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CONCLUSIONS OF THE RETREAT OF THE PEACE AND
SECURITY COUNCIL OF THE AFRICAN UNION
DAKAR, SENEGAL, 5 – 6 JULY 2007

**CONCLUSIONS OF THE RETREAT OF THE PEACE AND SECURITY COUNCIL
OF THE AFRICAN UNION, DAKAR, SENEGAL, 5 – 6 JULY 2007**

I. INTRODUCTION

1. The Peace and Security Council (PSC) of the African Union (AU) held a Retreat to review its working methods in Dakar, Senegal, from 5 to 6 July 2007. The Retreat considered a number of issues relevant for putting in place enabling working methods in the functioning of the PSC. The PSC Retreat reached the conclusions below.

II. CONCLUSIONS

A. Chairmanship of the PSC

2. Article 8 (6) of the PSC Protocol states that "the Chair of the PSC shall be held in turn by the Members of the PSC in the alphabetical order of their names. Each Chairperson shall hold office for one calendar month". Also, each PSC member shall have the opportunity to chair the PSC during a given mandate. However, clarity need to be given regarding the issues of the rotation of chairmanship, stand-in chairperson, the role of the chairperson and presence of the chairperson of the PSC in Addis Ababa.

(i) Rotation of Chairmanship

The Chair of the PSC shall be held in turn by the Members of the PSC in the English alphabetical order of their names for one calendar month. Following each election of PSC Members, the existing Members and the new Members will be seated according to the alphabetical order and the chairmanship will continue accordingly. The new members take up office on 1st April after their election in January of the same year. The new list of PSC Members and incoming Chairperson of the PSC should be communicated to PSC Members and other AU Member States before the end of February of the same year.

(ii) Stand-in Chairperson

The chairmanship of the PSC shall be assumed by the Permanent Representative of the country holding the chairmanship and duly accredited to the AU Commission. In his absence, the chairmanship shall be assumed by the incoming Chairperson or the next in line down the list of incoming chairpersons. This rule shall not prevent the interim Chairperson from assuming his/her office as Chairperson of the Council the following month or months as the case may be. Where the Chairperson represents a Member State of the Council which is barred from participation in the discussion or decision-making process during the Councils deliberations, pursuant to Article 23 of the Constitutive Act and Article 8 (9) of the Protocol, the Chairperson shall vacate the chair, which shall be assumed by the next chairperson in line for the duration of that situation. . In exceptional cases where a Chairperson voluntarily renounces his/her obligation, which should not be encouraged, he/she loses his/her right and turn to chair the Council (for a given PSC meeting or the month of his/her chairmanship).

(iii) Role of the Chairperson of the PSC

The Chairperson of the PSC should:

- establish, in consultation with the Commission and the members of the PSC, a provisional monthly programme of work;
- make a briefing on the PSC activities and other security situations in Africa to the Permanent Representatives Committee (PRC) whenever there is need;
- participate in Commission-initiated/led consultations at Headquarters on issues of peace and security and to obtain a report from the Commission when such consultations take place away from the Headquarters;
- lead PSC field missions whenever it is so decided by the PSC, provided that his/her country is not involved in the conflict situation;
- brief, together with the Commissioner for Peace and Security, the media as may be necessary at the end of PSC meetings;
- make contributions towards the Report of the PSC on its Activities and the State of Peace and Security in Africa;

(iv) Presence of the Chairperson at AU Headquarters

In view of the increasing workload of the PSC, there is a need to develop the capacity of the Council to respond in a timely manner to threats to peace. This necessitates regular/continuous consultation between the Council Chairperson and the Commission, as well as between him/her and the other members, to set out priorities and upkeep the momentum for timely response.

The Chairperson of the PSC is therefore expected to remain in Addis Ababa during his/her chairmanship.

B. Establishment of the monthly programme of work and annual calendar of major events of the PSC

3. The Peace and Security Council is master of its own business and should therefore shoulder the tasks that go along this principle. Whilst the Commission needs to play its role in support of the PSC, it is the latter that should assume leadership on tasks such as the preparation of the PSC monthly programme of work and the drafting of decisions.

4. The indicative annual activities of the PSC could be captured as follows:

- i. Periodic retreats of the PSC to brainstorm on its activities and any emerging challenges;
- ii. Meeting of the PSC with African Regional Mechanisms for Conflict Prevention, Management and Resolution;
- iii. Meeting of the PSC with the UN Security Council (such a meeting should focus on a mutually chosen and agreed issues);

- iv. Meeting of the PSC with other Organs of the Union, such as the African Commission on Human and Peoples' Rights, Pan-African Parliament, etc;
 - v. Meeting of the PSC with Non-State actors, including Civil society organizations, private sector, think-tanks, etc, as necessary to address issues at hand;
- **The Chairperson of the PSC, in consultation with the Commission, shall elaborate an indicative programme of work for a period of three to six months.**
 - **In addition, within twenty days towards the assumption of chairmanship of the PSC, the incoming chairperson shall prepare a monthly programme of work.**

C. Accreditation for PSC Meetings

5. The meetings/sessions of the PSC should be properly safeguarded with respect to the officials delegates and individuals that can enter into and participate in those meetings/sessions. Thus, the following guidelines should be put in place to this effect:

i. **Ambassadors accredited to the AU, whose country is a member of the PSC, are the only ones to chair the PSC meetings. However, when a Permanent Representative of a PSC member accredited to the AU is not available, the Chairmanship may be assumed by any Ambassador or high official to be duly accredited and available for the month.**

ii. **The Commission shall reactivate the accreditation of PSC Members/Delegates for participation to the PSC meetings.**

iii. **The Commission shall also effect accreditation of any other participants to PSC meetings, including those from the AU Commission.**

iv. **In this respect, special identification badges will be issued to all participants.**

v. **The sitting arrangements in the PSC meetings/sessions shall be on the basis of Head of delegation and four officials.**

D. Format of Meetings/Sessions of PSC

6. According to article 8 of its Protocol, the PSC shall hold closed meetings. In sub-section 10 of the article, it is provided that the PSC may decide to hold open meetings. In the ongoing practice of the PSC, there appear to be more sessions held in one, which does not provide sufficient space as should be to attain clarity on all issues at hand. Aspects relating to interpretation of provisions of the PSC Protocol, briefing on issues, consultation, the taking of a decision, etc, are all being crowded into a single session. Occasionally, this leads to fatigue during a PSC meeting, which does not augur well for sound decision-making at the end of the meeting. Thus, this practice should be reviewed.

In conformity with the provisions of the Protocol, the PSC shall hold the following types of meetings and sessions:

- Open sessions to receive briefings and at the end of which no decisions are taken;
- Consultations to enable the PSC to develop consensus towards a decision;
- Closed sessions during which decisions are taken;

E. Decision-Making Process in the PSC

7. There must be a formula/framework for guiding the process from the point of the seizure of an issue by the PSC to the stage where a decision is taken.

i. Each PSC Member shall designate an expert to a Committee of Experts to prepare the ground for the taking of decision. Two expert officers from the PSD shall also be members of the Committee. The Committee will treat the information on a given issue and elaborate a draft decision. Subsequently, the Chairperson of the PSC will convene a meeting to harmonize opinion on the draft. The process will then proceed to a formal meeting to adopt the decision.

ii. Members of the PSC should not make substantive comments or raise questions requiring substantive discussion during a meeting in the presence of the PSC's invited guests.

F. Format of Outcomes of PSC Meetings/Sessions

8. Rule 32 of the Rules of Procedure of the PSC states that at the end of each meeting, the Council may issue a Communiqué relating to the deliberations of the Council. In practice, the PSC has formatted the outcomes of its deliberations in two forms: decisions communicated through the issuance of a communiqué and issuance of press statements. However, this format needs to be streamlined in order to use appropriate formats for presenting the outcomes of Council meetings/sessions.

9. The outcomes of the PSC's meetings/sessions are targeted at recipients ranging from the member States, parties to conflict, the Commission (as a key player in implementation of decisions among other tasks), the larger international community and affected populations, as well as the media. Also, open meetings and informal consultations of the PSC, such as those convened under article 8. 10 and under Rule 16, sometimes culminate in the PSC issuing a communiqué or a press statement. There are, again, cases in which the PSC has converted a briefing session initially meant for exchanging views into a deliberations decision-making session due to the nature of the issue under consideration. Thus, the outcomes of the meetings/sessions of the PSC, bearing in mind the types of those meetings/sessions, should be communicated in a two-fold format as follows:

i. **Communiqué carrying/conveying a decision of a closed PSC meeting on a given issue.**

ii. **Press Statements to convey an outcome of a PSC meeting, at which no decision was taken.**

G. Follow-up on the Implementation of PSC Decisions.

10. The business of the PSC continues to gather momentum as decisions are taken to address different situations in the continent. Hence, there is need for a close follow-up on the implementation of the decisions of the PSC in order to ensure the attainment of the objective on the ground.

The follow-up on the implementation of PSC decisions shall be carried out through the meetings of the PSC every six months. An implementation matrix indicating the progress made and the constraints encountered in process shall be elaborated to this effect.

G. Establishment of Subsidiary Bodies of the PSC

11. In implementation of article 8 (5) of its Protocol, which provides that the PSC may establish such subsidiary bodies as it deems necessary for the performance of its functions The PSC concluded that **at the initial stage, the following committees may be established on a need and case-by-case basis in future:**

i. **PSC resource mobilization committee with each region being represented; and**

ii. **PSC Committee on procedures and mechanisms for peace support operations with each region being represented.**

I. Preparation of the Report of the Peace and Security Council on its Activities and the State of Peace and Security in Africa

12. According to article 7, the Peace and Security Council shall submit, through its Chairperson, regular reports to the Assembly on its Activities and the State of Peace and Security in Africa. Since the entry into function of the PSC in March 2004, the Commission has shouldered the responsibility for the preparation of the said Report . But the spirit of the Protocol on this issue is that there should be as much collaboration as possible between the PSC and the Commission in the preparation of this Report. Hence, there is need to envisage an increased involvement of PSC members in the drafting of the Report.

13. For purposes of enriching the Report, it may be desirable for the PSC to discuss its elaboration with respect to the possibility of having inputs into the Report from members of the PSC, through its Chairperson.

The report should draw inputs from the monthly briefings by the Chairperson of the PSC to the PRC. The PSC will examine the report prior to its submission to the Assembly.

J. On the Implementation of Specific Articles in the PSC Protocol Relating to the PSC's Cooperation and Collaboration with other Entities

14. The successful building of cooperation and collaboration between the PSC and other entities as provided for in the Protocol depends on the effective implementation of the relevant articles in the PSC protocol:

- i. Implementation of Article 16: Relations between the Peace and Security Council and Regional Mechanisms for conflict prevention, management and resolution

15. The working relations between the PSC and the Regional Mechanisms for conflict prevention, management⁵ and resolution of the Regional Economic Communities (RECs) are provided for in article 16 of the PSC Protocol. The regional mechanisms are expected to play an active role in the implementation of the peace and security architecture, from the vantage point of the value-added associated with being situated closer to theaters of conflict in relation to efforts to prevent and resolve conflicts /or to boost support for post-conflict recovery. In particular, sub-sections 16 (1) (a and b) and 16 (6) call for closer harmonization and interaction between the PSC and the Regional Mechanisms with respect to the promotion of peace, security and stability, as well as related activities, in the continent. Article 16 also provides for the establishment of close collaboration mechanisms between the Commission and the Regional Mechanisms.

i. The PSC should hold an annual information and experience-sharing meeting with the Chairperson of the Regional Mechanisms. The meeting should preferably take place in May, ahead of the AU Summit in order for the Chairperson of the PSC to apprise the Assembly of the outcomes of such meetings.

ii. In pursuance to article 16 of the Protocol, the PSC and Regional Mechanisms, through their respective secretariats, should regularly exchange information on their activities aiming at the promotion of peace, security and stability in the continent and in the respective regions in order to facilitate the coordination of efforts.

- ii. Implementation of Article 18: Relations between the Peace and Security Council and the Pan-African Parliament (PAP)

16. According to article 18 (2), the Pan-African Parliament can request the PSC to submit to it reports, through the Chairperson of the Commission, in order to facilitate the discharge by the Parliament of its responsibilities relating to the maintenance of peace, security and stability.

The Commission should take steps towards the implementation of the provisions of Article 18, sub-sections 1, 2 and 3 of the PSC Protocol, regarding the relationship between the PSC and the Pan-African Parliament (PAP). The Parliament should, if possible, inform the PSC of its efforts in furtherance of peace, security and stability in Africa.

- iii. Implementation of Article 19 :Relations between the Peace and Security Council and the African Commission on Human and People's Rights

Once a year, the Chairperson of the PSC should invite the Chairperson of the ACHPR to brief the Council on the state of human rights in conflict areas of the continent. As the ACHPR reports to the Assembly of the Union on its activities on human and peoples' rights, the presentation to the PSC should be focused on highlighting potential problems and providing recommendations on preventive and improvement measures for the concerned areas.

- iv. Implementation of Article 17: relations between the PSC with the UN Security Council

17. Article 17 of the Protocol provides that in the fulfillment of its mandate in the promotion and maintenance of peace, security and stability in Africa, the Peace and Security Council shall cooperate closely with the United Nations Security Council, which has the primary responsibility for the maintenance of international peace and security. This close cooperation between PSC and the UN shall also include relevant UN Agencies. Also, article 3(c) of the Constitutive Act of the African Union encourages international cooperation taking account of the Charter of the United Nations.

18. The cooperation between the PSC and the UN Security Council shall be pursued within the framework of the provisions (paragraphs 1 – 16) contained in the Joint Communiqué agreed by the UN Security Council and the AU Peace and Security Council in Addis Ababa, on 16 June 2007:

1. *Recalling that the United Nations Security Council (UNSC) has the primary responsibility for the maintenance of international peace and security;*
2. *Recalling the provisions of Chapter VIII of the United Nations (UN) Charter on the relationship with regional arrangements;*
3. *Recalling the mandate of the African Union Peace and Security Council (AU PSC) with regard to the maintenance of peace and security in Africa, as provided for in the relevant provisions of the Protocol Relating to the establishment of the Peace and Security Council (PSC) of the African Union (AU);*
4. *Recalling the Presidential Statements and decisions of the UNSC and AU PSC on the relationship between the two bodies;*
5. *Recognising the contribution made by the AU, Regional Economic Communities and the UN in promoting peace in Africa;*
6. *Underlining the importance of support for the operationalization of the African Peace and Security Architecture and in this context encouraging*

the implementation of the 10-year programme for capacity building between the UN Secretariat and the AU Commission;

7. *At our joint meeting here today, we commit ourselves to the development of a stronger and more structured relationship between the UNSC and the AU PSC, inter alia on conflict prevention, management and resolution, peacekeeping and peacebuilding, including Post Conflict Reconstruction and Development, as well as sharing of information on conflict situations on the agendas of the two bodies.*
8. *We express our support for the strengthening of AU capacity within the Commission in all relevant areas, such as planning and logistics, and in particular the establishment of a well-resourced peacekeeping capability, as well as in the fields of conflict prevention, management and resolution.*
9. *We attach particular importance to the development of the African Standby Force.*
10. *We agree to consider, including on the basis of the forthcoming report from the UN Secretary-General, the modalities for supporting and improving in a sustained way the resource base and capacity of the AU. In doing so, we will bear in mind that in taking initiatives for the promotion of peace and security in Africa in terms of Chapter VIII of the UN Charter the AU is also acting on behalf of the international community, and we will examine the possibility of the financing of a peacekeeping operation undertaken by the AU or under its authority, as requested in the decision of the AU Assembly of Heads of State and Government (Assembly/AU/Dec.145(VIII)).*
11. *We agree to strengthen the relationship between all the relevant structures of the UNSC and AU PSC, including their subsidiary bodies.*
12. *We agree to hold joint meetings between the UNSC and the AU PSC, at least once a year, either in Addis Ababa or New York.*
13. *We express support for closer co-operation between the UN Secretariat and the AU Commission, particularly on conflict prevention, peacekeeping and peacebuilding.*
14. *We encourage the sharing of experiences on working methods between the two bodies.*
15. *We encourage close consultations between the AU and the UNSC as decisions are being prepared on issues affecting peace and security in Africa.*
16. *To further our relationship we will consider how best to improve the effectiveness of AU and UN peace efforts in Africa and how to strengthen*

coordination between the AU and the UN. We look forward to further joint consideration at our next meeting.

v. Implementation of Article 20 – PSC Relations with Civil Society Organizations

19. According to article 20 of its Protocol, the Peace and Security Council shall encourage non-governmental organizations, community-based organizations and other civil society organizations, particularly women's organizations, to participate in the efforts aimed at promoting peace, security and stability in Africa. When so required, such organizations may be invited to address the Peace and Security Council.

An appropriate formula to be approved by the PSC should be established to allow for interaction between the PSC and the Civil Society Organizations (CSOs) with a view to giving effect to Article 20 of the PSC Protocol.

K. PSC collaboration with other established entities

20. In the execution of its mandate, and in order to give added effect, the PSC needs to develop close collaboration with other established entities within the framework of the continental peace and security architecture.

i) Relations between the PSC and CISSA

Cooperation should be established between the PSC and the Committee of Intelligence and Security Services for Africa (CISSA) with a view to harnessing CISSA's inputs into the peace efforts in the continent.

ii) Modalities for interaction between the PSC and the Panel of the Wise

The modalities for interaction between the PSC and the Panel of the Wise should be adopted by the PSC in line with Article 11 establishment of the Panel of the Wise of the PSC Protocol.

L. Framework for PSC field missions

21. In order to enhance its work with respect to the taking and implementation of decisions on given situations and issues, the PSC may undertake field missions to affected areas.

- **Whenever required, the PSC will undertake field missions. The Terms of Reference of such missions shall be determined by the PSC.**
- **Resources should be mobilized to support the undertaking of field missions by the PSC.**

M. Enhancement of the Peace Fund

22. Article 21 of the PSC Protocol states that in order to provide the necessary financial resources for peace support missions and other operational activities related to peace and security, a Special Fund, to be known as the Peace Fund, shall be established. It is provided that this Fund shall be established and sustained from appropriations from the regular budget, voluntary contributions from Member States and other sources within Africa. The establishment of a Trust Fund is also provided for in the article. Whilst the provisions in this article are clear, the experience on the ground shows ad-hoc arrangements and precarious funding, as largely provided by sources from outside Africa, particularly with regard to the launching and sustenance of the AU peace support missions. The AU peace support operations in Darfur, the Sudan and in Somalia, bear absolute testimony to this unrelenting financial and logistical plight of the PSC and the AU itself. This ad-hoc and precarious nature of support to AU peace support missions, coupled with limited capacity in the Commission to manage large and prolonged missions, bring to surface the imperative for more robust measures to mobilize resources for the Peace Fund.

In addition to the 'existing mechanisms in the Commission, the PSC should establish a Resource Mobilization Committee. The Committee will propose initiatives to be taken to this effect.

N. Advocacy for UN funding of AU peacekeeping missions in Africa

23. On the issue of funding for AU peacekeeping missions, the Retreat agreed that: **The Peace and Security Council, as the organ responsible for peace and security in the continent, should be involved in advocacy and sensitisation efforts in pursuit of the decision of the 9th Ordinary Session of the Assembly on funding of peace support operations undertaken by the AU or under its authority, with the consent of the UN, from UN assessed contributions.**

O. Related Issues

24. There is necessity to strengthen the capability of both the PSC Secretariat and the Military Staff Committee of the PSC. Article 10(4) of the Protocol Relating to the Establishment of the Peace and Security Council provided for the establishment within the Commission of a Secretariat, as a focal point, to assist the Chairperson of the Commission and the Commissioner in charge of Peace and Security, in their respective responsibilities towards the Council.

a. Strengthening of the Secretariat of the Peace and Security Council

The PSC should advocate within the AU Organs for the review of the structure and capacity of the Secretariat in the following areas in order to render it more effective:

- **Human resources**
- **Equipment;**
- **Conference facilities and office space;**
- **Dedicated translation and interpretation team;**

- **Budgetary provision for field missions**

b. Strengthening of the PSC Military Staff Committee (MSC)

25. The Military Staff Committee of the PSC is established under article 13 of the PSC Protocol, sub-sections 13.8 to 13.11, to advise and assist the PSC on issues of military and security requirements for the promotion and maintenance of peace and security in Africa. It is vital that the MSC discharge its responsibilities more effectively.

i. The PSC Members should abide by the relevant provisions of the Protocol by ensuring that they are represented in the MSC by a Military Officer (either a Defense Attaché or a Special Representative within the period of their tenure as PSC Members);

ii. As much as possible, the PSC should obtain the input of the MSC when considering issues on pre-deployment or deployment of troops and major military equipment to field missions in accordance with the provision of the Protocol.

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