

African Union, African Regional Bodies

Statute of the African Union Mechanism for Police Cooperation (AFRIPOL)

Legislation as at 30 January 2017

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PDF created on 5 February 2025 at 08:17.

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FRBR URI: /akn/aa-au/act/statute/2017/mechanism-for-police-cooperation/eng@2017-01-30

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African Union

Statute of the African Union Mechanism for Police Cooperation (AFRIPOL)

Published

Commenced on 30 January 2017

[This is the version of this document at 30 January 2017.]

We, Member States of the African Union,

RECALLING the objectives and principles enshrined in the Constitutive Act of the African Union;

INSPIRED by the need to fully operationalise the African Architecture for Peace and Security provided for in the Protocol on the Establishment of the African Union Peace and Security Council (PSC);

RECALLING the Solemn Declaration on a Common African Defence and Security Policy (CADSP), premised on a common African perception of what is required to be done collectively by African States;

GUIDED by the various instruments on the fight against transnational organised crime and terrorism adopted by AU Member States;

RECALLING the Algiers Declaration of 11 February 2014, adopted by African Chiefs of Police in Algiers, Algeria relating to the establishment of the African Union Mechanism for Police Cooperation;

FURTHER RECALLING Decision EX.CL/Dec.820(XXV) in which the Executive Council, at its 25th Ordinary Session held in Malabo, Equatorial Guinea, from 20 to 24 June 2014, endorsed the Algiers Declaration on the establishment of the African Union Mechanism for Police Cooperation;

CONCERNED about the growing scale of crime in several sub regions of Africa, especially those related to information and communication technologies, illicit capital transfers, illicit trafficking of natural resources and smuggling;

COGNIZANT of the ever increasing sophistication with which organized crime syndicates, including terrorist groups, drug traffickers and arms traffickers, human smuggling, kidnapping-for-ransom, illicit proliferation of arms and money laundering are becoming intimately intertwined;

CONVINCED of the need to promote African police coordination at strategic, operational and tactical levels through the assessment of threats, analysis of criminal intelligence, planning and implementation of actions;

CONVINCED of the importance of Police cooperation through exchange of information and intelligence between Member States;

FURTHER CONVINCED that an effective response to the various forms of crime on the African Continent requires the harmonisation of police methods, the exchange and extension of best practices in terms of training, prevention, investigative techniques and expertise, as well as, the strengthening of African police capabilities;

RECOGNIZING that the need for greater cooperation between security and intelligence agencies is more crucial than ever before;

RECALLING the commitment of the Member States of the African Union and their determination to promote human rights, good governance, the rule of law and to work together to ensure peace, security, safety and stability on the African Continent;

RECOGNISING that such an objective requires increased coordination and cooperation, especially with Interpol and other relevant organizations;

ACKNOWLEDGING the progress achieved thus far, which needs to be consolidated in an overall strategic African framework for the prevention and combating of crime;

DETERMINED to establish an African Union Mechanism for Police Cooperation;

HAVE AGREED AS FOLLOWS:

Article 1 – Definitions

In this Statute, unless otherwise indicated:

"**AFRIPOL**" means the African Union Mechanism for Police Cooperation;

"**Assembly**" means the Assembly of Heads of State and Government of the African Union;

"**CAPCCO**" means the Central African Police Chiefs Committee or its successor;

"**Commission**" means the Commission of the African Union;

"**Constitutive Act**" means the Constitutive Act of the African Union;

"**EAPCCO**" means the Eastern Africa Police Chiefs Cooperation Organization or its successor;

"**Executive Council**" means the Executive Council of Ministers of the Union;

"**General Assembly of AFRIPOL**" means the Conference of the Chiefs of Police of the African Union Member States;

"**INTERPOL**" means the International Criminal Police Organisation;

"**Member States**" means Member States of the African Union;

"**NARC**" means North African Regional Capability;

"**Police Strategic Support Group**" means the unit designated as such and established within the Peace Support Operations Division of the AU Peace and Security Department;

"**Policy Organs**" means the African Union policy Organs as defined in the Constitutive Act;

"**RPCOs**" means the Regional Police Chiefs Cooperation Organizations, and includes CAPCCO, EAPCCO, SARPCCO, WAPCCO and any other regional Police Chiefs Cooperation Organisations as may be established;

"**SARPCCO**" means the Southern African Regional Police Chiefs Co-operation Organization or its successor;

"**Statute**" means the present Statute establishing AFRIPOL;

"**Secretariat**" means the Permanent Technical and Operational Office of AFRIPOL;

"**Steering Committee**" means the executive body of AFRIPOL;

"**STCDSS**" means the Specialized Technical Committee on Defence, Safety and Security or its successor;

"**Union**" or "AU" means the African Union established by the Constitutive Act;

"**WAPCCO**" means the West African Police Chiefs Committee or its successor.

Article 2 – Establishment and legal capacity of AFRIPOL

1. AFRIPOL is hereby established as a technical Institution of the Union for the mechanism for police cooperation for Member States of the Union.
2. AFRIPOL derives its Juridical personality from and through the African Union and shall:
 - (a) enter into agreements within the applicable Rules and Regulations of the Union;
 - (b) acquire and dispose of movable and immovable property in accordance with the said Rules and Regulations; and

- (c) institute legal proceedings.

Article 3 – Objectives

The objectives of AFRIPOL are to:

- (a) establish a framework for police cooperation at the strategic, operational and tactical levels between Member State police institutions;
- (b) facilitate the prevention, detection and investigation of transnational organized crime in coordination and collaboration with national, regional and international police institutions;
- (c) develop Member State' police capacities, through the establishment of African centers of excellence, for targeted police training programs adapted to the realities of the African context;
- (d) prepare a harmonised African strategy to fight against transnational organised crime, terrorism and cyber-crime within the framework of the implementation of the relevant African Union policies;
- (e) enhance coordination with similar structures in preventing and combating transnational organized crime;
- (f) enhance mutual technical assistance in training, exchange of experiences, experts and good practices between police institutions; and
- (g) enhance coordination among police forces deployed in the context of peace support operations and work with the Police Strategic Support Group in planning, mobilization, deployment, management and liquidation elements, plus, where applicable, other law enforcement components, in the police element in AU-led peace support operations.

Article 4 – Functions

In carrying out its mandate, AFRIPOL shall pursue in particular the following functions:

- (a) assist Member States' police institutions to set up a framework of cooperation for police institutions at national, regional, continental and international levels;
- (b) assist Member States' police institutions to improve their efficiency and effectiveness through enhancement of their organisational, technical, strategic, operational and tactical capacities;
- (c) facilitate, where appropriate, and in accordance with the applicable national and international laws, mutual legal assistance or extradition arrangements between Member States;
- (d) facilitate the exchange or sharing of information or intelligence to prevent and combat transnational organized crimes, terrorism and cyber-crime;
- (e) prevent, detect and investigate transnational organized crime in cooperation and collaboration with national, regional and international Police and law enforcement agencies;
- (f) assist Member States to develop or improve good practices in governance and management of police institutions and respect for human and peoples' rights;
- (g) assist Member States to develop and improve community-based policing to encourage citizen involvement in preventing and combatting crime;
- (h) enable planning and coordination of joint patrols and operations;
- (i) support Member States in developing a continental vision and strategies for coordination and collaboration among police institutions;
- (j) assist Member States to develop common African positions on police matters;
- (k) undertake studies on trends in transnational organized crimes and develop continental tools for crime prevention;

- (l) develop appropriate communication strategies, systems and databases for the fulfilment of the above functions;
- (m) act as an interface with the Police Strategic Support Group in the areas of planning, mobilization, and where applicable deployment of law enforcement agents and police officers in peace support operations conducted by the African Union; and
- (n) carry out any other functions given by the AU Policy Organs.

Article 5 – Principles

AFRIPOL shall function in accordance with the following principles:

- (a) non-interference in the internal affairs of any Member State, respect for the sovereignty and National Laws of the Members States;
- (b) respect for democratic principles, human rights, the rule of law and good governance in accordance with the Constitutive Act, the African Charter on Human and Peoples' Rights, the Universal Declaration on Human Rights and other relevant instruments;
- (c) respect for police ethics, the principles of neutrality, integrity and the presumption of innocence;
- (d) respect and recognition of African ownership of AFRIPOL.

Article 6 – The Specialized Technical Committee on Defence, Safety and Security

The STCDSS shall have the responsibility to provide leadership and direction regarding police affairs in Africa.

Article 7 – Structure of AFRIPOL

The structure of AFRIPOL shall consist of:

- (a) General Assembly;
- (b) Steering Committee;
- (c) Secretariat; and
- (d) National Liaison Offices.

Article 8 – The General Assembly

1. The General Assembly shall be the supreme technical and deliberative organ of AFRIPOL, with the responsibility to provide leadership direction regarding police cooperation in Africa.
2. The General Assembly is composed of Chiefs of Police from Member States.
3. The General Assembly shall:
 - (a) work out the policies and set the guidelines and strategic priorities of AFRIPOL;
 - (b) ensure the supervision of the implementation of the Policies, Guidelines and strategic priorities of AFRIPOL upon their adoption by the AU Policy Organs;
 - (c) consider the draft budget and the proposed structure of AFRIPOL and submit them to the relevant AU Policy Organs in accordance with the AU Financial Rules and Regulations;
 - (d) ensure and follow up on the implementation of the Statute;
 - (e) appoint and terminate the appointment of the Executive Director of AFRIPOL;

- (f) recommend the amendment of the Statute through the relevant AU procedures;
- (g) adopt its Rules of Procedure subject to approval by the Executive Council through the STCDSS;
- (h) consider and approve the Rules of Procedure of the Steering Committee and review its composition and functions;
- (i) Submit an annual report on its work to the relevant AU Policy Organs through the STCDSS;
- (j) elect on the basis of rotation, for a non-renewable term of two (2) years, five (5) members of the Bureau representing the five (5) Regions in accordance with AU;
- (k) The Bureau shall be composed as follows:
 - i. the President;
 - ii. three (3) Vice Presidents; and
 - iii. one (1) Rapporteur.
- (l) decide on the venue of its meetings; and
- (m) carry out any other functions assigned to it by the AU Policy Organs for the purpose of ensuring the implementation of this Statute and other relevant instruments or policies.

Article 9 – Steering Committee

1. The Steering Committee of AFRIPOL shall be composed as follows:
 - (a) the five (5) Members of the Bureau of the General Assembly;
 - (b) the Commissioner for Peace and Security of the African Union;
 - (c) the Chiefs of the RPCOs; and
 - (d) the Executive Director of AFRIPOL.
2. The Steering Committee shall be chaired by the serving President of the General Assembly.
3. The functions, frequency of meetings and the proceedings of the Steering Committee shall be provided in its Rules of Procedure.

Article 10 – Secretariat

1. There is hereby established a Secretariat of AFRIPOL.
2. The Director shall be the Chief Executive Officer of AFRIPOL who shall be assisted by the necessary and proper staff.
3. The staff members of the Secretariat shall be recruited and shall hold positions in accordance with the African Union Staff Rules and Regulations.
4. The structure of the Secretariat shall be determined in accordance with the rules and procedures in force in the African Union.
5. The Director shall be appointed by the General Assembly upon recommendation of the Steering Committee. The modalities of appointment of the Executive Director of AFRIPOL and other procedural matters shall be provided in the Rules of Procedure of the General Assembly.
6. The Executive Director shall work closely and provide regular reports to the African Union Commission through the Department of Peace and Security.

7. The Secretariat shall:
- (a) ensure the efficient administration of AFRIPOL;
 - (b) convene and servicing the meetings of General Assembly, the Steering Committee, or other meetings of AFRIPOL;
 - (c) maintain contact with national and international law enforcement authorities;
 - (d) implement the decisions of the General Assembly and the Steering Committee;
 - (e) draw up the annual draft program of work for the consideration and approval of the General Assembly and subsequently by the STCDSS;
 - (f) draft, circulate and file Minutes of meetings and all other records of AFRIPOL;
 - (g) submit annual activity and financial reports to the General Assembly on the AFRIPOL activities; and
 - (h) carry out any other functions assigned to it by the General Assembly, the Steering Committee or the relevant organs of the African Union.

Article 11 – National liaison offices

Each Member State, shall in accordance with its National legislation, establish an AFRIPOL National liaison office for the smooth running of the AFRIPOL activities.

Article 12 – Attendance and participation

1. In accordance with Article 10, the Chiefs of police shall attend and participate, personally in the AFRIPOL sessions. In the event that they are not in a position to attend personally, duly accredited representatives shall represent them.
2. The Representatives of the Organs of the Union or any other relevant AU institutions may be invited to attend the AFRIPOL sessions.
3. AFRIPOL may invite, as Observers, any person or Institution to attend its sessions. Such Observers, may be invited to make written or oral interventions but shall not be entitled to vote.

Article 13 – Venue

1. AFRIPOL Sessions shall be held at the AFRIPOL Headquarters, unless a Member State offers to host any such session.
2. In the event the session is held outside the AFRIPOL Headquarters, the host country shall be responsible for all extra expenses incurred by the AFRIPOL as a result of holding the session outside the Headquarters.

Article 14 – Quorum

The quorum of the Sessions of the General Assembly shall be two thirds majority and the Steering committee of AFRIPOL shall be simple majority.

Article 15 – Ordinary Sessions

1. AFRIPOL shall meet in Ordinary Session once every year and shall adopt its Agenda at the opening of each session.

2. The Provisional Agenda of an Ordinary Session shall be drawn up by the Secretariat in consultation with the Steering Committee and may include item(s) proposed by Member States.
3. The Secretariat shall communicate the Agenda as well as the working documents to Member States at least thirty (30) days before the opening of the session.

Article 16 – Extraordinary sessions

1. AFRIPOL may meet in an extraordinary session subject to availability of funds, at the request of:
 - (a) General Assembly;
 - (b) the policy organs of the Union; or
 - (c) any Member State, upon approval by a simple majority of the Member States.
2. The Agenda of an extraordinary session shall comprise only the item(s) submitted for consideration in the request for convening the said session.
3. AFRIPOL Secretariat shall communicate the Provisional Agenda and working documents of an extraordinary session to Member States at least fifteen (15) days before the opening of the session.

Article 17 – Majority required for decisions

The General Assembly of AFRIPOL shall take its decisions by consensus, failing which, by two-thirds majority of the Member States present and eligible to vote.

Article 18 – Flag, anthem and logo

1. The AFRIPOL flag and anthem shall be that of the Union.
2. AFRIPOL may adopt the AU logo or its own logo.

Article 19 – Cooperation with Member States, African Union organs and institutions

AFRIPOL shall cooperate with Member States, organs and institutions of the AU on any subject matter related to its objectives and functions.

Article 20 – Relations with INTERPOL and other organisations

1. In the fulfillment of its mandate, AFRIPOL shall cooperate and work closely with INTERPOL and any other relevant organisation.
2. AFRIPOL may establish relations and collaborate with similar, intergovernmental and international organisations that will enhance its capacity to deliver on its mandate and as approved by the General Assembly.

Article 21 – Budget and resources

1. The budget of AFRIPOL shall constitute an integral part of the regular budget of the Union.
2. For purposes of attaining its objectives, AFRIPOL shall have its own operational and programme budget.

3. AFRIPOL may mobilize resources from extra-budgetary sources in accordance with the AU Financial Rules and Regulations.
4. The AFRIPOL may receive donations and voluntary contributions subject to the approval of the General Assembly.
5. The budget of AFRIPOL shall be submitted for approval to the Policy Organs of the Union in accordance with the relevant provisions of the AU Financial Rules and Regulations.

Article 22 – Terms and conditions of service of staff members

The terms and conditions of service of the staff members of AFRIPOL Secretariat shall be governed by the African Union Staff Rules and Regulations.

Article 23 – Membership

AFRIPOL shall be composed of Police institutions of Member States of the African Union.

Article 24 – Headquarters of AFRIPOL

1. The Headquarters of AFRIPOL shall be in Algiers, Peoples' Democratic Republic of Algeria.
2. A Headquarters Agreement shall be concluded between the Government of the Host Country and the African Union upon the adoption of the present Statute by the Assembly.

Article 25 – Languages

The official and working languages of the AFRIPOL shall be those of the Union.

Article 26 – Privileges and immunities

AFRIPOL and its staff shall enjoy the privileges and Immunities as provided in the General Convention on the Privileges and Immunities of the Organisation of African Unity, the Vienna Convention on Diplomatic Relations of 1961 and the host agreement that shall be concluded between the AU and the Government of the Host Country.

Article 27 – Transitional arrangements

Following the adoption of the present Statute by the Assembly of the Union, the Chairperson of the Commission, shall:

- (a) in consultation with the host country take the necessary measures to establish an Interim Secretariat; and
- (b) appoint the required staff in order to facilitate the speedy establishment of AFRIPOL in accordance with the present Statute and subject to the endorsement by the relevant Policy Organs of the AU.

Article 28 – Amendment

1. The present Statute may be amended by the Assembly upon the recommendation of either:
 - (a) the General Assembly; or
 - (b) the STCDSS after obtaining the opinion of the General Assembly.
2. Any amendment to this Statute shall enter into force upon its adoption by the Assembly of the Union.

Article 29 – Entry into force

1. The present Statute shall enter into force upon its adoption by the Assembly of the Union.
2. The present Statute, of which the Arabic, English, French and Portuguese texts are equally authentic shall be transmitted to the Executive Director and to all Member States.

Adopted by the twenty eighth Ordinary Session of the Assembly, held in Addis Ababa, Ethiopia

30 January 2017