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PEACE AND SECURITY COUNCIL
1171ST MEETING

24 AUGUST 2023
ADDIS-ABABA, ETHIOPIA

PSC/PR/COMM.1171 (2023)

COMMUNIQUÉ



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Adopted by the Peace and Security Council (PSC) of the African Union (AU) at its 1171st meeting held on 24 August 2023, on “Updated Briefing on the Development of the Common African Position on Cyber-Security in Africa.”

The Peace and Security Council,

Recalling Decision [Ext./Assembly/AU/Dec/(XVI)] adopted by the 16th Extraordinary Session of the AU Assembly of Heads of State and Government on Terrorism and Unconstitutional Changes of Government held on 28 May 2022, in Malabo, Equatorial Guinea and the AU Convention on Cyber Security and Personal Data Protection (Malabo Convention);

Also recalling its previous decisions and pronouncements on Cyber Security in Africa, particularly, Communique [PSC/PR/COMM.1148 (2023)] adopted at its 1148th meeting held on 13 April 2023 on Cyber Security: Impact on Peace and Security in Africa; communique [PSC/PR/COMM.1120.1.(2022)] adopted at its 1120th meeting held on 9 November 2022 on the Inaugural Engagements between the PSC and the AU Commission on International Law (AUCIL); and communique [PSC/PR/COMM.1097.1 (2022)], adopted at its 1097th meeting held on 4 August 2022;

Determined to find a lasting solution to the growing threat to peace, security and stability in the Continent posed by the increasing cyber-attacks, malicious use of information and communication technologies (ICTs) and incidents of unethical and hostile cyber-activities undertaken by both, state and non-state actors, including the targeting of government institutions and public infrastructure; the spread of misinformation and disinformation, subversive activities and interferences with national government processes, as well as the promotion of ideologies of hate and hate speech;

Mindful of the critical importance of cyber technologies and ICTs in the promotion of national, regional and continental development; as well as in the promotion of peace, security and stability in Member States;

Noting the opening statement by H.E. Ambassador Willy Nyamitwe, Permanent Representative of the Republic of Burundi to the Africa Union and Chairperson of the PSC for the month of August 2023; the presentations by Dr. Guy-Fleury Ntwari, the Director of AU Legal Counsel and by Dr. Mohammed Helal, the Special Rapporteur of the AU Commission on International Law; and

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

1. **Reiterates its deep concern** over the increasing global cyber threats and attacks, which constitute a serious threat to national, regional and international peace and security and, in this respect, **strongly condemns** all cyber-attacks, particularly the recent large-scale attack on the AU Commission information technology (IT) infrastructure;
2. **Welcomes** the Draft Statement by the AUCIL on the Application of International Law to the Use of ICTs in Cyberspace prepared by the Special Rapporteur on the Prohibition on Intervention in the Internal and External Affairs of States, which was adopted and endorsed by the 22nd Ordinary Session of the AUCIL in June 2023 and **requests** the Special Rapporteur to continue to engage Member States and other key stakeholders, in order to further develop the Draft Statement;
3. **Commends** the AUCIL for successfully co-organizing with the Government of Canada, a capacity building training programme on Application of International law on the Cyber-Space for

Member States, the AU Commission and the Regional Economic Communities and Regional Mechanisms (RECs/RMs), in May and in June 2023; and in this regard, **expresses deep appreciation** to the Government of Canada for the continued support;

4. **Also commends** all Member States which have already developed robust legislative and institutional frameworks on the use of ICTs and the cyber space and **encourages** those which have not yet done so to also do the same, and to also develop their own national cyber security strategies;

5. **Decides** to establish an expert-level working group, with the participation of the PSC Committee of Experts and other interested AU Member States, with a mandate to review the Draft African Statement adopted and endorsed by the AUCIL, for adoption by the PSC as a Common African Position on the Application of International Law in the Cyber Space; and **underscores the importance** of mainstreaming women and the youth, as well as the importance of taking into full consideration the peculiarities of the specific contexts of each Member State;

6. **Emphasizes** that the process should be led by the AUCIL through its Special Rapporteur, and supported by other AUCIL members, the AU Commission, and the Working Group of African Experts in order to ensure inclusivity and ownership of the process by all Member States;

7. **Requests** the Working Group, once established, to submit the Draft Common African Position on Cyber Security in Africa to the PSC by December 2023, for its consideration before the next Ordinary Session of the AU Assembly to be held in February 2024; in this regard, **requests** the AU Commission to establish a timeframe for the Working Group to complete its mandate;

8. **Once again, encourages** all Member States, which have not yet done so, to sign and ratify the AU Convention on Cyber Security and Personal Data Protection (Malabo Convention);

9. **Reiterates the need** for the Regional Economic Communities and Regional Mechanisms to also actively contribute to the efforts of Member States to combat cyber-attacks and, to this end establish regional cyber security centers; and

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