

AFRICAN UNION

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PEACE AND SECURITY COUNCIL 1019th MEETING 10 AUGUST 2021 ADDIS ABABA, ETHIOPIA

PSC/PR/COMM. 1019 (2021)

COMMUNIQUE

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Adopted by the Peace and Security Council (PSC) of the African Union (AU) at its 1019th meeting, held virtually on 10 August 2021, on the Annual Consultation between the PSC and African Commission on Human and Peoples' Rights (ACHPR)

The Peace and Security Council,

Recalling its previous decisions and pronouncements pertaining to the consultations and cooperation between the PSC and ACHPR, particularly, Communiqué [PSC/PR/COMM. (CMLIII)] adopted at its 953rd meeting held on 8 October 2020 and Communiqué [PSC/PR/COMM.(DCCCLXVI)] adopted at its 866th meeting held on 8 October 2019;

Also recalling the African Charter on Human and People's Rights, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), the other relevant Regional instruments for the protection of Human Rights and the International Humanitarian Law, as well as the relevant universal instruments;

Noting the opening remarks made by the Permanent Representative of the Republic of Cameroon to the AU and Chairperson of the PSC for August 2021, H.E. Ambassador Churchill Ewumbue-Monono and the statement by the AU Commissioner for Political Affairs, Peace and Security, H.E Ambassador Bankole Adeoye, as well as the presentation by the Chairperson of the ACHPR and Focal Point for Human Rights in Conflict Situations, Dr. Solomon Dersso;

Faithful to the provisions of Article 19 of the Protocol Relating to the Establishment of the Peace and Security Council; and bearing in mind the Constitutive Act of the African Union, in particular, Article 4, which sets out its founding principles;

Recalling the objectives, principles and powers of the PSC, under Articles 3, 4 and 7 (1m) of its Protocol, in particular, that of promoting and encouraging democratic practices, good governance and the rule of law, the protection of human rights and fundamental freedoms, respect for the sanctity of human life, as well as for the International Humanitarian Law, within the framework of conflict prevention efforts;

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

1. **Welcomes** the annual consultation between the Council and the Commission as an important opportunity for the two AU Organs to share their experiences, best practices and lessons learned, particularly in relation to human and people's rights in conflict situations, with a view to ensuring that the two Organs more effectively discharge their distinct mandates and in a complementary manner;
2. **Commends** the ACHPR for regularly briefing Council on its activities in the promotion of human and people's rights particularly, in conflict situations;
3. **Also commends** all Member States which have already signed and ratified the existing continental and international human rights instruments and the International Humanitarian Law and **encourages** those that have not yet done so, to also consider doing the same
4. **Underscores the need** for an approach that takes into account the observance of Human and

Peoples' rights in the promotion of peace and security and, in this respect, **encourages** the ACHPR to adopt a more comprehensive and multi-sectoral approach to human rights as clearly stipulated in the Universal Declaration of Human Rights, which include the civil and political rights, the economic, social and cultural rights, the right to development, the right to a healthy environment, the right to peace and security, the right to the common heritage of mankind, as they are directly linked to the root causes of armed conflicts in the Continent;

5. **Also underscores the importance** of operationalizing all the applicable modalities for further enhancing the cooperation and collaboration between the PSC and the ACHPR as outlined in Communiqués [PSC/ PR/COMM. (DCCCLXVI)] and [PSC/PR/COMM. (CMLIII)] adopted by Council at its 866th meeting held on 8 August 2019 and 953rd meeting held on 8 October 2020, respectively;

6. **Reiterates the call** for Member States to cooperate with the ACHPR, to develop with the ACHPR a constructive dialogue comprising (i) the participation in sessions of the ACHPR, namely where their national periodic reports are being considered; (ii) the timely presentation by the Governments of Member States of their Reports on the implementation of the African Charter on Human and Peoples' Rights and other applicable legal instruments; (iii) the Consideration of organizing joint visits that the ACHPR and the PSC would wish to undertake, if necessary, in Member States, in accordance with Articles 45 (2) and 46 of the African Charter on Human and Peoples' Rights; (iv) the response to the various queries of the ACHPR like urgent appeals, (v) ensure the implementation of all decisions of the Peace and Security Council, the Executive Council and the Assembly in order to enable the ACHPR to fully discharge its mandate;

7. **Continues to note with concern** the adverse impact of the novel coronavirus (COVID- 19) pandemic on peace, security and economic development and **encourages** Member States to redouble their efforts in mitigating the impact of COVID-19 on human and peoples' rights, as well as for them to consider the guidelines provided by the ACHPR Resolution 449 on Human and Peoples' Rights, in order to ensure that human rights issues arising from COVID-19 do not exacerbate existing tensions and trigger violent conflicts within and between communities;

8. **Expresses deep concern** over the trend of 'vaccine nationalism' as it threatens to exclude developing countries, particularly those in Africa, thus endangering socio-economic recovery of affected Member States and, in this regard, **calls** for the temporary waiver on the restrictions on COVID-19 vaccine patents, in order to ensure universal, fair and equitable access to COVID-19 vaccines by all people in all adversely affected countries;

9. **Emphasizes** that the Member States bear primary responsibility for the security and protection of their citizenry's rights and, in this regard, **encourages** them to fully comply with the rules enshrined in the African Charter on Human and Peoples' Rights and all other applicable Regional, Continental and Universal instruments, including the Universal Declaration of Human Rights;

10. **Underscores the need** for the Member States to enact appropriate national regulatory and institutional frameworks to ensure that National Defence and Security Forces fully observe human rights and International Humanitarian Law (IHL) in discharging their duties and, in this regard, **stresses** the need for thorough investigations into alleged cases of human rights violations and abuses during armed conflict situations, including sexual abuses, exploitations and gender-based violence, as well as the need to ensure that perpetrators of such violations and abuses account for their actions, so as to fight impunity and promote justice to the victims;

11. **Also emphasises the importance** of addressing the fundamental root causes and drivers of armed

conflicts in the Continent including those emanating from human rights violations and **calls** on the Member States and all relevant stakeholders to constructively and peacefully resolve conflicts, among others, through dialogue, negotiations, mediation and consensual transitional justice mechanisms;

12. **Underscores** the importance of mainstreaming human rights standards and principles throughout conflict prevention, to conflict management, stabilisation, conflict resolution, and to Post-conflict reconstruction and development;

13. **Reaffirms the importance** of the AU Transitional Justice Policy and **takes notes** of the ACHPR's study on Transitional Justice for supporting countries in transition and post-conflict situations and encourages the ACHPR to redouble its efforts, as appropriate, in supporting the Member States in the initiation and implementation of transitional justice processes;

14. **Reiterates its commitment** to strengthening collaboration with the ACHPR, including whenever necessary, through invitations for the ACHPR to attend some of the sessions of Council on armed conflict situations and those on some relevant thematic topics, as well as through information sharing, early warning, and the regular annual consultative meetings, and, in this respect, **looks forward** to the convening of the next consultative meeting in 2022; and

15. **Decides** to remain seized of the matter.