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PEACE AND SECURITY COUNCIL
1199TH MEETING

6 FEBRUARY 2024
ADDIS ABABA, ETHIOPIA

PSC/PR/COMM.1199 (2024)

COMMUNIQUÉ



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Adopted by the Peace and Security Council (PSC) of the African Union (AU), at its 1199th meeting held on 6 February 2024, on Transitional Justice, Post-Conflict Peacebuilding.

The Peace and Security Council,

Recalling its previous decisions and pronouncements on transitional justice, in particular, Communiqué PSC/PR/COMM.1102 (2022) adopted at its 1102nd meeting held on 22 August 2022 on the theme: “Lessons Learning Session on the Implementation of the African Union Transitional Justice Policy: Impact on National Resilience and Democratization”;

Acknowledging the nexus among truth, justice, accountability, peace and reconciliation; as well as the importance of fighting the culture of impunity, promoting accountability, and ensuring justice for the victims of human rights violations, as necessary preconditions for promoting national reconciliation, healing, cohesion and durable peace; and **also acknowledging** that transitional justice is a prerogative of Member States concerned;

Determined to further enhance the effectiveness and sustainability of AU support to all Member States in political transition and post-conflict situations, in order to build durable peace, entrench the culture of democratic governance, prevent relapses to cycles of violence, and realize the “Africa We Want”;

Mindful of the critical importance of redoubling efforts to ensure effective implementation of the AU Post-conflict Reconstruction and Development (PCRD) Policy and the AU Transitional Justice Policy (AUTJP), with a view to creating conducive conditions for the realization of African Agenda 2063;

Also mindful of the provisions of Article 4 (o) of the AU Constitutive Act, which among others, stipulates the AU principle of respect for the sanctity of human life, condemnation and rejection of impunity and political assassinations;

Noting the opening statement made by H.E. Ambassador Mohamed Arrouchi, Permanent Representative of the Kingdom of Morocco to the AU and PSC Chairperson for February 2024 and the presentation by H.E. Ambassador Bankole Adeoye, AU Commissioner for Political Affairs, Peace and Security; **also noting** the statements made by Honorable Professor Remy Ngoy Lumbu, the Chairperson of the African Commission on Human and People’s Rights (ACHPR), as well as by Mr. Khalid Ramli, the Director of Cooperation and International Relations of the National Human Rights Council of Morocco and by H.E. Javier Nino Perez, the Permanent Representative of the European Union to the African Union; and

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

1. **Underlines the need** to support the AUTJP and the African Transitional Justice Forum as critical continental frameworks to guide national efforts and to build the institutional capacity of Member States emerging from violent conflicts to effectively promote transitional justice in their countries;
2. **Calls** for more meaningful participation of victims of conflict-related injustices, including women, youth and girls, as well as marginalized groups, in all transitional justice processes, among others, by supporting civil society organizations working on transitional justice initiatives and **underscores the need** for mainstreaming gender and for the recognition of the specific experiences and needs of victims, as well as the need for other related support initiatives to effectively combat sexual and gender-based violence;

3. **Stress the importance** of fair and impartial trials for perpetrators of serious crimes, while exploring alternative justice mechanisms such as restorative justice, investing in programs that provide psychological support to victims and communities affected by conflict, and promoting initiatives that foster dialogue, forgiveness and social cohesion;
4. **Emphasizes the importance** of advocating for reparation programs that address the physical, psychological and economic harm suffered by victims by focusing more on issues related to the structural and systemic socio-economic injustices that are often the root causes of conflict;
5. **Encourages** Member States emerging from conflicts to holistically address the fundamental root causes of conflicts and to incorporate transitional justice aspects, including the culture of peace and tolerance of diversity into the national educational curricula from the primary, secondary to tertiary levels of education;
6. **Emphasizes the important role** of the media in educating the public on the importance of national reconciliation and mutual respect and tolerance of diversity and, in this regard, **urges** the media to continue to play a more positive role of contributing towards the promotion of the culture of peace in the continent;
7. **Underscores the importance** of ensuring that transitional justice approaches and mechanisms are adapted to local and national contexts and that they have the necessary buy-in of all relevant stakeholders, while considering the specific cultural, historical and political characteristics of each country;
8. **Stresses the need** for holistic approaches and broadening the scope of application of transitional justice to include economic and social justice and, in this respect, **reiterates the call** on Member States emerging from conflict situations to, in the spirit of promoting African solutions to African problems, adopt home-grown solutions and a “whole-of-society approach” to transitional justice, as well as to draw inspiration from African traditional approaches and the best practices and lessons from the experiences of other Member States ;
9. **Welcomes** the declaration of the 7th African Forum on Transitional Justice, that emphasized the need for approaches based on the interconnection between transitional justice, gender equality, mental health and psychosocial support and socio-economic justice in Africa, and in this regard **reiterates** the support for the AUTJP and the African Transitional Justice Forum as relevant continental frameworks to guide national efforts and advocate for increased AU resources and technical assistance to Member States to build their institutional capacity to promote transitional justice in Africa;
10. **Emphasizes the importance** of legislative and institutional reforms, as well as the establishment of competent and independent institutions to effectively spearhead national transitional justice programs;
11. **Also emphasizes the need** for enhanced coordination and collaboration between the AU Commission and the Regional Economic Communities and Regional Mechanisms (RECs/RMs) in promoting transitional justice in Member States emerging from conflicts;
12. **Commends** the AU Commission for its continued provision of technical support to Member States in the implementation of their respective national transitional justice programs; and for developing both the Roadmap for the Implementation of the AUTJP, and a Resource Guide to the AUTJP, including in Ethiopia, South Sudan, Central African Republic, and the Gambia;

13. **Reiterates the request** for the Chairperson of the AU Commission to mobilize the resources required for the effective implementation of the AUTJP; in this context, **expresses gratitude** to all bilateral and international partners, particularly the European Union (EU), African Transitional Justice Legacy Fund (ATJLF) and the Centre for the Study of Violence and Reconciliation (CSV) for their continued support towards the implementation of the AUTJP, and **underlines the importance** of ensuring coordination and complementarity of their support, as well as to ensure that any direct support to the Member States, directly responds to the identified national priority needs of the Member States; and

14. **Decides** to remain actively seized of the matter