

AFRICAN UNION

الاتحاد الأفريقي

UMOJA WA AFRICA



UNION AFRICAINE

UNIÃO AFRICANA

UNIÓN AFRICANA

Addis Ababa, Ethiopia. P.O. Box: 3243 Tel.: (251-11) 5513 822 Fax: (251-11) 5519 321

Email: situationroom@africa-union.org

PEACE AND SECURITY COUNCIL
1168TH MEETING

14 AUGUST 2023
ADDIS-ABABA, ETHIOPIA

PSC/PR/COMM.1168 (2023)

COMMUNIQUÉ



COMMUNIQUÉ

Adopted by the Peace and Security Council (PSC) of the African Union (AU) at its 1168th meeting held on 14 August 2023, on Updated Briefing on the Situation in Niger.

The Peace and Security Council,

Recalling Declaration [Ext/Assembly/AU/Decl.(XVI)] on Terrorism and Unconstitutional Changes of Government, adopted by the 16th Extraordinary Session of the AU Assembly of Heads of State and Government held in Malabo, Equatorial Guinea, from 27 to 28 May 2022; Decision AHG/Dec.141(XXXV) and AHG/Dec.142(XXXV), adopted by the 35th Ordinary Session of the OAU Assembly of Heads of State and Government held in Algiers, Algeria, from 12 to 14 July 1999; the Declaration on the Framework for an OAU Response to Unconstitutional Change of Government, adopted by the 36th Ordinary Session of the OAU Assembly of Heads of State and Government held in Lomé, Togo, from 10 to 12 July 2000 (the Lomé Declaration); and the Solemn Declaration of the 50th OAU/AU Anniversary adopted in Addis Ababa on 25 May 2013;

Also recalling its decisions and pronouncements on the situation in Niger, in particular, Communiqué [PSC/PR/COMM.1164 (2023)] adopted at its 1164th meeting held on 28 July 2023; the Press Release of the Chairperson of the AU Commission, H.E. Moussa Faki Mahamat, issued on 26 July 2023;

Upholding the AU Constitutive Act, the Protocol Relating to the Establishment of the Peace and Security Council of the African Union, particularly Article 7 (g) and the African Charter on Democracy, Elections and Governance; **while reiterating** the AU zero tolerance of unconstitutional changes of government, in line with Article 4(p) of the AU Constitutive Act;

Reaffirming the determination to silence the guns in Africa by the year 2030 and creating the conducive conditions for the realization of the AU Vision of an integrated, prosperous and peaceful Africa, driven by its people and representing a dynamic force in the global arena, as well as AU Agenda 2063;

Taking note of the opening remarks by H.E. Ambassador Willy Nyamitwe, Permanent Representative of the Republic of Burundi to the AU and Chairperson for the month of August 2023; the briefings by H.E. Moussa Faki Mahamat, Chairperson of the AU Commission and H.E. Ambassador Bankole Adeoye, the AU Commissioner for Political Affairs, Peace and Security; as well as the statements made by Ambassador Abdel-Fatau Musah, ECOWAS Commissioner for Political Affairs, Peace and Security; H.E. Ambassador Amadou Hassane Mai Dawa, Permanent Representative of the Republic of Niger to the AU; and H.E. Ambassador Nasir Aminu, the Representative of the Chair of the Economic Community of West Africa States (ECOWAS) Authority of Heads of State and Government; and

Acting under Article 7 of its Protocol, the Peace and Security Council,

1. **Reiterates its deep concern** over the resurgence of military coups d'état as it undermines democracy, peace, security and stability, as well as development in the Continent;
2. **Also reiterates its unequivocal condemnation** of the military coup d'état that took place on 26 July 2023 in Niger, which resulted in the ousting of a democratically elected President, H.E. Mohamed Bazoum, by a faction of military officers;

3. **Welcomes** the Final Communiqué of the Extraordinary Summit of the ECOWAS Authority of Heads of State and Government on the Political Situation in Niger, adopted on 30 July 2023, and the ECOWAS Final Communiqué of the 2nd Extraordinary Summit on the Political Situation in Niger, adopted on 10 August 2023;
4. **Takes note** of the ECOWAS' decision to deploy Standby Force and **requests** the AU Commission to undertake an assessment of the economic, social and security implications of deploying a Standby Force in Niger and report back to Council;
5. **Reaffirms** full solidarity with the efforts of ECOWAS in the latter's continued commitment to the restoration of constitutional order through diplomatic means;
6. **Highly commends and supports** the relentless efforts being deployed by ECOWAS towards peaceful restoration of constitutional order in the Republic of Niger; and **requests** the AU Commission to appoint and deploy High Representative(s) to foster the mediation efforts by the ECOWAS;
7. **Decides**, in line with the relevant AU instruments, in particular, the AU Constitutive Act, the Protocol Relating to the Establishment of the Peace and Security Council of the African Union and the African Charter on Democracy, Elections and Governance, to immediately suspend the participation of the Republic of Niger from all activities of the AU and its Organs and institutions until the effective restoration of constitutional order in the country;
8. **In this regard, calls upon** all Member States of the AU and the international community including bilateral and multilateral partners, at large to reject this unconstitutional change of government and to refrain from any action likely to grant legitimacy to the illegal regime in Niger;
9. **Welcomes** the Communiqué of the Chairperson of the AU Commission released on 10 August 2023 regarding the reported poor condition and detention of President Mohamed Bazoum; in this regard, **reiterates its demand** for the immediate and unconditional release of H.E. President Mohamed Bazoum and all other detainees, and respect of their human rights, including protection of their physical health and moral integrity;
10. **Endorses** paragraph 10 (k) of the Final Communiqué of the ECOWAS Authority of Heads of State and Government on the Political Situation in Niger, adopted on 30 July 2023 regarding the imposition of punitive measures; **while ensuring** its gradual application and minimizing its disproportionate effect on the ordinary people of Niger;
11. **Requests** the AU Commission in close cooperation with the ECOWAS Commission to urgently compile and submit the list of members of the military junta and their military and civilian supporters of the coup d'état in Niger, including those involved in the violation of fundamental human rights of President Bazoum and other detainees for targeted sanctions, and the application of individual punitive measures;
12. **Commends** the efforts of ECOWAS under the leadership of H.E. Bola Ahmed Tinubu, President of the Federal Republic of Nigeria and **calls on** AU Member States to fully implement the sanctions imposed by ECOWAS and endorsed by the PSC and **requests** the Commission, in consultation with ECOWAS, to regularly inform the Council on the progress being made on the implementation of the imposed sanctions;

13. ***Calls on*** the military junta in Niger to cooperate with the efforts being deployed by ECOWAS and the AU towards a peaceful and speedy restoration of constitutional order and ***appeals*** to the people of Niger to remain calm, refrain from any action that may inflame the situation, and to fully embrace a peaceful approach towards the restoration of constitutional order in the country;
14. ***Strongly rejects*** any external interference by any actor or any country outside the Continent in the peace and security affairs in Africa including engagements by private military companies in the continent in line with the 1977 OAU Convention for the Elimination of Mercenarism in Africa;
15. ***Strongly urges*** the military to place the supreme interests of Niger and its people above all else and to immediately and unconditionally return to the barracks, and submit to civilian authorities consistent with the Constitution of Niger;
16. ***Decides*** to remain actively seized of the matter.