Nations Secretary-General Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13).
8. AU Staff Regulations and Rules, 2010.
9. PSC Communiqué PSC/PR/COMM.(CDLXI), 461st meeting of 14 October 2014.
10. AUC Standard Operating Procedures for the Conduct of Investigations, 2015.
11. AUC Harassment Policy, 2016.
12. Code of Ethics and Conduct, 2016.
13. PSC Communiqué PSC/PR/COMM. (DCLXXXIX), 689th meeting of 30 May 2017.

1. Background and Rationale

- 1.1 Since the establishment of the African Union (AU) in 2000 and its Peace and Security Council (PSC) in 2002, the AU has played an increased and expanded role in addressing peace and security issues on the continent. Pursuant to this, it has developed the AU Peace and Security Architecture (APSA) and deployed missions in Darfur, Burundi, Mali, the Central African Republic and Somalia, to cite a few. The AU is also increasingly seen as a key strategic partner of the United Nations (UN) and has demonstrated its capacity and comparative advantage to rapidly intervene in crisis situations through the deployment of multidimensional Peace Support Operations (PSOs) composed of military, police and civilian components.
- 1.2 PSOs have grown in number and complexity over time in order to face new and emerging security threats and challenges. At the same time, scrutiny over the conduct of mission personnel has increased, ranging from the conduct of military operations, often offensive ones, and the related issue of protection of civilians and respect of international law, to more “individual” conduct, including the issue of sexual exploitation and abuse (SEA).
- 1.3 In this regard, the AU has taken a number of measures to ensure observance of the highest standards of conduct in its PSOs, including through entering into Memoranda of Understanding (MoUs) with Troop and Police Contributing Countries (T/PCCs); signing Status of Force Agreements (SOFA) or Status of Mission Agreements (SOMA) with host nations; developing Codes of Conduct for its personnel and making specific provisions in Mission Directives and Standard Operating Procedures (SOP) on conduct and discipline.
- 1.4 The AU Commission strives to ensure that all personnel serving in AU mandated or authorized PSOs uphold the highest standards of conduct, behaviour, integrity and accountability in the implementation of their mandate. The Commission takes all allegations of violations of applicable International Human Rights Law (IHRL), International Humanitarian Law (IHL) as well as any act of abuse and misconduct extremely seriously, and has a zero tolerance stance towards sexual exploitation and abuse (SEA). Such acts are contrary to the objectives and principles of the AU Constitutive Act and other instruments of the AU.
- 1.5 The AU Peace and Security Council (PSC) has on numerous occasions reaffirmed its zero tolerance as articulated in its Communiqués of its 461st and 689th meetings. These Communiqués recognize conduct and discipline of mission personnel as a key element to the success of AU PSOs and assert that these commitments are at the heart of the high normative standards that the AU strives to promote to ensure the continued legitimacy, credibility and effectiveness of its mandated and authorized PSOs.

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- 1.6 Conduct and discipline of mission personnel is, therefore, key to success of any AU PSOs. As a result, the AU has embarked on a process of developing policies and guidelines as well as establishing systems, structures, and mechanisms to ensure that its PSOs are managed in accordance with internationally accepted norms and standards, including by implementing the provisions relating to protection of civilians and responsibility to protect frameworks.
- 1.7 The Policy on Conduct and Discipline is dedicated to the specificity and challenges experienced by AU PSOs, with the aim to clarify what constitutes misconduct in PSOs and what procedures to follow at PSO level for each category of mission personnel in the field.
- 1.8 The AUC is responsible to ensure discipline of AU staff members, while discipline of military and police personnel shall be addressed by the T/PCCs. Therefore, this Policy does not intend to replace national Codes of Conducts applicable to T/PCCs serving in AU PSOs. It should be seen as the minimum standard of conduct that the AU requires from its mission personnel.
- 1.9 AU Member States retain exclusive criminal jurisdiction and remain responsible for conducting criminal proceedings against their nationals.
- 1.10 This Policy should be read in conjunction with the 2018 Draft AU Policy on Prevention and Response to SEA in PSOs and Draft Guidelines on Protection of Whistleblowers.

2. Purpose

- 2.1 This Policy clarifies and describes the minimum standards of conduct expected of all mission personnel serving in AU PSOs regardless of their status and position in the mission.
- 2.2 This Policy also prescribes the minimum standard of conduct expected of personnel in the mission area that provide service(s) on behalf of or in the name of the AU (e.g. contractors and consultants).
- 2.3 It explains the roles, responsibilities and accountabilities of mission personnel in upholding standards of conduct and the process to be adopted in addressing misconduct for the various categories of personnel.

3. Scope of application

- 3.1 This Policy shall apply to all AU PSOs and their mission personnel for all cases of misconduct committed in and outside of the mission area of a PSO whether the individual was on official duty at the time of the offence or not.

- 3.2 PSOs, mandated and authorized by the AU PSC, are expected to apply and integrate these standards of conduct into their mission documents and processes.

4. Expected standards of conduct

- 4.1 All mission personnel, regardless of their position or level, are responsible for upholding the highest standards of integrity, which includes respect for AU principles, values and norms as set out in this Policy, in the Constitutive Act, in International Humanitarian and Human Rights Law, as well as in the Code of Ethics and Conduct and other AU issuances, including mission specific documents.
- 4.2 Whilst different frameworks and policies might be applicable to different categories of personnel in a mission area, the standards of conduct and integrity required are similar since all are derived from principles, values and norms contained in the Constitutive Act of the African Union.
- 4.3 All mission personnel in the service of the PSO are expected to conduct themselves in a professional, dignified, and disciplined manner at all times, bearing in mind that they are the main interface between the AU and the local population and represent the AU, their respective countries and other institutions to which they may be affiliated.
- 4.4 Mission personnel shall respect international and local laws, as well as customs and practices where compatible with provisions of human rights law and related international standards. They shall treat the inhabitants of the host country with respect, courtesy and consideration and act with impartiality, integrity and tact.
- 4.5 Mission personnel must function in a manner that preserves the image, credibility, impartiality and integrity of the AU. Misconduct, and even perceptions of impropriety, are unacceptable and have a detrimental effect on the relationship of mission personnel with the local population and could cause difficulty in fulfilling the mandate entrusted to the mission.
- 4.6 Mission personnel must refrain from any action or activity incompatible with the mandate of the PSO, and other applicable legal provisions, norms and standards.
- 4.7 Violations of IHL and IHRL by mission personnel constitute serious misconduct and are grounds for disciplinary sanctions and criminal prosecution.
- 4.8 Rules of Engagement, Directives on the Use of Force, Detention SOPs and other mission specific documents generally reflect IHL and IHRL obligations, and are rules that the uniformed personnel and other personnel carrying arms must

follow. Violations of those rules will constitute serious misconduct and should be prosecuted by P/TCCs.

- 4.9 Civilian personnel equally have the responsibility to respect IHL and IHRL provisions, applicable principles and standards. Serious misconduct by civilian personnel may lead to a criminal proceeding in their country of origin, as well as the country where a PSO is deployed.

5. Actions or omissions constitutive of misconduct in AU PSOs

- 5.1 Violations of the expected standards of conduct, whether by action or omission, constitute misconduct, and are divided into two categories depending on the gravity of the act, namely, minor misconduct and serious misconduct. Both minor and serious misconduct may call either for criminal prosecution, disciplinary sanctions, or both, depending on the gravity of the act.

Minor Misconduct

- 5.2 Minor misconduct is any act, omission or negligence that does not result in, or is not likely to result in, major damage or injury to an individual or the mission. Examples of minor misconduct include, but are not limited to:

- a) Neglect in performance of duty;
- b) Intoxication while on duty or in public not resulting in any damages or injuries;
- c) Negligent driving not resulting in any damages or injuries;
- d) Minor traffic offences, such as speeding, and driving without proper documentation;
- e) Taking, communicating, possessing and photocopying official documents and information in all forms that pass through in the course of duty without authorization;
- f) Tardiness to report to duty;
- g) Disorderly behaviour within the premises of a PSO;
- h) Basic misuse of mission equipment;
- i) Basic mismanagement.

Serious Misconduct

- 5.3 Serious misconduct is any act, omission or negligence that results, or is likely to result, in serious damage or injury to, an individual or the mission and/or deliberate act or omission that might impact the performance of the mission tasks.

- 5.4 Serious misconduct includes, but is not limited to the following:

- a) Violations of IHL and IHRL;
- b) Sexual exploitation and abuse (SEA);
- c) Child sexual abuse;
- d) Threatening life, physical assault or murder;
- e) Abuse or torture of detained persons or civilians;
- f) Harassment, including sexual and other forms of harassment listed in the AUC Harassment Policy;
- g) Unlawful discharge of firearms;
- h) Breach of confidentiality;
- i) Abuse of African Union privileges and immunities;
- j) Driving while intoxicated or other grossly negligent driving;
- k) Repeatedly being intoxicated while on duty or in public;
- l) Repeatedly being absent from duty without permission;
- m) Use, possession or distribution of illegal narcotics and illegal drugs;
- n) Embezzlement or other financial malfeasance;
- o) Wilful disobedience of a lawful order, including wilful infractions of regulations, rules and administrative issuances;
- p) Entitlement fraud and procurement violations;
- q) Taking or giving bribes or any illegal gratification;
- r) Discrimination, retribution and/or retaliation against whistleblowers;
- s) Malicious reporting of misconduct;
- t) Unlawful acts including, but not limited to, acts or attempted acts of aiding or abetting acts of corruption, abuse of authority, including bribery, theft, fraud, forgery, illicit trafficking in drug and narcotics, humans or weapons, money laundering, smuggling, illegal mineral trade and similar.

6. AU's strategy on conduct and discipline

- 6.1 AU's approach to conduct and discipline in PSOs is ensured through prevention, enforcement and remedial action.
- 6.2 **Prevention** is aimed at ensuring that misconduct does not occur in the first place. It includes activities such as screening of personnel before deployment; raising awareness, including through public communication (before, during and after deployment); training (pre-deployment, induction and in-mission training) and outreach; contextualising measures according to the particularities of the context in which PSO is deployed, as well as ensuring the welfare and recreation of personnel while in mission; and undertaking risk assessment and monitoring generally.
- 6.3 **Enforcement** encompasses activities associated with actions to be taken in response to instances of alleged misconduct reported in a PSO. The steps include: establishment of mission structures, systems and processes; reception of allegation; assessment of the allegation; notification and referral for investigation; investigation; review of investigation results; actions following

investigation (administrative/disciplinary process); and holding the individual accountable for misconduct (sanction): as well as ensuring oversight by the structures at the Strategic Headquarters throughout the process. Prompt and consistent enforcement is essential to the goal of ensuring that the AU's standards of conduct are respected.

- 6.4 **Remedial action** applies to all instances of misconduct, including violations of IHRL, IHL and SEA. Remedial actions include actions of protection of victims and witnesses, and are guided by the principle of “do no harm” and confidentiality in handling misconduct. It also includes actions to repair a damaged reputation.

7. Prevention Efforts

- 7.1 In collaboration with AU PSOs, the AUC shall prevent individuals with misconduct records from being hired or rehired, in compliance with applicable laws and to the best of the AU's abilities. This could include engaging with AU Member States to ensure vetting and screening as well as background and criminal reference checks of all mission personnel, as appropriate. The AUC shall ensure that these requirements are included in guidelines and other issuances directing P/TCCs on preparing of capabilities including personnel prior to any deployment.
- 7.2 All mission personnel are obliged to create and maintain an environment that prevents any misconduct. The leadership, including the Mission Leadership, Contingent Commanders, Battalion Commanders, Formed Police Unit Commanders, Unit Commanders, Managers and Supervisors at all levels, have a particular responsibility to support, implement and develop systems that prevent misconduct, based on the overall leadership of the HoM and guidance from the AUC.
- 7.3 PSOs shall be required to put in place concerted training sessions on the expected standards of conduct for all categories of personnel throughout the life of the mission. Information Education Communication (IEC) materials such as videos, brochures, posters, pamphlets, and similar will be developed, as appropriate.
- 7.4 PSOs shall incorporate provisions of this Policy in all induction material and other relevant codes of behaviour for mission personnel.

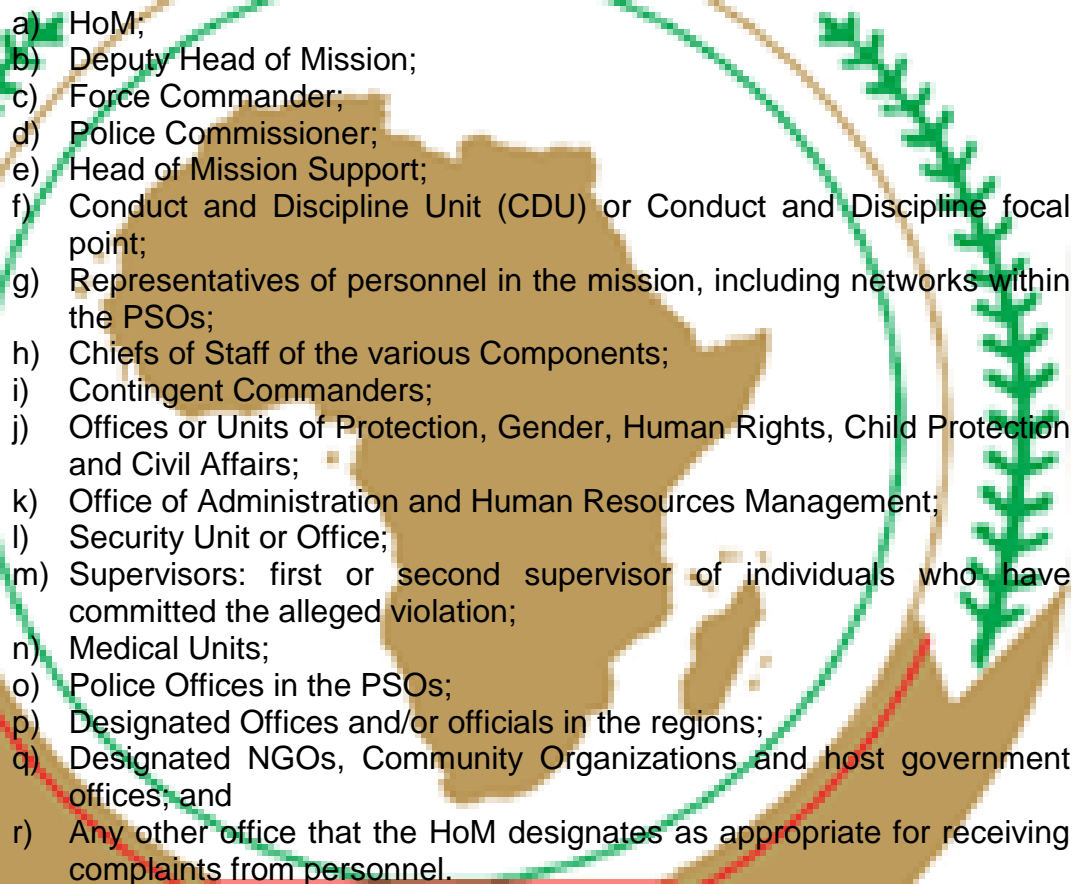
8. Enforcement

8.1 Reporting misconduct

- 8.1.1 The PSO, in particular the Head of Mission (HoM) and the Conduct and Discipline Unit (CDU) / focal point, shall take all reports of possible misconduct seriously and must provide a confidential mechanism for

individuals who wish to report misconduct. All PSOs shall be required to establish multiple and accessible means for reporting misconduct for all categories of personnel to ensure that individuals from both within the mission and outside the mission report misconduct without fear of retaliation.

8.1.2 Misconduct can be reported, but is not limited to, the following senior mission leadership and units/offices depending on the mission set-up and the context in which a PSO is deployed:

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- a) HoM;
 - b) Deputy Head of Mission;
 - c) Force Commander;
 - d) Police Commissioner;
 - e) Head of Mission Support;
 - f) Conduct and Discipline Unit (CDU) or Conduct and Discipline focal point;
 - g) Representatives of personnel in the mission, including networks within the PSOs;
 - h) Chiefs of Staff of the various Components;
 - i) Contingent Commanders;
 - j) Offices or Units of Protection, Gender, Human Rights, Child Protection and Civil Affairs;
 - k) Office of Administration and Human Resources Management;
 - l) Security Unit or Office;
 - m) Supervisors: first or second supervisor of individuals who have committed the alleged violation;
 - n) Medical Units;
 - o) Police Offices in the PSOs;
 - p) Designated Offices and/or officials in the regions;
 - q) Designated NGOs, Community Organizations and host government offices; and
 - r) Any other office that the HoM designates as appropriate for receiving complaints from personnel.

8.1.3 Mission personnel may also report misconduct directly to the AUC, should they have a reasonable fear of retaliation and/or considers that the matter against the mission personnel cannot be addressed impartially within the mission area due to seniority of the individual or other cogent factors, and that the actions of the mission personnel amounts to serious misconduct. They may report the matter directly to the appropriate structures at the Strategic Headquarters, such as the PSOD, the Office of Ethics, the Director of Administration and Human Resources Management (AHRM), the Commissioner for Peace and Security or the Chairperson of the AUC, providing as much information and evidence on the matter as possible.

- 8.1.4 The HoM is required to take appropriate action and measures to ensure that individuals are not retaliated against. Such measures may include ensuring confidentiality of reports, regular engagement and continuous monitoring of the circumstances of the individual making the complaint, and, if the circumstances warrant, relocating the individual to a different office.

8.2 Procedure for handling misconduct

- 8.2.1 Different robust procedures are envisaged in addressing the specific allegation(s) depending on whether the misconduct is qualified as minor or as serious, and depending on the category of the personnel.
- 8.2.2 AU staff members are governed by the standards of conduct set out in the AU Staff Regulations and Rules, and other administrative issuances. Staff members are bound to respect those standards of conduct through the signing of their offer of appointment and related employment contract with the African Union.
- 8.2.3 Individual Police and Military officers are deployed with the legal status of experts on mission based on a legal agreement concluded between the AUC and the sending Member State. They shall also individually sign an undertaking upon commencement of service with the AU, through which they agree to be bound by the provisions on conduct and discipline standards contained in this undertaking.
- 8.2.4 The conduct and discipline of members of military contingents is governed by the Memorandum of Understanding (MOU) concluded between the Troop Contributing Country and the AU and/or AU and the RECs/RMs for the deployment of military contingents. Through this MOU, Member States agree that, while their military personnel remain subject to the exclusive jurisdiction of respective Troop Contributing Countries, they will comply with AU standards of conduct and such other documents adopted by the AU that regulate the conduct of this category of personnel.
- 8.2.5 The conduct and discipline of members of Formed Police Units (FPUs) is governed by the Memorandum of Understanding concluded between Police Contributing Countries and the AU and/or the AU and RECs/RMs for the deployment of Formed Police Units. Member States agree through this MOU, that while their police personnel remain subject to the exclusive jurisdiction of respective Police Contributing Countries, they will comply with AU standards of conduct and such other documents adopted by the AU that regulate the conduct of this category of personnel.

8.2.6 For individual consultants and contractors, agreements signed between them and the AU contain provisions on the obligation to respect the AU standards of conduct.

8.2.7 The HoM is required to share all information concerning all cases of misconduct that s/he is informed about with the AUC. S/he will be supported in this responsibility by the CDU/focal point. If a CDU/focal point does not exist, the HoM will designate an official in his/her Office to ensure that all cases are forwarded to AUC through PSOD.

8.2.8 In all instances, the Deputy SRCC as Head of Civilian Component, the Head of Mission Support, the Head of Finance, the Police Commissioner and the Force Commander shall inform the HoM of all instances of misconduct in writing. The Conduct and Discipline Unit or focal point shall maintain records and/data base on misconduct. In so doing, they may seek the assistance of other units of the Mission with the capacity to maintain and analyse such data, such as the Civilian Casualty Tracking Analysis Cell.

8.3 Immunities of mission personnel

8.3.1 The Special Representative of the Chairperson, or Head of Mission, and other high ranking members as may be agreed between the AU and the Host State, shall have the status of Officials specified in Article VI of the OAU General Convention on Privileges and Immunities (hereafter referred as the General Convention), therein referred to as those accorded diplomatic envoys by international law.

8.3.2 Other mission personnel, and as specified in the SOMA with the Host State, shall have the status of experts on mission specified in Article VII of the General Convention, which provides for their functional immunity.

9. Handling misconduct for civilian personnel

9.1 The civilian personnel must comply with the rules set out in this Policy, as well as international law, the law of the Host State (to the extent that it is compatible with international human rights law norms and standards), the domestic law of their country of origin, as well as various mission documents.

9.2 Privileges and immunity of civilian personnel may be waived by the Chairperson if this is in the interest of justice, and this shall be discussed between the HoM, Chairperson and the Host State.

9.3 The status of civilian personnel in AU PSOs shall be governed by the AU Staff Regulations and Rules (2010) for AU staff members and/or terms of their contracts for other civilian personnel, the Administrative Guidelines on the

Recruitment, Selection, Deployment and Management of Civilian Personnel in Field Operations (2016) as well as by the Status of Mission Agreement (SOMA) concluded between the AUC and the Host State.

- 9.4 The overall responsibility for ensuring discipline of civilian personnel rests with the HoM, with delegated authority given by the Chairperson of the AUC.
- 9.5 All cases of minor misconduct committed by civilian personnel shall be handled administratively in the PSO by the HoM or his/her designee.
- 9.6 In situations of serious misconduct, in particular violations of IHRL and IHL where applicable, the HoM will inform the AUC, through PSOD, of the matter for a follow-up with the national authorities of the country of origin of the individual, in order to encourage the criminal proceedings and/or other remedial action required, especially in regard to assistance to victims.

Procedures for addressing misconduct of AU staff members in a PSO

- 9.7 The Disciplinary Board established in accordance with the AU Staff Regulations and Rules shall advise the Chairperson or the competent authority of any other organ on disciplinary measures if any to be instituted against a staff member over acts of misconduct violating the provisions of the Constitutive Act, Code of Conduct and Ethics, Staff Regulations and Rules, Financial Rules, and any other regulations or rules of the AUC, including this Policy, in accordance with Rules 57-59 of the AU Staff Rules.
- 9.8 Accordingly, the following procedure shall be followed with respect to misconduct by AU staff members in PSOs:
 - a) Except in situations of staff grievances arising out of their inter-personal relationships and the application of conditions of employment other than matters arising out of disciplinary action (Rule 63 of the Staff Rules), a complaint of a Staff Member's breach of the AU standards of conduct shall be forwarded to the Head of AHRM with a copy being sent to the CDU/Conduct and Discipline focal point. Upon receipt of such a complaint, the Head of AHRM in consultation with CDU/Conduct and discipline focal point shall immediately notify the HoM of such a complaint. The regulations in the Staff Rule 59 regarding disciplinary procedures shall be strictly adhered to and are adapted to the specific context of PSOs in paragraphs (b) to (h);
 - b) The HoM shall weigh the matter and determine the appropriate action to take with guidance from the Office of Human Resources Management, CDU/focal point, the Legal Unit/Officer and any other Office or Unit that may be relevant to the matter at hand. S/he may also request for additional

information, comments from the staff member and/or meet with the staff member as s/he determines, as part of the fact-finding process to establish the *prima facie* case (initial examination to establish that sufficient corroborating evidence appears to exist to support a case);

- c) The fact-finding process shall start within seven (7) days after receiving the complaint and shall be conducted in accordance with the AU Staff Rules and Regulations (Article 59 on disciplinary procedures). Once the fact-finding process is completed, the HoM shall request the concerned staff member(s) to comment on the facts concerning him or her;
- d) Should the fact-finding process not establish a *prima facie* case, the HoM will inform the staff member(s) of the outcome and close the file. Should the fact-finding reveal that no misconduct occurred but that administrative measures are required, and in the best interest of the Mission, s/he should implement such administrative actions, as appropriate;
- e) In the event that the fact-finding process establishes a *prima facie* case, the HoM shall submit the entire file, including the comments from the staff members, with conclusions and recommendations, to the Director of AHRM for appropriate action in accordance with the Staff Regulations and Rules. Alternatively, s/he may determine to conduct a BOI investigation into the matter, depending on the matter at hand and if considered that this would serve the interest of the mission best, especially in cases of serious misconduct. The BOI report will be forwarded to the Director of AHRM for appropriate action within 30 days of receipt of complaint/allegation;
- f) The HoM will follow-up with the Director of AHRM in consultation with PSOD and inform the staff member of the progress of the case, as appropriate;
- g) In the event that the case is against a member of the leadership of the mission, or for some other cogent reason it is evident to the HoM that an impartial BOI investigation cannot be carried out in the mission, the HoM may report the matter to the Director of AHRM, the Commissioner for Peace and Security or the Chairperson of the AUC, as appropriate. S/he may request for a panel or investigators from the strategic headquarters to go to the Mission to carry out the investigation into the matter. The external panel or investigators will share their report with the Director of AHRM who will then take appropriate action and inform the HoM as appropriate;
- h) In case the staff member is involved in a criminal act or is being investigated in the context of a criminal investigation, Rule 60 of AU Staff Regulations regarding criminal proceedings instituted against a staff member shall apply. The HoM shall inform the Director of AHRM through PSOD as soon

as his/her attention is brought to such a situation. The Director of AHRM will then take appropriate action.

Procedures for addressing misconduct of other categories of civilian personnel

- 9.9 The procedure for handling misconduct of all other civilian personnel including seconded staff, partners, technical experts, interns, volunteers, individuals on special assignment and contractors and consultants shall be regulated by the terms of their contract and/or undertaking.

10. Handling misconduct of military personnel

10.1 The military personnel must comply with the rules set out in this Policy, as well as international law, the law of the Host State (to the extent that it is compatible with international human rights law norms and standards), the domestic law of their country of origin, as well as the mission documents such as the ROEs and relevant SOPs.

10.2 The status of contingent military personnel deployed by the TCCs is governed exclusively by the MoU concluded between the AU and the TCCs and/or MoU concluded between the AU and the RECs/RMs, and by the SOFA/SOMA, which confer the TCCs with exclusive jurisdiction over criminal matters involving their personnel. Therefore, the procedure for handling misconduct for military contingent members shall run *in paripasu* (hand-in-hand).

10.3 The status of Individual Military Officers who have been sent to a PSO by an AU Member State will be governed by a legal agreement concluded between the AU and the AU Member State in question and the SOMA/SOFA. Individual military officers shall also individually sign an undertaking upon commencement of service with the AU, through which they agree to be bound by the provisions contained in this Policy.

10.4 The overall responsibility for the adherence to and enforcement of AU standards of conduct of the military personnel rests with the Force Commander (FC) or his designee. However, military personnel remain members of the national contingent and are therefore subject to Codes of Conduct of their respective national military authority in addition to the provisions of this Policy.

10.5 The AU and the TCCs vest the Commander of the National Contingent with the functional responsibility for the discipline and good order of all contingent members while assigned to the AU PSO.

- 10.6 Upon receipt of a report of misconduct, the Contingent Commander is required to notify the FC and the CDU/focal point promptly of the allegation that has been brought to his/her attention.
- 10.7 The Contingent Commander is required to commence investigations into the matter within 7 days of receipt of the complaint and inform the HoM, through the FC.
- 10.8 In the event where the Contingent Commander fails to commence an investigation into a matter after notification within 7 days, in particular if serious misconduct has been committed, the Contingent Commander must notify the FC within 24 hours of the end of the 7 days. In the event that this is not done, the Contingent Commander will be deemed unwilling to conduct such investigation.
- 10.9 If the Contingent Commander is unable to conduct an investigation for any reason, h/she must notify the FC within the 7 day period.
- 10.10 The Contingent Commander is required to inform the HoM through the FC of the outcome(s) of the investigation and or the disciplinary action that have been taken in all cases of misconduct within 30 days of receipt of a complaint/allegation.
- 10.11 In all cases where the PSO or AU have credible information that a contingent member has committed a misconduct, the PSO and/or AU shall notify the Contingent Commander within 7 days. In the event that the allegation(s) is/are against the Contingent Commander, the HoM shall inform the AUC through appropriate channels and the latter shall advise the TCC concerned for appropriate action to be taken.
- 10.12 The FC may also recommend to the HoM for the institution of a BOI if the interest of the mission would be best served in such a way, and for any acts of serious misconduct or acts that have the potential to damage the image, credibility or integrity of the AU. In such instances, the HoM will institute the BOI, including civilian personnel, such as, human rights monitors, the AU security officer, gender officer, and child protection adviser depending on the matter at hand. Where and when possible and appropriate, such BOI(s) shall be conducted jointly with the contingent. Once the investigation or BOI is completed, the FC or HoM, as the case may be, will inform the Contingent Commander and the AUC of the outcomes, as appropriate, so that disciplinary action is taken.
- 10.13 All cases of minor misconduct will be handled administratively by the Force Commander or Contingent Commanders.

10.14 Following receipt of the recommendations of the BOI and the final decision of the HoM, as referred to above, the FC or another supervisor responsible for the maintenance of discipline shall take appropriate administrative and/or disciplinary action. Such actions may be one or more of the following:

- a) Removal from position of command;
- b) Redeployment to another position/area after retraining, if necessary;
- c) Removal of benefits and concessions provided to mission personnel;
- d) Suspension of leave/compensatory time off;
- e) Full or partial recovery from Mission Subsistence Allowance, in cases of financial loss to the Organization;
- f) Recommendation for repatriation;
- g) Written censure or reprimand, including a possible recommendation for non-eligibility for future assignment with the AUC.

10.15 Following notification by HoM of the outcomes of the BoI, the AUC will engage with the national authorities of the TCC on the disciplinary action taken, outcomes of criminal proceedings and/or other remedial action required, especially in regards to assistance to victims.

10.16 If the AU is made aware that no action is taken by the TCC, the AUC shall bring the matter to the attention of the Peace and Security Council for consideration of future possible action to be taken.

11. Handling misconduct of police personnel

11.1 The police personnel must comply with the rules set out in this Policy, as well as international law, the law of the Host State (to the extent that it is compatible with international human rights law norms and standards), the domestic law of their country of origin, as well as the mission documents such as the Directives on the Use of Force and relevant SOPs.

11.2 The status of the Formed Police Units (FPU) personnel deployed by the PCCs is governed exclusively by the MoU concluded between the AU and the PCC and/or MoU concluded between the AU and the RECs/RMs, and by the SOFA/SOMA, which confer the PCCs with exclusive jurisdiction over criminal matters involving their personnel. Therefore, the procedure for handling misconduct for members of Formed Police Units (FPUs) shall run *in paripasu* (hand-in hand).

11.3 The status of Individual Police Officers (IPOs) who have been sent to a PSO by an AU Member State will be governed by a legal agreement concluded between the AU and the AU Member State in question and the SOMA/SOFA. IPOs shall also individually sign an undertaking upon

commencement of service with the AU, through which they agree to be bound by the provisions contained in this Policy.

- 11.4 The overall responsibility for the adherence to and enforcement of AU standards of conduct of the police personnel rests with the Police Commissioner or his/her designee. However, police personnel remain subject to their national Codes of Conduct in addition to the provisions of this Policy.
- 11.5 The AU and the PCCs vest the Commander of the FPU with the functional responsibility for the discipline and good order of all unit members while assigned to the AU PSO.
- 11.6 Upon receipt of a report of misconduct, the Unit Commander is required to notify the PC and the CDU/focal point promptly of the allegation that has been brought to his/her attention.
- 11.7 The Unit Commander is required to commence investigations into the matter within 7 days of receipt of the complaint and inform the HoM, through the PC.
- 11.8 In the event where the Unit Commander fails to commence an investigation into a matter after notification within 7 days, in particular if serious misconduct has been committed, the Unit Commander must notify the PC within 24 hours of the end of the 7 days. In the event that this is not done, the Unit Commander will be deemed unwilling to conduct such investigation.
- 11.9 If the Unit Commander is unable to conduct an investigation for any reason, h/she must notify the PC within the 7 day period.
- 11.10 The Unit Commander is required to inform the HoM through the PC of the outcome(s) of the investigation and or the disciplinary action that have been taken in all cases of misconduct within 30 days of receipt of a complaint/allegation.
- 11.11 In all cases where the PSO or AU have credible information that a contingent member has committed a misconduct, the PSO and/or AU shall notify the Unit Commander within 7 days. In the event that the allegation(s) is/are against the Unit Commander, the HoM shall inform the AUC through appropriate channels and the latter shall advise the PCC concerned for appropriate action to be taken.
- 11.12 The PC may also recommend to the HoM for the institution of a BOI if the interest of the mission would be best served in such a way, and for any

acts of serious misconduct or acts that have the potential to damage the image, credibility or integrity of the AU. In such instances, the HoM will institute the BOI, including civilian personnel, such as, human rights monitors, the AU security officer, gender officer, and child protection adviser depending on the matter at hand. Where and when possible and appropriate, such BOI(s) shall be conducted jointly with the contingent. Once the investigation or BOI is completed, the PC or HoM, as the case may be, will inform the Unit Commander and the AUC of the outcomes, as appropriate, so that disciplinary action is taken.

11.13 All cases of minor misconduct will be handled administratively by the Police Commissioner or Unit Commanders.

11.14 Following receipt of the recommendations of the BOI and the final decision of the HoM, as referred to above, the PC or another supervisor responsible for the maintenance of discipline shall take appropriate administrative and/or disciplinary action. Such actions may be one or more of the following:

- a) Removal from position of command;
- b) Redeployment to another position/area after retraining, if necessary;
- c) Removal of benefits and concessions provided to mission personnel;
- d) Suspension of leave/compensatory time off;
- e) Full or partial recovery from Mission Subsistence Allowance, in cases of financial loss to the Organization;
- f) Recommendation for repatriation;
- g) Written censure or reprimand, including a possible recommendation for non-eligibility for future assignment with the AUC.

11.15 Following notification by HoM of the outcomes of the BOI, the AUC will engage with the national authorities of the PCC on the disciplinary action taken, outcomes of criminal proceedings and/or other remedial action required, especially in regards to assistance to victims.

11.16 If the AU is made aware that no action is taken by the PCC, the AUC shall bring the matter to the attention of the Peace and Security Council for consideration of future possible action to be taken.

12. Individual, Managers and Commanders accountability

12.1 All personnel serving in AU PSOs are required to make themselves familiar with the AU values, norms and standards of conduct, including by attending training sessions, and are obliged to uphold these standards at all times, at the workplace

and outside of the workplace, on duty and off-duty, including when on leave. Any breach of the expected standard, where appropriate, may be referred for investigation and possible prosecution before Member States' national and/or military courts when such violations constitute crimes under national laws.

12.2 Managers and commanders are responsible for taking steps to prevent and address misconduct on the part of their subordinates. They are expected to ensure that personnel under their command or supervision are aware of the AU standards of conduct, including through organization of training sessions and by promoting compliance with the AU standards of conduct.

12.3 Commanders are responsible for preventing violations of the law and for taking necessary disciplinary action where violations are identified. The fact that a commander did not order, authorize or knowingly acquiesce in a violation of the law by a subordinate will not relieve him/her of responsibility if s/he knew, or owing to the circumstances at the time, should have known, that forces/units under his/her command were committing or about to commit misconduct/crimes, and s/he failed to take all necessary and reasonable measures within his/her power to prevent or suppress their commission, or to submit the matter to the competent authorities for investigation or prosecution.

12.4 Managers and commanders will also be held accountable in terms of performance regarding the exercise of their conduct and discipline functions. For Heads of Mission, this is achieved through provisions included in their contracts and/or letters of appointment. For all other managers and commanders, performance in the exercise of the conduct and discipline functions shall be evaluated through the performance appraisal mechanisms applicable to the manager or commander.

13. Actions to safeguard the image and reputation of the PSO and the AU

13.1 For allegations of serious misconduct that have implications for the reputation and image of the AU and the Mission, the HoM will work closely with the relevant offices of the mission, including but not limited to the Spokesperson, Communications, Outreach and Public Relations, Legal, Political and Civil Affairs, Women and Gender Offices, and in close consultation with AU PSOD, to protect and safeguard the reputation of the Mission and the AU generally. This may be especially necessary where allegations have generated public and media interest.

13.2 In general, the HoM should avoid creating an absence of visible accountability, as this could give rise to a perception that the AU does not take the matter seriously. Instead, s/he should be cooperative, transparent, and demonstrate accountability, seriousness and full engagement in the matter.

13.3 Consequently, the HoM, public information and communication personnel as well as the other components mentioned above, are to work together to achieve the following key objectives:

- a) Communicate that the AU and the PSO are fully engaged and committed to addressing allegations of misconduct and will promptly investigate or are investigating, as the case may be, and intend to take or ensure that appropriate action is taken against those found guilty;
- b) Communicate transparency on the part of the mission through engaging with the complainants and their families on what action is being taken by the mission, without compromising any investigation that is being undertaken;
- c) Dispel rumours and damaging gossip with facts, so that the media and the local population sees the mission as credible and trustworthy by, *inter alia*, making information available through a number of easily accessible channels with due regard to protecting the integrity of the investigation, the due process rights of the alleged perpetrators and the safety and welfare of the alleged victims; and
- d) Encourage accurate reporting of incidents by the media by providing clear information and details, without compromising or prejudicing the investigation or divulging the identity of parties pre-maturely.

14. Assistance for victims of misconduct

- 14.1 When misconduct results in injury and/or damage, a comprehensive, timely and responsive assistance and/or redress shall be provided to complainants, victims as well as their families, as appropriate.
- 14.2 The AU will ensure that victims receive the support and attention they deserve, from the moment an allegation is received until there is an outcome. Such assistance can be, for example, medical care, psychosocial support, legal assistance, and immediate material needs such as food, medical care, clothing, and safe shelter.
- 14.3 The HoM shall establish a mechanism for victim assistance, or to work with the existing system if it already exists, to facilitate support and assist victims of misconduct, particularly in cases of violations of IHL, IHRL and SEA. In this regard, s/he is to be supported by the CDU/focal point, and/or the gender, civil affairs, political or human rights offices or units that have strong ties with the local community and NGOs in the mission area, especially those engaged in women and children issues. Such a mechanism shall consider various ways and means for assisting victims.

- 14.4 In reviewing cases and requests for assistance, the established mechanism shall consult with NGOs, community leaders, community based organizations and any other individuals in order to make informed and prudent decisions.
- 14.5 Complainants and/or victims should receive basic and individually tailored assistance and support in accordance with their individual needs directly arising from the alleged misconduct. This assistance and support can comprise logistical support (travel, accommodation, &, interpretation), medical care, legal services, psycho-social support, immediate material care, such as food, medicines, clothing, emergency and safe shelter, as necessary. This can also include a referral to another organization, NGO or other body that is capable to provide adequate assistance to the victim, when available.
- 14.6 The mechanism for assistance is to consider all cases that require assistance as a result of an act of misconduct and to recommend specific types of assistance for each case. In so doing, this mechanism is to be guided by the following principles:
- a) Victims, especially victims of SEA, are generally vulnerable, disadvantaged, with minimal or no education and resources and are often ostracized and shunned by their communities;
 - b) Assistance is voluntary; hence the victim cannot be forced or coerced to accept assistance. It is a good practice to obtain the victims' consent in verifiable form that s/he accepts the assistance being provided;
 - c) The major consideration in the provision of assistance is the best interests of the victims and the resources available and accessible to the PSO. Hence, any assistance provided should not harm the victim. Assistance and support should be provided in a manner that does not increase the trauma suffered by the victim, cause further stigmatization or exclude or discriminate against other victims;
 - d) The circumstances of each case will vary and assistance should be accorded accordingly; however, an effort should be made to minimize disparities amongst similar or comparable cases;
 - e) Assistance should complement rather than duplicate existing support to victims of abuse and violence and, to the greatest extent possible, should be integrated into existing programmes. Consequently, the mission could consider entering into arrangements with NGOs to provide services directly to the victims and in turn either reimburse the NGOs directly or provide support to the NGOs;

- f) If children are born as a result of misconduct by mission personnel, assistance to be provided should be in the best interests of the child;
 - g) The duration of the provision of assistance and support should be set in accordance with individual needs directly arising from misconduct;
 - h) Assistance provided to victims should be separated from the allegation and investigation processes. At no time should assistance be made contingent on the victims' cooperation in an investigation process;
 - i) The provision of any assistance and support by the PSO is not necessarily an acknowledgment of the validity of the claims or an indication of acceptance of the legal responsibility of the alleged perpetrator, PSO or AUC.
- 14.7 The PSO should consider appointing a Victim Advocate/Facilitator for all cases of serious misconduct, in particular in cases of violation of IHL, IHRL and SEA. In order to bring forward a complaint and request of assistance, complainant might need help from somebody they have confidence in and who can present their interests and serve as a facilitator and "voice" in the process. Consequently, the Victim Advocate/Facilitator need not be a Mission Personnel but could be from the community or from various NGOs. The critical consideration being that the victim has confidence in the Victim Advocate/Facilitator.
- 14.8 The PSO shall develop a system for tracking and following up on all cases of assistance. The matter will be considered closed once the victim has been fully assisted and can meet the needs arising from the misconduct independently.
- 14.9 The PSO shall securely keep proper records of its deliberations and prepare an annual report of all victims assisted that includes all key relevant information, including the type of assistance provided, the cost of the assistance provided, and the present circumstances of the victims to the best of the Committee's knowledge. It shall also indicate whether the matter is closed or ongoing and highlight any aspects requiring additional follow-up with national authorities. This report shall be forwarded to the AUC through PSOD for review, consideration and further action, as appropriate.

15. Roles in implementing the Policy

15.1 Below is an outline of the key roles and responsibilities of the main actors for implementing this Policy.

15.2 PSC

- a) Engage in, and provide overall guidance through review and endorsement of conduct and discipline related policies and guidelines, including on SEA, protection of whistleblowers, victim assistance and compensation and welfare and recreation, amongst others;
- b) Oversee implementation of a rigorous and effective conduct and discipline regime through monitoring and making necessary recommendations, as appropriate;
- c) Engage relevant AU policy organs and direct the AUC to submit regular reports on conduct and discipline in AU PSOs;
- d) Engage with AU PSOs more closely through use of different tools, such as video conferences, scheduled visits to PSO, and solidarity missions.

15.3 AU Member States sending personnel (military, police, civilian) to PSOs

- a) Vest contingent and unit commanders with the necessary authority to conduct investigations, refer cases to the relevant national authorities, inform the Head of Mission of all instances of misconduct, and take disciplinary action, where appropriate;
- b) Ensure that contingent and unit commanders comply and ensure compliance with relevant international and domestic laws, including domestic laws of the host state, as well as AU standards of conduct;
- c) Uphold the principle of command responsibility for all commanders;
- d) Provide information to the AUC, through the PSOD, of all disciplinary matters and actions taken against serious violations and misconduct, including on the outcome of investigations and prosecutorial action on a regular basis;
- e) Ensure that all personnel to be deployed to an AU PSO, including Police and Military personnel, are trained on conduct and discipline prior to deployment. This includes reviewing the preparation procedures for deployment to ensure that the same incorporates conduct and discipline, human rights, gender issues, including SGBV;
- f) Consider and integrate conduct and discipline related training into the national curricula of training institutions, especially but not limited to civilian and child protection, SGBV, human rights and gender topics;

- g) Conduct various hearings, including court martials in accordance with national laws and procedures as soon as reports of misconduct are made, preferably in the mission area;
- h) Ensure that individuals accused of serious violations are prosecuted in their countries of origin and keep the AUC informed of the outcomes of any proceedings;
- i) Establish a mechanism to verify that prior offenders are not deployed or redeployed to PSOs;
- j) Cooperate with the AUC in conducting background checks of civilian personnel to be deployed to AU PSOs;
- k) Cooperate and assist PSOs with sensitization of the local population on the expected standards of behaviour of AU mission personnel;
- l) Work in partnership with AU PSOs to sensitize AU mission personnel on local laws, culture, customs and traditions;
- m) Assist and/or facilitate awareness raising campaigns, including establishing and publicizing accessible means and avenues for reporting allegations with AU PSOs on investigations, as appropriate;
- n) Designate a liaison or focal point on conduct and discipline matters;
- o) Facilitate victim support and redress efforts.

15.4 AUC

- a) Lead and coordinate implementation of the framework and the strategy on conduct and discipline matters;
- b) Develop a work plan for implementation of this policy with clear indicators and results expected;
- c) Establish an adequate capacity on conduct and discipline, both at the AUC HQ level and in AU PSOs to monitor and respond to cases of misconduct;
- d) Review and coordinate efforts to strengthen provisions in the Memoranda of Understanding (MoU) with T/PCCs, as well as other legal frameworks with AU Member States on Conduct and Discipline, including SEA;
- e) Engage with AU Member States, and in particular T/PCCs, to reinforce and monitor implementation of activities and promote a collaborative approach;

- f) Sensitize, build capacity, and clarify expectations on conduct and discipline for the leadership of various T/PCCs;
- g) Develop and maintain a secure misconduct tracking and analysis database (MTAD) and accountability system using developments in ICT for all AU PSOs;
- h) Establish a mechanism to verify that prior offenders are not deployed or redeployed to AU PSOs, in cooperation with the T/PCCs;
- i) Follow up with national authorities on actions taken with respect to conduct and discipline in relation to prevention, investigation, prosecution, discipline, redress, punishment, victim assistance and accountability;
- j) Work with T/PCCs to sensitize and build capacity on conduct and discipline, using various avenues, including appropriate ICT;
- k) Strengthen mechanisms for ensuring civilian accountability for misconduct;
- l) Develop a checklist for T/PCCs on all the above priorities that are relevant and that include activities to be carried out, indicators and a monitoring and review mechanism;
- m) Develop a communication strategy for managing relationships with external parties, including partners, stakeholders, and media, etc.;
- n) Develop various strategic communication tools for instilling and reinforcing a sense of African solidarity, development of a sense of camaraderie, shared purpose and self-discipline;
- o) Provide regular reports on conduct and discipline on PSOs to AU PSC.

15.5 AU PSOs

- a) Lead and manage efforts on conduct and discipline at the Mission level;
- b) Prioritize and foster commitment and adherence to standards of conduct and discipline through various communications and actions;
- c) Establish conduct and discipline focal points, officers or unit for addressing conduct and discipline matters, as appropriate;

- d) Establish accessible and relevant entry points for the host population to engage on conduct and discipline, including making reports in a confidential and safe environment;
- e) Develop and implement a work plan on conduct and discipline that is appropriate to the PSO that is comprehensive, inclusive, engages all personnel and that is tailored to suit the circumstances and realities of the PSO;
- f) Operationalize and implement policies, guidelines, SOPs and directives on conduct and discipline;
- g) Create and maintain secure, up to date records on conduct and discipline cases and ensure that the same is updated on MTDS;
- h) Prepare and share regularly, and at a minimum, monthly reports on conduct and discipline activities generally and on specific cases with AUC.

16. Entry into Force

16.1 This Policy will take effect following the endorsement by the Specialized Technical Committee on Defence, Safety and Security.

16.2 This Policy can be amended and revised periodically, as and when necessary.





Abbreviations and Acronyms

AMISOM	African Union Mission in Somalia
ASF	African Standby Force
AU	African Union
AUC	African Union Commission
CC	Contingent Commander
CDU	Conduct and Discipline Unit
HOM	Head of Mission
IHRL	International Human Rights Law
IHL	International Humanitarian Law
MOU	Memorandum of Understanding
NGO	Non-Governmental Organization
PCC	Police Contributing Country
PSC	Peace and Security Council
PSD	Peace and Security Department
PSOD	Peace Support Operations Division
PSO	Peace Support Operation
SDGEA	Solemn Declaration on Gender Equality in Africa
SEA	Sexual Exploitation and Abuse
SGBV	Sexual and Gender-based Violence
SOFA	Status of Forces Agreement
SOMA	Status of Mission Agreement
TCC	Troops Contributing Country
T/PCC	Troop and Police Contributing Countries
UN	United Nations
UNSCR	United Nations Security Council Resolution
WGDD	Women, Gender and Development Directorate

Definitions

For the purpose of the present Policy, the following definitions shall apply:

1. **“Accountability”** refers to measures taken to acknowledge, assume responsibility for, and remedy violations of international humanitarian and human rights law, AU policies, rules and regulations, mission-specific regulations. This includes set-up of systems aimed at ensuring that AU PSO personnel act in accordance with their international and internal obligations and duties.
2. **“Chairperson”** means the Head of the African Union Commission.
3. **“Child”** means every human being below the age of 18 years.
4. **“Children born out of sexual exploitation and abuse”** refers to children who are found by the judicial and investigative processes (including by medical proof/DNA testing) of relevant AU and national authorities or through admission of guilt to have been born as a result of the sexual exploitation and abuse by AU staff or mission personnel in an AU PSO.
5. **“Civilian Personnel”** comprises of all individuals in the service of the PSO, regardless of their contractual arrangement, who are not members of the police or military component and includes staff members of the African Union Commission when deployed to the mission area.
6. **“Complainant”** is a person who brings an allegation of misconduct committed by mission personnel or other AU staff to the attention of the AU in accordance with established procedures, but whose claims have not yet been established by the relevant AU administrative, investigative and judicial processes. A Complainant may be a victim, witness or any other person who is aware of the misconduct.
7. **“Constitutive Act”** means the Treaty establishing the African Union.
8. **“Consultant”** means any person/firm recruited/appointed for the purpose of providing services on a pre-determined timeframe and upon specific terms and conditions of service for a period not exceeding three months.
9. **“Good governance”** refers to the processes of making and implementing decisions. It is not necessarily about making ‘correct’ decisions, but about the best possible process for making those decisions. It would generally have the following major characteristics: It is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, the

views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society.

10. **“Impunity”** means the unwillingness, *de facto* or *de jure* (in practice or in law), of bringing the perpetrators of violations to account – whether in criminal, civil, administrative or disciplinary proceedings and/or refusal to comply with compensatory obligations as determined as appropriate body.
11. **“Member State”** means a Member State of the AU.
12. **“Military Personnel”** means all members of the military component, including Military contingent members, Military Staff Officers, Individual Military Personnel and other members of armed forces deployed to a PSO.
13. **“Misconduct”** is any act, omission or negligence, including criminal acts, that is a violation of:
 - (i) the core AU principles and norms as elaborated upon in its Constitutive Act, protocols, policies, and directives as may be applicable in the Mission Area;
 - (ii) mission specific directives, Standard Operating Procedures (SOPs), Rules of Engagement (ROEs), Directives of the Use of Force, or applicable rules, regulations or administrative issuances;
 - (iii) SOFA/SOMA;
 - (iv) relevant and applicable local laws that are not contrary to human rights norms and standards; and
 - (v) international humanitarian law, international and regional human rights law and international refugee law.
14. **“Mission Area”** means the designated area of a PSO as described in the PSC mandate.
15. **“Mission Personnel”** consists of all individuals in the military, police and civilian components in a PSO.
16. **“Police Personnel”** means all members of Formed Police Units and Individual Police Officers in a PSO.
17. **“Remedy”** means a redress or relief provided to a victim or his/her next-of-kin who has sustained bodily or mental harm caused by acts or omissions attributable to members of mission personnel or AU staff. In the context of this

Policy, a remedy includes legal remedies, reparations, compensation, restitution, damages or equitable relief.

18. **“Seconded staff”** means any person from a Member State or any organization transferred to the Union to hold a temporary assignment with an Organ of the Union upon an agreed terms and conditions by all the parties concerned.
19. **“Serious misconduct”** means any act, omission or negligence that results, or is likely to result, in serious damage or injury to, an individual or the mission and/or deliberate act or omission that might impact the performance of the mission tasks.
20. **“Sexual abuse”** refers to any action or behaviour of a sexual nature that coerces, threatens or forces a person to engage in a sexual activity (penetrative and non-penetrative), that they would not otherwise have engaged in, and often without being able to give their consent. Sexual abuse includes the actual or threatened physical intrusion of a sexual nature, and occurs under coercive conditions, which are often reflective of unequal power relations and harmful behaviour.
21. **“Sexual exploitation”** is defined as the inducement, incitement, coercion and compelling of another person to undertake a sexual activity through abuse of a position of vulnerability, differential power, dependency or trust. Sexual exploitation includes, but is not limited to, exploiting material, monetary, social, psychological and political advantages to induce a person to engage in a sexual activity. In this context, sexual exploitation applies not only to actual sexual activity but also to an attempt to engage in such activity. An act of sexual exploitation occurs when the particular person would have had no substantial option, and no reasonable choice but to succumb to pressure to engage in a sexual activity. Sexual exploitation is harmful and exploitative behaviour which occurs in the context of hierarchical interactions and relationships.
22. **“Sexual violence”** includes acts of sexual nature against one or more persons or that cause such person or persons to engage in an act of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, or by taking of advantage of coercion environment or such person's or persons' incapacity to give genuine consent. Forms of sexual violence include rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual aggression of comparable gravity.
23. **“Staff Member”** as defined in AU Staff Regulations and Rules (2010), means any person employed by the AU as continuing regular, fixed-term or short-term personnel on the basis of a daily wage or monthly salary as provided for in the AU Regulations and Rules.

24. **“Transactional sex”** means sexual relationships where the giving of gifts or services, such as rent, phones, clothes, drinks, drugs, grades, or education, support to the family and employment is an important factor. Transactional sex relationships are distinct from prostitution, in that the exchange of gifts for sex includes a broader set of (usually non-marital) obligations that do not necessarily involve a predetermined payment or gift, but where there is a definite motivation to benefit materially from the sexual exchange.
25. **“Victim of SEA”** is a person who is, or has been, sexually exploited and/or abused.
26. **“Whistleblower”** means any person who exposes any kind of information or activity that is deemed illegal, unethical, and/or evidence of past, current or prospective PSO misconduct or any other violation or act which jeopardizes the integrity and mandate of the PSO. It includes any individual(s) who may be applicants, current or former Staff Members of the AU Commission (irrespective of employment status and duration), personnel who are engaged in activities relevant to the PSOs or individuals who are adversely affected by the activities of the PSOs irrespective of their affiliation with the PSOs.



References

1. African Charter on Human and People's Rights, 1981
2. AU Charter on the Rights and Welfare of the Child, 1999
3. Constitutive Act of the African Union, 2000
4. United Nations Resolution on Women, Peace and Security 1325, 2000
5. Protocol Relating to the Establishment of the Peace and Security Council (PSC) of the African Union, 2002
6. Protocol to the African Charter on Human and People's Rights on the Rights in Africa, 2003
7. UN Secretary General Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13), 2003
8. Solemn Declaration on Gender Equality in Africa (SDGEA), 2007
9. AU Gender Policy, 2009
10. AU Staff Regulations and Rules, 2010
11. PSC Communiqué PSC/PR/COMM.(CDLXI), 461st meeting of 14 October 2014
12. The AU Code of Ethics and Conduct, 2016
13. AUC Harassment Policy, 2016
14. PSC Communiqué PSC/PR/COMM. (DCLXXXIX), 689th meeting of 30 May 2017
15. AU Policy on Conduct and Discipline for PSOs, 2018

1. Background and Context

- 1.1 The African Union (AU) embodies the aspirations, togetherness, and determination of the African people, especially in relation to advancing peace, prosperity, human rights and freedoms for the inhabitants of the African continent. In this regard, an objective of the AU, articulated in its Constitutive Act is to “promote peace, security, and stability on the Continent.” In realising this objective, the AU established the Peace and Security Council (PSC) to, *inter alia*, promote peace, security and stability in Africa and undertake Peace Support Operations (PSOs)³ in accordance with Article 4(h) and (j) of the AU Constitutive Act.⁴
- 1.2 The AU has progressively played an expanded role in African peace support efforts, especially following the establishment of the PSC.⁵ Since its establishment, the PSC has either mandated or authorised PSOs in a number of contexts on the continent, including Burundi, Comoros, Darfur (Sudan), Mali, Central African Republic, and Lord’s Resistance Army affected countries, Somalia, Sahel and the countries of Lake Chad Basin, to cite a few. Moreover, additional efforts have been put in place for the enhancement of the African Standby Force (ASF) in order to address conflict on the continent more swiftly, systematically and effectively. It is in this context, that the AUC is developing various doctrines, policies, guidelines and directives to guide its current and future PSOs.
- 1.3 As this process has been ongoing, one critical gap has emerged in relation to the need to be more cognizant of the role of women in peace processes and the need to address the specific vulnerabilities of women and children in conflict situations. While issues of SEA have been a constant feature of conflicts, it was in the early 1990s that the international community realised its magnitude and began to take collective decisions towards addressing it. Indeed, increased demands have been placed on PSOs to ensure that they are managed in a manner that promotes and protects human rights and empowers and protects women and girls in particular, as well as men and boys, against sexual and gender-based violence (SGBV). It has been recognized that the underlining causes of SEA have been based on gender inequality, discrimination and patterns of violence against women, men, boys and girls. These have particularly highlighted the need to ensure accountability and end impunity for all forms of SEA. This Policy fits into these ongoing efforts to prevent and address violations, and in particular SEA, committed by AU staff and mission personnel.

3 See Article 6 (a) and 9(d) of the PSC Protocol.

4 Article 4(h): The right of the Union to intervene in a Member State pursuant to a decision for the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity; Article 4(j) the right of Member States to request intervention from the Union in order to restore peace and security.

5 The Protocol relating the establishment of the PSC of the AU was adopted in Durban on 9 July 2002.

- 1.4 The AU is committed to eradicating SGBV in Africa. As part of this, the AU has developed a range of instruments that Member States have agreed to adhere to and promote, including the Solemn Declaration on Gender Equality in Africa which, inter alia, committed to initiate, launch and engage sustained public campaigns against gender based violence. On this basis and also in recognition of UNSCR 1325 and the fact that all persons, and women in particular, are especially vulnerable to SGBV in conflict and post-conflict situations, the AU is determined to proactively strengthen measures in AU PSOs to prevent and respond to SEA.
- 1.5 The AU has focused on operationalizing its various instruments on SGBV and SEA through the work of the Women, Gender and Development Directorate (WGDD) and through the appointment of a Special Envoy on Women Peace and Security in February 2014. The AU has also created a specific capacity to address misconduct, including SEA in PSOs at both the AUC HQ and PSO level, including through the work of the Office of Ethics. Similarly, it has also established gender, human rights and child protection capacities and frameworks at the HQ and in PSOs. This Policy is therefore part of this broad effort.
- 1.6 Finally, while recognizing the need to adopt African solutions to African problems, this SEA Policy draws from numerous international instruments, including the AU and UN frameworks, such as the PSC Communiqué of 461th meeting on sexual violence in conflict situations in Africa and the UN Secretary General Bulletin (ST/SGB/2003/13) on Special Measures for Protection from SEA. It also seeks to develop a policy that is responsive to AU experiences in PSOs. In this regard, it has been informed by an assessment conducted in 2014 on SEA in the African Union Mission in Somalia (AMISOM), the AU's largest PSO to date.

2. Rationale

- 2.1 The AU considers SEA as serious misconduct and has a “zero tolerance” approach towards SEA. SEA could also have a particularly detrimental impact on the ability of a PSO to execute its mandate, especially in establishing trust and goodwill and winning the “hearts and minds” of the population. This, in turn, can lead to an erosion of credibility, which can have negative political, legal, military, humanitarian, and security implications for AU PSOs, and ultimately the AU.
- 2.2 The Policy sets the minimum standards to be followed by all AU PSOs. Indeed, each PSO is encouraged to strive for effective standards and to develop their own strategies and procedures to uphold the SEA Policy and the core principles upon which it is based.

3. Scope of the Policy

- 3.1 This Policy shall apply to all AU PSOs and their Mission Personnel for all cases of SEA committed in the PSO mission area whether the individual was on official duty at the time of the offence or not. It also applies to Mission Personnel outside of the mission area when and where they are on official duty and/or performing tasks in the name of the PSO and/or the AUC.
- 3.2 This Policy shall also apply to all personnel in the mission area that provide service(s) on behalf of or in the name of the AU (e.g. contractors and consultants) for all cases of SEA committed in the mission area.
- 3.3 All Mission Personnel are to be made aware of the provisions of this Policy and are expected to comply with the same. This Policy complements the AU Gender Policy (2009), the AU Harassment Policy (2016), the AU Code of Ethics and Conduct (2016) and other documents and guidelines aiming to protect victims and whistleblowers. In addition, it should be read in conjunction with the 2018 draft AU Policy on Conduct and Discipline for PSO, which provides for detailed procedures for addressing acts of misconduct for different categories of mission personnel.
- 3.4 This Policy prescribes what constitutes SEA and what the expected behaviour of AU Mission Personnel entails.
- 3.5 PSOs, mandated and authorized by the AU PSC, are expected to apply and integrate these standards of conduct into their mission documents and processes.

4. Purpose of the Policy

- 4.1 The purpose of the present Policy is to strengthen the AU's prevention and response efforts to SEA and to establish minimum requirements for all AU PSOs in this regard. This Policy therefore seeks to achieve the following four objectives:
- a) Enforcement of the AU zero stance on SEA;
 - b) Strengthen leadership and management engagement, roles and response to SEA;
 - c) Reinforce mechanisms and measures for preventing and responding to allegations of SEA and to ensure that AU personnel involved in SEA are held accountable; and
 - d) Specify the manner and type of assistance, as well as redress that is to be provided to victims and families of SEA by AU PSO Mission Personnel.

5. Guiding Values and Core Principles

5.1 This Policy will be guided by the values and principles stipulated in the Constitutive Act of the AU (2000), the Protocol Relating to the Establishment of the Peace and Security Council of the AU (PSC Protocol, 2002) and the commitments of the AU Heads of State, AU Organs, and Regional Economic Communities (RECs) and Regional Mechanisms for Conflict Prevention, Management and Resolution (RMs), including:

- a) The promotion and protection of all human rights, including women's rights;
- b) The promotion of women empowerment, gender equality and gender mainstreaming;
- c) The condemnation of sexual violence in all its forms and elimination of impunity for sexual violence;
- d) The principles of impartiality, dignity, integrity and mutual respect for others, especially in PSO contexts;
- e) The promotion of good governance, accountability, inclusiveness and meaningful engagement of key stakeholders in AU institutions, including civil society organizations and other non-governmental actors. The promotion of the rule of law, holistic justice and primacy of due process and timely and effective administration of justice;
- f) The application of the principle of subsidiarity to ensure the efficient and effective implementation of the policy at all levels.

6. Acts that constitute SEA and prohibited behaviour

6.1 Sexual abuse refers to any action or behaviour of a sexual nature that coerces, threatens or forces a person to engage in a sexual activity (penetrative and non-penetrative), that they would not otherwise have engaged in, and often without being able to give their consent. Sexual abuse includes the actual or threatened physical intrusion of a sexual nature, and occurs under coercive conditions, which are often reflective of unequal power relations and harmful behaviour.

6.2 Sexual exploitation is the inducement, incitement, coercion and compelling of another person to undertake a sexual activity through abuse of a position of vulnerability, differential power, dependency or trust. Sexual exploitation includes, but is not limited to, exploiting material, monetary, social, psychological and political advantages to induce a person to engage in a sexual activity. In this context, sexual exploitation applies not only to actual sexual activity but also to

an attempt to engage in such activity. An act of sexual exploitation occurs when the particular person would have had no substantial option, and no reasonable choice but to succumb to pressure to engage in a sexual activity. Sexual exploitation is harmful and exploitative behaviour which occurs in the context of hierarchical interactions and relationships.

6.3 Acts that constitute SEA are prohibited behaviour and include acts outlined in paras (a) to (d). Some of the acts outlined can be overlapping (e.g. exchange of money, employment, goods and services for sex, and transactional sex):

- a) Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is considered to be **sexual exploitation** and is therefore prohibited. This includes any exchange of assistance that is due to the local population, participants and/or beneficiaries of assistance, for sex.
- b) Any action or behaviour of a sexual nature that coerces, threatens or forces a person to engage in a sexual activity (penetrative and non-penetrative) is considered to be **sexual abuse**. Sexual abuse of the local population, participants and/or beneficiaries of assistance is prohibited.
- c) Sexual activity involving children of the local population, participants and/or beneficiaries of assistance is prohibited, regardless of the age of majority or age of consent locally. Mistaken belief as to the age of a child is not a defence.
- d) Transactional sex is prohibited, since it is based on inherently unequal power dynamics. Such relationships undermine the integrity and credibility of Mission Personnel, PSOs and the AU at large.

6.4 Additionally, sexual relationships between any member of Mission Personnel (military, police or civilian) and members of the local population are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships may undermine the credibility and integrity of the mission. A PSO might make a mission specific determination to prohibit sexual relationships with local population entirely, as deemed necessary.

7. **Duty of personnel to prevent and report SEA**

7.1 All mission personnel are obliged to create and maintain an environment that prevents SEA and have the duty to promote the implementation of the present Policy. Mission leadership at all levels have particular responsibilities to support and develop systems that maintain this environment.

- 7.2 When Mission Personnel observe suspicious conduct or when they become aware through other means of suspicious conduct occurring regarding SEA by other Mission Personnel, they have a duty to report such concerns via the existing reporting procedures established in the PSO.

8. Consequences of SEA

- 8.1 Consequences of committing SEA are as follows:

- a) SEA by Mission Personnel are acts of serious misconduct and are therefore grounds for disciplinary action, including termination of employment, contracts and other engagements with the AU, as well as criminal prosecution, depending on the circumstance of the SEA. SEA could also constitute violations of norms of International Humanitarian Law and International and Regional Human Rights Law;
- b) Any Mission Personnel found to have committed SEA will no longer be eligible to serve as personnel for the AU or AU PSOs in any capacity;
- c) Companies that have knowledge that their personnel and/or agents have been/are engaged in SEA and take no measures to prevent and respond to SEA, will be ineligible for any contract with the AU or AU PSOs;
- d) Any Mission Personnel found to have committed SEA shall be required to provide assistance and/or to pay redress to the victim(s) and their families in accordance with the provisions outlined in Section 10;
- e) The PSO, T/PCCs, countries sending civilian personnel and the AUC are all expected to facilitate the provision of support to children born as a consequence of SEA and shall put in place mechanisms to support and facilitate this process, taking into account the provisions set out in Para. 10.24, below.

9. Overall approach and considerations

- 9.1 This Policy shall be implemented in all AU PSOs with guidance and support from the appropriate Departments and Offices within the AUC, including PSD, especially PSOD, the WGDD and the Office of the Special Envoy for Women Peace and Security. The AUC, through PSOD, will work in consultation with these Departments and Offices, as well as PSOs, to develop further operational guidelines and procedures as may be necessary.
- 9.2 At the PSO level, the Head of Mission (HOM) is expected to provide leadership and ensure that this Policy is implemented. In this role, the HOM will be supported by the Conduct and Discipline Unit or focal point, as well as the

security, legal, police, human rights, gender and other relevant civilian capacities in the PSO. S/he may also call on any other capacities that s/he deems appropriate. In this regard, it may be prudent for the HOM to constitute a multifaceted working group to support him/her in this role.

10. Key Actions to be taken in respect of PSOs on SEA

10.1 The following are the key actions that each PSO is required to take, structured around four interlocking areas:

- a) Leadership engagement and responsibilities;
- b) Prevention efforts;
- c) Complaint and response mechanisms;
- d) Victim assistance and redress.

Leadership engagement and responsibilities

AUC

10.2 The AUC shall ensure that a Conduct and Discipline Office/Unit or focal point is established in the PSO at its inception.

The Head of Mission

10.3 The HOM shall ensure proper functioning of the Conduct and Discipline Office or Unit. In addition, s/he is required to ensure that this capacity is accessible to local communities in the host nation. In this regard, s/he might consider designating focal points dealing with SEA in the regions and sectors, as may be appropriate, to support the implementation of this Policy.

10.4 The HOM is responsible for creating and maintaining an environment that prevents SEA, and shall take appropriate measures for this purpose. In particular, the HOM shall ensure that all Mission Personnel are made aware of this Policy and informed of the AUC's approach and response to SEA. In this regard, the HOM shall ensure the development of a mission-specific work plan to prevent and respond to SEA.

10.5 The HOM shall ensure that at the Mission level, all components (military, police and civilian) consistently and regularly incorporate reports on SEA in their progress reports.

10.6 The HOM shall ensure that at the Mission Level, this policy is disseminated and reflected in, Terms of Reference and contracts, as appropriate.

- 10.7 The HOM shall be responsible for providing periodic reports to the AUC on SEA, as specified in the monitoring and reporting section of this Policy.

Senior Mission Leadership Team

- 10.8 The Senior Leadership Team, officers and supervisors are required to support the HOM in his/her role, and to ensure that all Mission Personnel comply with this Policy.

Prevention Efforts

AUC

- 10.9 The AUC shall establish a mechanism to verify prior perpetrators of SEA are not deployed or redeployed to AU PSOs, in compliance with applicable laws and to the best of the AU's abilities. This should include engaging with AU Member States to ensure that they perform thorough vetting and screening as well as background and criminal reference checks of military and police personnel during pre-deployment verifications and of civilian personnel upon a request from the AUC.
- 10.10 The AUC shall ensure that the provisions of this Policy are included in the guidelines and other issuances provided to countries sending personnel to a PSO prior to the deployment.
- 10.11 The AUC shall ensure the MoU it enters with T/PCC contain clauses on what needs to be done in cases of SEA.
- 10.12 During Pre-Deployment Verification (PDV) visits, the AUC shall make sure that training on matters relating to SEA are included and conducted prior to deployment to the mission area.
- 10.13 The AUC in collaboration with PSOs shall incorporate SEA in all induction material and other relevant codes of behaviour for Mission Personnel.
- 10.14 The AUC shall ensure that when entering into agreement with other actors and partners, the agreements:
- a) Incorporate the present Policy as an Annex;
 - b) Include a commitment by such actors to comply with this Policy;
 - c) Expressly state that failure by partners to adhere to this policy shall constitute grounds for termination of such agreements or contracts; and

- d) Institute some mechanisms which would allow for the compliance of such contractual obligations.

AU PSOs

- 10.15 PSOs shall be required to have in place concerted campaigns against SEA throughout the life of the mission. These campaigns shall be both internal and external, and shall clearly enunciate the position of the specific PSO and the AU on SEA. Information Education Communication (IEC) materials such as videos, brochures, posters, pamphlets, T-Shirts, billboards, and jingles shall include contact information of designated officials and offices for receiving complaints, whenever appropriate. The external campaign shall especially endeavour to use platforms and mediums accessible to the most vulnerable members of the population, such as NGOs' fora, radio, community theatres, cinemas, religious institutions, community fora, billboards, amongst others.
- 10.16 PSOs shall engage and consult with host communities and governments in determining and implementing measures for preventing SEA.
- 10.17 Mission leadership, including Contingent Commanders, Battalion Commanders and Unit Commanders, as well as Managers and Supervisors at all levels, have a particular responsibility to support, implement and develop systems that maintain an environment that prevents SEA, based on the overall leadership of the HOM and guidance from the AUC.

Mission Personnel

- 10.18 All Mission Personnel are obliged to create and maintain an environment that prevents SEA.

Troop and Police Contributing Countries

- 10.19 It is the responsibility of T/PCCs to inform and keep the AUC updated on actions they have taken in respect of SEA.
- 10.20 T/PCCs are expected to integrate training/sensitization sessions on prevention and response to SEA as part of compulsory pre-deployment training prior to deployment of any contingent/unit to an AU PSO. Training on SEA will be a pre-condition for individual deployments as well.

Complaint and Response Mechanisms

- 10.21 The HOM shall ensure that the proper procedures are in place in PSOs for the Conduct and Discipline Office/Unit or focal point, serve to receive complaints and coordinate all the other mechanisms established for receiving complaints. The

Conduct and Discipline Office/Unit or focal point or any other mechanism established to receive complaints shall ensure:

- a) Accessibility to the community, especially women and children;
- b) Security of the mechanism (this does not preclude non-physical mechanisms, including via email, mobile communications, amongst others);
- c) Confidence of the community in the mechanism;
- d) Confidentiality of the mechanism; and
- e) Respect for the culture and practices of the host community, provided that such culture and practices are not contrary to human rights norms and standards.

10.22 AU PSOs shall take appropriate measures to preserve the confidentiality and anonymity of victims and complainants in order to protect them against stigmatization, backlash and other negative implications for having reported SEA. Any action in the interest of the victim shall be guided by his/her informed consent.

10.23 In consultation with the AUC, and in strict adherence with the relevant provisions of the AU Whistleblower Policy (once adopted), the PSOs shall take appropriate action, using the resources and means at their disposal, to protect these persons from discrimination, retribution or retaliation when allegations of SEA are made.

10.24 The process to be followed in order to address allegation of SEA in respect of each of the categories of PSO Mission Personnel (military, police, civilian) is outlined in the AU Policy on Conduct and Discipline for PSO.

10.25 The HOM, in consultation with the Conduct and Discipline Office/Unit or focal point, shall ensure that investigations of allegations of SEA are timely, sensitive, confidential and impartial, and carried out in a professional manner. Where there are any concerns about the manner in which the investigation is being carried out, such concerns shall be brought to the attention of the AUC, through the appropriate channel.

10.26 While investigations are still being conducted, and if necessary, the HOM, in consultation with the Conduct and Discipline Office/Unit or focal point or other designated office/focal point, may implement interim measures if this is in the best interests of and for the safety of the victim, the PSO and/or the integrity of the investigation process.

10.27 The HOM shall inform the AUC of any allegation of SEA in a timely manner. It is the AUC's responsibility to follow-up with T/PCCs for military or police personnel and with relevant Member States for civilian personnel implicated in, or accused of perpetrating SEA. The objective is to ensure that necessary and appropriate action against alleged perpetrators of SEA is taken and that victims and families of SEA are supported and/or compensated.

10.28 Frequent feedback and communication with complainants and victims on the progress of their cases against alleged perpetrators of SEA is vital. Regular feedback and communication not only assure the complainants, victims, local populations and host communities that the AU PSO, and by extension the AU, take the allegations of SEA seriously, but also facilitates trust-building, healing and closure. The involvement of victims and complainants may include their participation in proceedings, in case they wish so. At the conclusion of the investigation, the complainant and victims should be informed about the outcome and the steps that have been taken towards redress.

10.29 When SEA has generated community, public or media interest, the PSO shall adopt, as appropriate, the measures described in the Policy on Conduct and Discipline for PSOs on engagement with the public and media.

Victim Assistance and Redress **Considerations in providing redress**

10.30 In cases of SEA, victims have the right to remedy for harm suffered, which entails access to justice, reparations and being informed about the process that concerns them. Comprehensive, timely and responsive assistance and/or redress shall be provided to complainants, victims as well as children born as a result of SEA. The main principles that should guide any assistance to be provided to victims and complainants are outlined in paragraph 10.34, below. However, the three overriding considerations when providing assistance are:

- a) The best interests of the victims and any children born as a result of SEA, including the need to ensure that assistance and/or redress does not do any harm, such as causing stigmatization or increasing the trauma suffered by victim(s);
- b) The resources available and accessible to the PSO; and
- c) The need to provide assistance and/or redress in such a manner as to minimize disparities amongst similar or comparable cases, taking into consideration the context of the PSO and the specific circumstances of each case.

- 10.31 The AUC shall ensure that resources for provision of assistance and redress to complainants and victims are specifically designated for this purpose in the budget of the PSO.
- 10.32 Victims should also be entitled to obtain assistance and/or redress from the perpetrator(s), country of origin of the perpetrator(s), and from other sources that the PSO may identify and deem appropriate. The AUC shall support the victims with such claims.

Mechanism for providing assistance and redress

- 10.33 While underlying the primary responsibility of T/PCCs to assist and compensate victims of SEA committed by their personnel, the AUC shall also establish a mechanism to support the provision of victim assistance and/or redress for SEA victims and their families, in consultations with a PSO. Such a mechanism shall be supported by the Conduct and Discipline Office/Unit or focal point and/or the gender, civil affairs, political or human rights offices/units, Ethics Office or any other relevant unit. This mechanism should have its own working procedures and shall consider various ways and means for assisting victims and ensuring that victims and their families receive redress for SEA.
- 10.34 In reviewing cases and requests for assistance and/or redress, the established mechanism in the AU PSOs shall consult with local NGOs, community based organizations, community leaders and any other relevant individuals in order to make informed and prudent decisions.
- 10.35 Victims should receive individually tailored assistance and support in accordance with their individual needs directly arising from the SEA. This assistance and support can comprise logistical support (travel, accommodation, & interpretation), medical care, legal services, psycho-social support, immediate material care, such as food, clothing, emergency medical care, as well as emergency and safe shelter, as necessary. This can also include a referral to another organization, NGO or other body that is capable to provide an adequate assistance to the victim, when available. The redress may also consist of a monetary or material redress as well as other forms of redress such as public apologies, acceptance of responsibility for the action and the harm suffered, among others.
- 10.36 Upon determination of the type of assistance and/or redress to be provided to the victim, the PSO shall designate an official and/or office to facilitate the provision of assistance and redress. The mechanism established for this purpose shall follow-up on a regular basis to ensure that the assistance and/or redress is provided and may call on the HOM or any other Office in the PSO for assistance, if required. The case will be considered closed once the victim has been fully assisted and can meet the needs arising from the SEA independently. In cases

where redress is to be provided, the case will be considered closed once the redress to be provided has been received and acknowledged by the victim.

10.37 The mechanism established for victim assistance shall keep proper and secure records of its communications and deliberations with the victims, their families and non-governmental actors and prepare an annual report of all victims assisted. Such report shall include all relevant information, including the type of assistance provided, the cost of the assistance provided, and the current circumstances of the victims, to the best of the PSO's knowledge. The report shall also indicate whether the matter is closed or ongoing, and highlight any aspects that require additional follow-up with national authorities. This report shall be forwarded to the AUC, through PSOD, for review, consideration and further action, as appropriate. Where the interest of the victim so requires, the reporting procedure shall ensure confidentiality in reporting on victim assistance or identity of victims and incidents.

10.38 In carrying out this role, the mechanism of assistance established in a PSO shall develop a secure system for tracking and following up on all cases of assistance and redress.

10.39 The AUC, through PSO, should equally be kept informed of all cases of assistance and redress provided by T/PCCs by their own means and through their own mechanisms.

Guiding principles in providing assistance and redress

10.40 The AUC, PSOs, P/TCCs and countries sending civilian personnel to PSOs shall consider all cases that require assistance and/or redress as a result of SEA and determine the nature of the assistance and/or redress in each case. In so doing they shall be guided by the following principles:

- a) Victims, especially victims of SEA, are generally vulnerable, disadvantaged, and have minimal or no education and resources. They are often ostracized and shunned by their communities. Consequently, in order for them to relay and follow through with a complaint, they may require help from another person in whom they have confidence and who can represent their interests, serve as a facilitator and act as their "voice" in the process. Accordingly, the mechanism should consider appointing a Victim Advocate/Facilitator for all cases of SEA in the PSO. The Victim Advocate/Facilitator need not be Mission Personnel, but could be from within the community or from various non-governmental actors. The critical considerations should be that the victim has confidence in the Victim Advocate/Facilitator and s/he is willing and able to act as Victim Advocate/Facilitator.

- b) The acceptance of assistance and/or redress is voluntary. Consequently, the victim should not be forced or coerced into accepting assistance and/or redress. Accordingly, the rights of the complainants, the victim and of any child born as a result of SEA, is to be respected. This includes the right to refuse certain assistance or to refrain or withdraw from participating in an assistance program. Therefore, it is good practice to obtain the consent of the victim that s/he accepts the assistance and/or being provided in a verifiable form.
- c) The provision of assistance to victims or complainants should be treated separately from the allegation and investigation processes. Assistance must not be made contingent on the complainant's cooperation in an investigation process.
- d) Assistance should complement, rather than duplicate existing support to survivors of abuse and violence and, to the greatest extent possible should be integrated into existing programmes. Consequently, the AUC should consider entering into arrangements with NGOs to provide assistance directly to the victims and in turn either reimburse the NGOs directly or provide support to the NGOs.
- e) Assistance and/or redress provided to complainants, victims and children born out of SEA should not discriminate on the basis of any social category, including gender, age, ethnicity and educational background, among others.
- f) The provision of any assistance and support by the PSO is not an acknowledgement that the claims of SEA have any validity.

Specific requirements in providing redress

- 10.41 Children born out of SEA by Mission Personnel are to be assisted in obtaining child support from their parents, including through legal, diplomatic and other appropriate means required to ensure that they obtain the support expediently and consistently.
- 10.42 The duration of the provision of assistance should be set in accordance with individual needs directly arising out of the SEA. The aim is to enable, in the most expedient and efficient way, the person receiving assistance to address such needs independently.

11. Reporting and Monitoring

- 11.1 The Mission shall maintain a secure up-to-date record of all cases under this Policy, both as standalone records and as part of the overall recording of misconduct cases in the misconduct database tracking system, once established.

11.2 AU PSOs shall report to the AUC regularly, at least once a month, on all allegations of SEA, including the actions that the PSO is taking or has taken. The report shall also indicate any support or guidance that the PSO may require from the AUC. Such internal reports shall maintain confidentiality of the identity of the victim and the incidents and sharing of information shall be made on a need-to-know basis.

11.3 AU PSOs shall provide annual reports on SEA that include the following:

- a) A comprehensive list and analysis on all allegations of SEA in their respective PSOs and the actions taken or required to be taken by the AU and national authorities, with due regard to confidentiality and integrity of evidence;
- b) A comprehensive analysis on the state of play in relation to SEA in the PSO, including an analysis on trends, patterns and nature of SEA, if it is occurring;
- c) A description and analysis of the actions and major gaps, under the four broad themes of:
 - i) leadership engagement;
 - ii) prevention;
 - iii) complaint mechanisms; and
 - iv) response and victim assistance, taken by the mission to address SEA.
- d) Identification and analysis of the bottlenecks and actions taken or planned to be taken to address and mitigate against the impact of SEA;
- e) Best practices and lessons learned that have emerged with respect to the implementation of the SEA Policy;
- f) Concrete recommendations on this Policy, including its effectiveness, applicability and areas where the Policy could be further strengthened.

11.4 The AUC shall compile this information from all AU PSOs and prepare a comprehensive report for submission to the PSC regularly, taking into account confidentiality and sensitivity of the information provided by PSOs.

12. Entry into Force

12.1 This Policy will take effect following the endorsement by the Specialized Technical Committee on Defence, Safety and Security.

12.2 This Policy can be amended and revised periodically, as and when necessary.



**DECLARATION ON WTO ISSUES
7TH MEETING OF THE AFRICAN MINISTERS OF TRADE
CAIRO, EGYPT, 12-13 DECEMBER 2018**

WE, the Heads of State and Government of the African Union, meeting at the 32nd Ordinary Session of the Assembly of the Union in Addis Ababa, Ethiopia, from 10 to 11 February 2019, **ADOPT** the declaration of the Ministers of Trade of the Member States of the African Union, held in Cairo, Egypt, on 12 and 13 December 2018, at the occasion of the 7th Meeting of the African Ministers of Trade (AMOT) (as annexed).



**ANNEX TO THE DECLARATION ON WTO ISSUES
7TH MEETING OF THE AFRICAN MINISTERS OF TRADE
CAIRO, EGYPT, 12-13 DECEMBER 2018**

“WE, Ministers of Trade of the Member States of the African Union, meeting in Cairo, on 12 and 13 December 2018, at the occasion of the 7th Meeting of the African Ministers of Trade (AMOT) in order to, amongst other things, review the state of play in the WTO negotiations, following the outcome of the Eleventh WTO Ministerial Conference;

Took Note of the recent developments at the WTO since our last meeting on 18 September 2017, including the rise in trade protectionist measures that have been challenged as being in breach of WTO rules and principles, the Appellate Body impasse, and new negotiating proposals by a few Members that include calls to change the rules and procedures in the WTO;

Also Took Note of the informal processes amongst groups of Members in the Joint Statement Initiatives on electronic commerce, investment facilitation, domestic regulation, and micro, medium and small enterprises and acknowledged that some African Group Members participate in these informal processes;

Concerned with the multiple difficulties and challenges faced by African countries who are in the process of acceding to the WTO;

Acknowledged and Welcomed developments to achieve the objectives of the African Union’s ‘Agenda 2063: The Africa We Want’, through a rules-based governance system established by the African Continental Free Trade Area (AfCFTA);

Reconfirmed our pledge to work on supporting efforts in the Multilateral Trading System that promote and defend Africa’s interests in line with the African Union’s ‘Agenda 2063: The Africa We Want’, and recognised the need to build coherence by ensuring that the African Group’s negotiating objectives at the WTO fully support the AfCFTA objectives for continental industrialisation, structural transformation and integration;

Welcomed the growing recognition of the importance of industrial policy for development;

AGREED TO:

1. **REITERATE** our concern with the lack of progress on issues of longstanding importance to Africa;

2. **REAFFIRM** positions adopted in the AMOT Ministerial Declaration of 30 November 2016, notably African Trade Ministers' (AMOT) commitment to meaningful outcomes on trade distorting domestic support, cotton, public stockholding for food security purposes, the special safeguard mechanism and Special and Differential Treatment (SDT); **RECOGNISE** the challenges faced by Net Food-Importing Developing Countries (NFIDCs) and **EMPHASISE** that any outcome in agriculture negotiations shall accord flexibilities to address NFIDCs and Least Developed Countries (LDCs) particular situation;
3. **RECALL and REAFFIRM** the importance of implementing WTO Ministerial and General Council Decisions and Declarations adopted since Doha in 2001, which keep development at the centre of the work program;
4. **REAFFIRM** the importance of the negotiations on fisheries' subsidies and the need for SDT for African countries to guarantee policy space necessary to strengthen their fishing industries and capacities for economic and social development;
5. **REITERATE** our concerns that the Aid for Trade Initiative should contribute to meeting the objectives of trade-related capacity-building, overcoming supply-side constraints, infrastructure development, or facilitating the integration of developing economies, in particular LDCs, in regional and global trade in ways that support their development. We call upon Member States to strengthen and improve the Aid for Trade Initiative so that it delivers real benefits to recipient developing countries and LDCs and to avoid conditioning its implementation to the participation on negotiating new issues in the WTO;
6. **COMMIT** to strengthen, in close coordination with Ministries responsible for Trade, on our common positions and stay abreast of all developments at the WTO, and ensure that development remains an integral component of all negotiating outcomes for all African economies in line with the Doha Development Mandate;
7. **REITERATE** our commitment in pursuing outcomes on Special and Differential Treatment in line with Paragraph 44 of the Doha Ministerial Declaration;
8. **REAFFIRM** that the SDT shall be an integral part of all WTO agreements and future multilateral outcomes and shall be embodied, as appropriate, in schedules of concessions and commitments and in the rules and disciplines, so as to be operationally effective and to enable developing countries, in particular LDCs in Africa, to effectively address their development needs in line with Africa's industrial development priorities as encapsulated in the African Union's Agenda 2063 on structural transformation and industrialisation;

- 
9. **INVITE** all WTO Members to extend to African graduating countries the existing SDT measures and exemptions available to LDCs for a period appropriate to the development situation of those countries;
 10. **PLEDGE** support to African countries in the process of WTO accession and urge Members to desist from making unreasonable requests on African acceding countries to extend any commitments made as a result of their membership to the AfCFTA or that are inconsistent with their levels of development;
 11. **UNDERScore** that Africa's priority trade policy objective is the AfCFTA that will build a Single African Market for Trade in Goods and Services, and to ensure that WTO outcomes do not undermine those objectives;
 12. **RE-COMMIT** to a rules-based Multilateral Trading System that is fair, equitable, inclusive and development-oriented, and that prioritises Africa's interests;
 13. **REAFFIRM** the importance of preserving and adhering to the principles and procedures of the WTO as established in the Marrakech Agreement. These include: the architecture for Development and Special and Differential Treatment, for developing countries and least developed countries; the procedures and principles governing plurilateral agreements; a multilateral mandate as the necessary prerequisite to advance any negotiating proposal at the WTO and the WTO Secretariat preservation of its international stature and constant stance above the partisan position of Members;
 14. **OPPOSE** unilateral trade measures and call on WTO Members to refrain from any and all measures that undermine WTO principles and the rules-based multilateral trading system;
 15. **URGE** that priority attention is given to resolving the Appellate Body impasse and commit to work with all WTO Members to find mutually agreeable solutions, while preserving the essential features and integrity of the system;
 16. **INSIST** that any discussions on the future of the WTO shall include the views and interests of the African Group and address the core issues of development and inclusiveness;
 17. **INSTRUCT** officials to work towards a common position on the WTO Reform.

DECLARATION ON THE SITUATION IN PALESTINE AND THE MIDDLE EAST

WE, the Heads of State and Government of the African Union, meeting at the 32nd Session of the Assembly of the African Union held in Addis Ababa, Ethiopia, on 10 and 11 February 2019;

Taking Note of the report on the situation in Palestine and the Middle East and recalling all the previous resolutions and decisions adopted by the Organization of African Unity/African Union on the situation in Palestine aimed at achieving a lasting peace and security in the Middle East;

Reaffirming our full support for the Palestinian people and the Palestine Liberation Organization in their legitimate struggle against the Israeli occupation, under the leadership of President Mahmoud Abbas, in order to restore their inalienable right to establish an independent Palestinian State existing side by side with the State of Israel;

Reiterating our desire to find a peaceful political settlement to the Arab-Israeli conflict in accordance with the principles of international law and all relevant United Nations (UN) resolutions calling for the establishment of a Palestinian State on the borders of 4 June 1967 with East Jerusalem as its capital on the basis of the two-state solution and in conformity with the UN Resolution 194 on the return of Palestinian refugees;

Renewing our call for the resumption of negotiations between the two sides to achieve a just, comprehensive and lasting peace in the Middle East and in support of all initiatives aimed at finding a lasting solution to the Palestinian-Israeli conflict;

Committed to negotiations through an international multilateral mechanism that includes all permanent status issues, borders, security, settlements, refugees, water and prisoners, premised upon international human rights and humanitarian law, ensuring that the agreements are implemented within a specified period of time and providing guarantees for implementation;

Restating the steadfastness of our position in support of the just Palestinian cause and the continued efforts of the Union to achieve a comprehensive and durable peace for the Palestinian people;

Renewing our call to all countries to uphold the legitimate legal status of the city of East Jerusalem as the capital of the State of Palestine and to refrain from any action or act that would undermine the legitimate status of the city of Jerusalem, in particular to refrain from transferring embassies accredited to Israel from Tel Aviv to Jerusalem. We look forward to Member States to abide by the decisions reflecting the African consensus and the Union's policy on the Palestinian issue;

Reaffirming that all settlements in the West Bank, East Jerusalem and the Syrian Golan Heights are null and void and **CONDEMN** the policy of land confiscation, house

demolitions, forced displacement of civilians, policies of racial discrimination and all measures of collective punishment implemented in the course of intensive colonial activities in the Occupied Palestinian Territory, which constitute a violation of and a war crime under international law;

HEREBY DECLARE as follows:

1. **DENOUNCE** all repressive measures of occupation, and the policy of torture and execution in the field against Palestinian citizens, especially targeting medical personnel, children, women and people with special needs who go about their business and/or demonstrate peacefully. We consider them crimes against humanity and war crimes in accordance with the Fourth Geneva Convention. We call for the urgent international protection of the Palestinian people under occupation in accordance with the decisions of the international community.
2. **REITERATE** various decisions of the African Union reaffirming the entire territory of East Jerusalem as the capital of the State of Palestine within the borders of 4 June 1967 and **CALL FOR** the preservation of the sanctity of the Christian and Islamic holy sites in the holy city and the freedom to practice the religious rites of the heavenly religions and **FURTHER CALL ON** all Member States in their relations to take into account the specificity of East Jerusalem as the eternal capital of the State of Palestine.
3. **DEPLORE** the successive Israeli policies aimed at “judaization” of the city of Jerusalem and its historical, legal and demographic nature, and the continuous aggression against Islamic and Christian holy sites, which imposes strict security restrictions on the worshipers and restricts freedom of worship in the Holy City and **CALL UPON** the UN to monitor the implementation of UNESCO's decision of 26 October 2016 concerning Jerusalem and to ensure the full implementation of the decision;
4. **CONDEMN** the policy of ethnic cleansing through forced displacement, house demolitions and the policy of racial discrimination practiced by the Israelis against Palestinians in occupied East Jerusalem through evacuation orders for Palestinian Bedouin communities in the Red Khan in the vicinity of Jerusalem, whose aim is to isolate the holy city, cut off its geographical connection with the territories of the occupied West Bank in 1967, and achieve the demographic superiority of the settlers over the owners of the land of Jerusalem;
5. **ALSO CONDEMN** the Israeli settlement plans being implemented at an accelerated pace in the Occupied Palestinian Territory, including East Jerusalem, the capital of the State of Palestine, and the Jordan Valley in contravention of the rules of international law, in particular Security Council Resolution 2334;
6. **IMPLORE** all African countries to end all forms of direct and indirect dealings with the illegal Israeli colonial settlement system in the territory of the State of

Palestine, including East Jerusalem, in conformity with the provisions of paragraph 5 of Security Council Resolution 2334 and the previous AU decisions in this regard;

7. **REJECT** the racist Jewish National Law, which recognizes the Jewishness of the State of Israel, restricts the state and citizenship to the Jewish people only, denying two million Arab Palestinians (Muslim and Christian) their fundamental human rights and supports the confiscation of Palestinian land in favour of Israeli settlement;
8. **RENEW** our support for the vision and initiative of President Mahmoud Abbas for peace presented to the Security Council on 20 February 2018, which is based on the outcomes of international legitimacy and the Arab Peace Initiative, through international multilateral mediation, within a specific time frame and **DEPLORE** the campaign of incitement and distortion aimed at Palestinian President Abbas and the Palestinian leadership;
9. **CONSIDER** that the Palestinian refugees are all Palestinians who have been displaced from the historic land of Palestine since the Nakba in 1948, or left before this date and could not return, all of whom must enjoy the absolute right to return to their lands and homes, while retaining the right to just compensation for the harm suffered;
10. **REJECT** the measures aimed at the liquidation of UNRWA services and warn of the consequences of the US administration's attitude toward the Palestinian refugees, which contravenes the provisions of UN Resolution 194 and **CALL FOR** the enhancement of the institutional capacity of the Agency in accordance with the UN General Assembly Resolution No. 302;
11. **SUPPORT** the legitimate Palestinian right to full membership of the UN and call upon Member States to render solidarity to the State of Palestine in its efforts to join international organisations and **SUPPORT** the vision of the Palestinian leadership for a final solution to the conflict, in accordance with the two-state solution, which enjoys international consensus, the rejection of partial and incomplete solutions and the idea of a provisional state;
12. **CONDEMN** Israel's adoption of a law that would sanction the execution of Palestinian prisoners, which constitutes a clear violation of all international laws, charters and conventions that guarantee the protection of civilians and prisoners during war and **CALL UPON** the international community to stand up against these arbitrary measures;
13. **EXPRESS** our deep concern about the deterioration of the economic and humanitarian conditions in the Gaza Strip as a result of the Israeli blockade and hold the Israeli occupation fully responsible for the situation in the Gaza Strip; **BELIEVE** that the crisis in the Gaza Strip is an occupation crisis and that this

crisis should be dealt with by ending the occupation and enabling the geographical and political unity of the Palestinian territories between the West Bank and the Gaza Strip and **CALL ON** the international community to work to end this unjust Israeli blockade;

14. **AFFIRM** that a just solution to the Palestinian cause and the achievement of comprehensive peace and an end to the Israeli conflict can only be achieved through the establishment of a sovereign Palestinian State on the borders of 4 June 1967 in the West Bank and Gaza Strip, with East Jerusalem as its capital and not as a capital on the outskirts of East Jerusalem, and that there is no possibility of a political settlement and an end to the conflict with the establishment of a State in the Gaza Strip or a Palestinian State without the Gaza Strip;
15. **REITERATE** that a just, comprehensive and lasting peace in the Middle East requires full Israeli withdrawal from all occupied Palestinian and Arab territories to the June 1967 line, including the Syrian Golan Heights and the territories still occupied in Southern Lebanon;
16. **CONDEMN** the arbitrary measures and sentences imposed on detainees, especially children and women, in Israeli jails, which deprive them of the minimum rights guaranteed by international humanitarian law and international human rights law, **THEREFORE, CALL UPON** the Israeli Government to release all Palestinian and Arab prisoners in Israeli jails immediately and unconditionally;
17. **COMMEND** H.E. Juan Carlos Varela Rodriguez, President of Panama, for cancelling the decision of his predecessor to move the Embassy of his country in Israel from Tel Aviv to Jerusalem and **URGE** all countries who moved their Embassies to Jerusalem to reconsider their decision.

**DECLARATION ON THE AFRICAN UNION THEME OF THE YEAR 2019:
“THE YEAR OF REFUGEES, RETURNEES AND INTERNALLY DISPLACED
PERSONS: TOWARDS DURABLE SOLUTIONS TO FORCED
DISPLACEMENT IN AFRICA”**

WE, the Heads of States and Governments of the African Union meeting at the 32nd Ordinary Session of the Assembly from 10 to 11 February 2019 in Addis Ababa, Ethiopia, to launch the Theme of the Year 2019: ***‘The Year of Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa’***;

MINDFUL that there are deeper structural and multi-layered factors that continue to trigger forced displacement, including socio-cultural and politico-economic challenges, that result in underdevelopment, inequality, poverty, including disparity between women and men, sexual and gender-based violence, intolerance and mismanagement of diversity, bad governance, mismanagement of natural resources, corruption and conflicts;

CONCERNED about the scale and complexities of forced displacement and protracted humanitarian situations that continue to ravage countries and communities across the continent owing to, inter alia, civil strife and violent conflicts, human rights violations, persecution, governance deficits, impunity, natural disasters and calamities, effects of drought and climate change, terrorism and violent extremism resulting in 6.3 million refugees and asylum seekers and 14.5 million internally displaced persons (IDPs);

REAFFIRMING that the Theme of the Year 2019, on refugees, returnees and IDPs, presents an auspicious historical moment as it brings to fore the Africa’s continued exemplary level of shared solidarity towards displaced populations, in the spirit of Pan-Africanism, at a time when displaced persons are faced with discrimination and xenophobia in many parts of the world;

COMMITTED to striving towards realisation of the noble goals of ‘Agenda 2063 - The Africa We Want’ by addressing the structural root causes of forced displacement and by implementing durable solutions to humanitarian crises and forced displacement in Africa;

RECOGNIZING that year 2019 marks the 50th Anniversary of the adoption of the 1969 **Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (OAU Refugee Convention)** as well as the 10th anniversary of the adoption of the 2009 AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), key instruments for Member States to prevent displacement, respond to the material and protection needs of the displaced populations and find solutions to humanitarian crises situations;

NOW HEREBY DECLARE:

A) On the 50th Anniversary of the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa and 10th Anniversary of the Kampala Convention:

1. **CALL ON** all Member States to sign, ratify, domesticate and implement the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, the AU Convention on Internally Displaced Persons (IDPs) and other relevant policy frameworks dealing with forced displacement and associated humanitarian crises including the Common African Position on Humanitarian Effectiveness;
2. **REQUEST** Member States, the Commission, humanitarian and development partners to mobilize resources for implementation of the instruments and to strengthen structures for monitoring compliance and accountability;
3. **UNDERTAKE** to mark the 50th anniversary of the adoption of the 1969 OAU Refugee Convention as well as the 10th anniversary of the 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) in 2019 in partnership with key national, regional, continental and international partners including the United Nations System.

B) On Addressing the Root Causes:

4. **RECOMMIT** to address the structural root causes of protracted violent conflicts, terrorism and violent extremism, natural disasters and calamities, climate change, governance deficit, diversity mismanagement, human rights abuses and other factors have led to a large number of forced displacement;
5. **ENSURE** that efforts are made to guarantee sustainable peace and security, democracy and socio-economic development pursuant to the noble goals of Agenda 2063 towards silencing guns and ending all wars in Africa by the year 2020;
6. **URGE** Member States to prevent forced displacement through better understanding of the drivers of displacement and develop plans and policies that implement early and broad-based political actions and strategic responses that deal with the multi-faceted and context-specific root causes for displacements in Africa;
7. **REQUEST** the Commission to work with Member States, the Regional Economic Communities, international humanitarian and development partners to support Member States in implementing the prevention agenda of the African Union as stipulated in Agenda 2063, the African Governance Architecture (AGA), the African Peace and Security Architecture (APSA), as well as the AU's strong legal

and policy frameworks governing human rights, situations of forced displacement and attendant humanitarian crises in Africa.

C) On Finding Durable Solutions to Forced Displacement:

8. **RECOGNIZE** that protracted displacement require concerted, holistic and multi-layered strategy for their durable solution involving Member States, RECs, humanitarian and development partners at national, regional, continental and global levels and, therefore, **REQUEST** the Commission to enhance greater partnerships to address protracted displacement situations;
9. **COGNIZANT** of the reality that conflicts pose a political challenge to the continent resulting in displacement and humanitarian crisis and aware that such challenges fundamentally require a political solution anchored on political commitments that enhance peace and security, democracy and governance, as well as socio-economic development and structural transformation of our continent;
10. **COMMIT** to take bold and effective political leadership to resolve conflicts in Africa through adopting policies and strategies that strengthen national systems and structures that prevent conflict and displacement on the continent;
11. **SUPPORT** efforts towards the creation of condition conducive to return, rehabilitation and reintegration as part of durable solutions to forced displacement;
12. **UNDERLINE** the importance of preventive measures towards durable solutions to forced displacement through early warning, early response, early recovery, disaster risk reduction measures, timely humanitarian action, compliance with human rights and humanitarian law and greater participation of the affected population, including host communities, paying particular attention to women, children, young people, people with disabilities and the elderly;
13. **ESTABLISH** the link between displacement and peace and security as a fundamental basis for dealing with durable solutions and **CALL ON** Member States and all development partners to ensure that the link between displacements and good governance, as well as displacement and the development dimensions, are also fully recognized and addressed and to this end, **CALL ON** the Member States and the development partners to engage in 'a whole of the society approach';

D) On Statelessness:

14. **EXPRESS CONCERN** that the continent hosts 712,000 stateless persons that lack any form of legal protection and are often more vulnerable to abuse, exploitation and violations, with their displacement lasting sometimes for several

decades without solutions and **COMMIT** to develop a clear policy framework to address this challenge;

15. **REQUEST** the Commission to work with Member States to develop policies that can assist Member States to better manage and solve the problem of statelessness in Africa.

E) On Natural Disasters and Climate Change:

16. **RECOGNIZE** that natural disasters and climate change can exacerbate existing violent conflict, threaten access to vital resources and disproportionately affect the most vulnerable and result in displacement;
17. **CALL ON** Member States to strengthen measures to address the effects of climate change, environmental degradation and natural disasters, particularly in conflict-affected areas;
18. **REQUEST** the Commission to support Member States to draw from examples of good practices across the continent and identify resources, mechanisms and forward-looking strategies, backed by national, regional, continental and global political commitments to prevent and mitigate the negative impact and consequences of such trends.

F) On Education:

19. **PERTURBED** that an estimated 12.6 million children living in conflict zones are out of school in Africa because displacement denies children of their right to access quality education; displaced refugee children are 5 times more likely to be out of school than children not displaced and girls are almost two and a half times more likely to be out of school if they live in conflict-affected countries, and young women are nearly 90% more likely to be out of secondary school than their counterparts in countries not affected by conflict;
20. **REQUEST** the Commission to work with Member States and relevant partners to ensure access to education for refugee children, returnee children, IDP children and stateless children in Africa;
21. **REQUEST** the AU Centre for Girls and Women's Education in Africa (AU/CIEFFA) to spearhead the development of a mechanism for regular reporting on the situation of girls and women's education in Member States, taking into account their teaching and learning environments, the safety and security of schools and the education systems and the extent to which refugees are mainstreamed into local education systems;
22. **REQUEST** AU/CIEFFA to work, with relevant partners, to develop national gender sensitive comprehensive policies and operational plans that integrate

peace, education and protection of girls and young women in the education programmes for the displaced populations in Africa;

G) On Gender Mainstreaming and Youth Empowerment:

23. **RECOGNIZE** that responding better to displaced people's protection and assistance requires a comprehensive understanding of the gender and age differentiated impact on forced displacement and **REQUEST** the Commission to improve its data management to ensure gender and age disaggregated reporting;
24. **CALL ON** Member States and concerned parties to ensure that the participation of women and youth in peace processes and capacity building through disaster risk management are enhanced;
25. **URGES** Member States, the Commission and partners, to ensure a holistic approach to humanitarian actions through social inclusion and sustainable development with a focus on refugee youth, children and women.

H) On Humanitarian Financing:

26. **RECOGNIZE** that against the backdrop of rhetoric on global solidarity and burden-sharing, several national programs remain substantially underfunded, leaving displaced persons and host communities with little resources to rely on and **COMMEND** Member States that continue to host refugees, IDPs and stateless persons for their solidarity and hospitality in the spirit of Pan-Africanism;
27. **REQUEST** Member States and the international community to revitalize and implement global responsibility-sharing mechanisms to find durable solutions to forced displacement;
28. **REQUEST** the Commission, RECs and development partners to support Member States to better respond to situations before crisis or conflict break out and **IMPLORE** humanitarian and development partners to avail resources necessary in addressing the challenges of forced displacement on the continent;

I) On Global Partnership and Cooperation:

29. **COMMEND** Africa's impressive tradition of protecting the forcibly displaced through fostering regional peace and stability and by taking steps to contribute towards a global public good, through complementing the global framework of international refugee and human rights law, through the development of strong complementary continental refugee, IDP and human rights normative frameworks to address forced displacement;

30. **REITERATE** that the generosity of AU Member States needs to be supported by concerted international action and **REQUEST** Member States to revitalize and implement global responsibility-sharing and partnership mechanisms that address root causes and explore durable solutions to forced displacement;
31. **CALL FOR** the transformation of the international humanitarian system to make it more responsive, effective and fit for purposes;

J) On African Humanitarian Agency:

32. **RESTATE** Decision Assembly/AU/Dec.604(XXVI), adopted at the 26th Ordinary Session held in Addis Ababa, Ethiopia, in January 2016, that calls for the establishment of an African Humanitarian Agency as a vehicle for streamlining humanitarian action on the continent;
33. **REQUEST** the Commission, in collaboration with Member States, RECs and relevant AU Organs and Institutions, to expedite the operationalization of the African Humanitarian Agency.

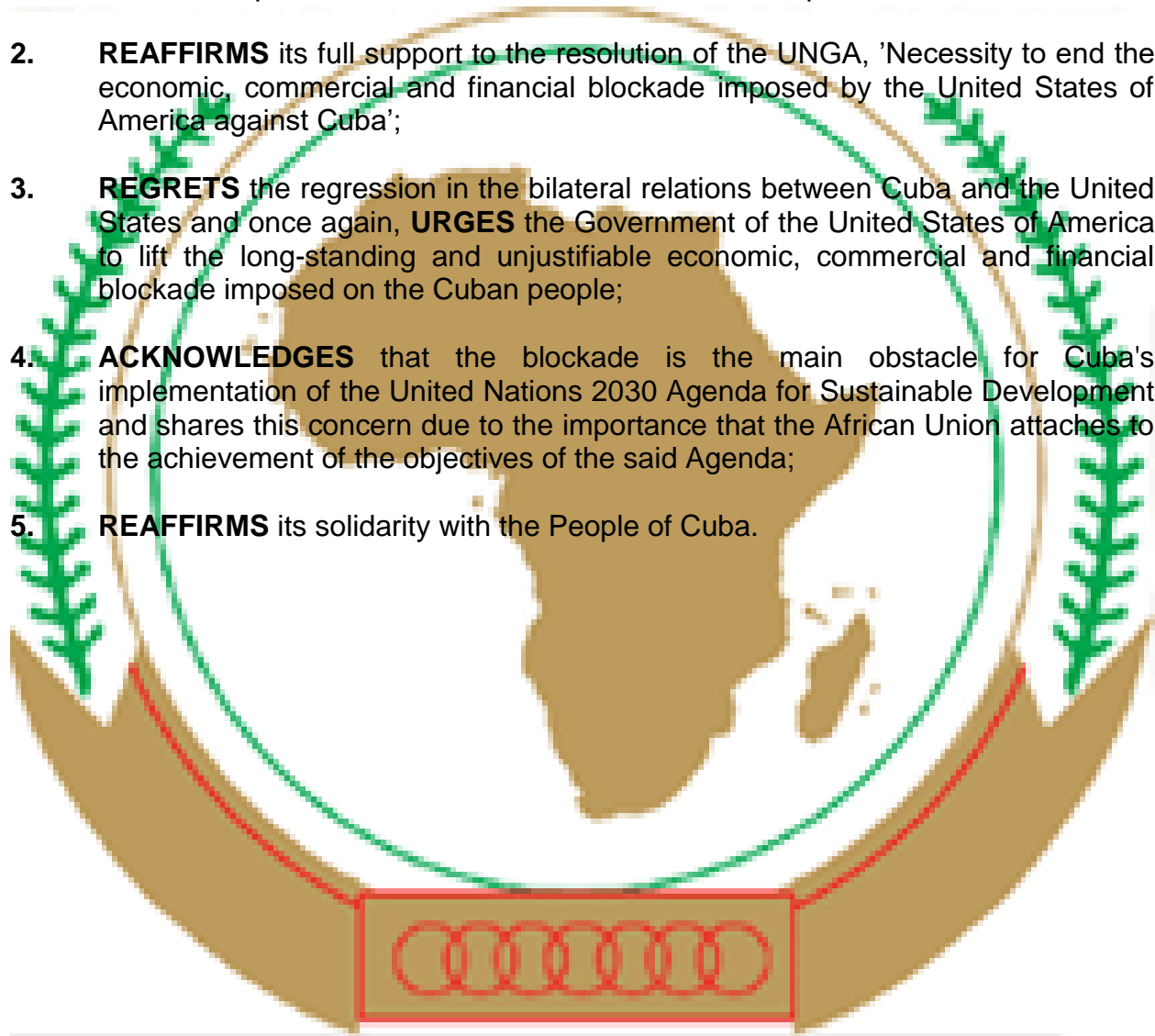
K) On the Theme of the Year 2019:

34. **WELCOME** the plans of the Commission on a range of activities to be implemented in relation to the Theme of the Year 2019 'The Year of Refugees, Returnees and Internally Displaced Person: Towards Durable Solution to Forced Displacement in Africa', in line with the Assembly Decision AU/Dec.707(XXXI);
35. **ADOPT** the Concept Note that outlines the planned activities for the Theme of the Year 2019;
36. **APPOINT** H.E. Teodoro Obiang Nguema Mbasogo, President of the Republic of Equatorial Guinea, as the AU Leader for the Theme of the Year 2019 and **REQUEST** him to steer the planned activities for the Theme of the Year, and report on the implementation of this Decision during the 33rd Ordinary Session of the Assembly in February 2020.

RESOLUTION ON "THE LIFTING OF THE ECONOMIC, COMMERCIAL AND FINANCIAL BLOCKADE IMPOSED ON THE REPUBLIC OF CUBA BY THE UNITED STATES OF AMERICA"

The Assembly,

1. **TAKES NOTE** of the continuous and illegal economic, commercial and financial blockade imposed on the Cuban Government and People;
2. **REAFFIRMS** its full support to the resolution of the UNGA, 'Necessity to end the economic, commercial and financial blockade imposed by the United States of America against Cuba';
3. **REGRETS** the regression in the bilateral relations between Cuba and the United States and once again, **URGES** the Government of the United States of America to lift the long-standing and unjustifiable economic, commercial and financial blockade imposed on the Cuban people;
4. **ACKNOWLEDGES** that the blockade is the main obstacle for Cuba's implementation of the United Nations 2030 Agenda for Sustainable Development and shares this concern due to the importance that the African Union attaches to the achievement of the objectives of the said Agenda;
5. **REAFFIRMS** its solidarity with the People of Cuba.



**MOTION OF SUPPORT TO MR MICHEL SIDIBÉ, EXECUTIVE DIRECTOR
OF THE JOINT UNITED NATIONS PROGRAM ON HIV/AIDS (UNAIDS)
AND UNITED NATIONS UNDER SECRETARY GENERAL**

WE, Heads of State and Government of the Member States of the African Union, meeting at the 32nd Ordinary Session of our Assembly, in Addis Ababa, Ethiopia from 10 to 11 February 2019;

Considering that the mandate of Mr. Michel Sidibé as Executive Director of the Joint United Nations Program on HIV/AIDS (UNAIDS) and United Nations (UN) Under-Secretary-General ends in June 2019;

Recognizing that the invaluable work of UNAIDS in favour of the people of Africa and the world under the leadership of Mr. Sidibé has saved many lives and has had a decisive impact on the devastating AIDS epidemic in Africa;

1. **NOTE WITH SATISFACTION** his outstanding strategic vision, relentless advocacy to ensure that all populations, including the most vulnerable, access to health services, which has ensured that the prevention and treatment of HIV/AIDS has remained among the global public health priorities;
2. **EXPRESS** our appreciation for the outstanding achievements made thus far and recognized by everyone under his leadership, in tackling the HIV/AIDS pandemic, and **COUNT** on his unflinching commitment and abiding leadership to continue to promote the health and well-being of the peoples of the African Continent;
3. **WARMLY COMMEND** Mr. Michel Sidibé, Executive Director of UNAIDS and UN Under-Secretary-General, for the laudable services he has rendered for the improvement of health and living conditions of the people of Africa, as well as for the exemplary leadership he has always exhibited during his tenure;
4. **EXPRESS** our profound gratitude and pay him a special tribute for his great contribution to the attainment of the objectives of the AU, including Agenda 2063;
5. **REMAIN COMMITTED** to work with UNAIDS and all its partners to mobilize all the energies and necessary resources for the realization of the goal set, namely the eradication of AIDS as a threat to public health by 2030.

**MOTION OF APPRECIATION TO HIS EXCELLENCY PAUL KAGAME,
PRESIDENT OF THE REPUBLIC OF RWANDA, AND OUTGOING
CHAIRPERSON OF THE AFRICAN UNION**

The Assembly of Heads of State and Government, meeting in its Thirty-Second (32nd) Ordinary Session, in Addis Ababa, Ethiopia, on 10 and 11 February 2019,

Taking note of the end of the mandate of His Excellency Paul Kagame, and **recognizing** the tireless and remarkable efforts he invested during his chairmanship of the African Union (AU) in the year 2018, which contributed to strengthening the Union and its relevance in addressing Africa's needs, as well as its place in the world,

Bearing in mind the many achievements made, thanks to his dedication, vision, self-abnegation and his full commitment to defending the principles and objectives of the Union, as well as the ideals of pan-Africanism within the Continent and at all international fora (G7, G20, European Union, United Nations, etc.),

Noting in particular his dynamic and efficient stewardship of the Union's institutional reform process:

1. **EXPRESSES** its profound gratitude to His Excellency Paul Kagame, President of the Republic of Rwanda, and Outgoing Chairperson of our Assembly, for his vibrant, visionary and sterling leadership of the Union during his term of office;

The past year was marked by:

- the adoption and launching of the African Continental Free Trade Area (AfCFTA), which will also remain a historic event for our respective peoples, as well as the international community;
 - the Institutional Reform of the African Union as well as that of the AU Commission; and
 - the launching of the Single African Air Transport Market (SAATM).
2. **COMMENDS** His Excellency Paul Kagame, President of the Republic of Rwanda, for the numerous achievements the African Union was able to make during his mandate, particularly the adoption of the Protocol to the Treaty Establishing the African Economic Community on Free Movement of Persons, Right of Residence and Right of Establishment, as well as the adoption of the Guidelines for the Design, Production and Issuance of the African Passport;
 3. **REITERATES** its appreciation to His Excellency Paul Kagame, President of the Republic of Rwanda for his significant contribution towards the Continent's political, economic and social integration process.

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