

# Engagement between the PSC and the PRC Sub-Committee on Human Rights, Democracy and Governance

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Tomorrow (11 August) the African Union (AU) Peace and Security Council (PSC) will convene its 1166<sup>th</sup> Session that is dedicated to the PSC's engagement with the Permanent Representative Committee (PRC) Sub-Committee on Human Rights, Democracy and Governance (HRDG).

The PSC Chair for the month and Permanent Representative of Burundi to the AU, Ambassador **Willy Nyamitwe** will be delivering the opening remarks. The Commissioner for Political Affairs, Peace and Security (PAPS), **Bankole Adeoye**, is also expected to make a statement. Additionally, a briefing is expected to be delivered by **James Pitia Morgan**, as the Permanent Representative of the Republic of South Sudan to the AU and the Chairperson of the PRC Sub-Committee on Human Rights, Democracy and Governance. It is also anticipated that **Remy Lumbu**, Chairperson of the African Commission on Human and Peoples' Rights (ACHPR) and Chairperson of the African Governance Architecture (AGA) Platform will also make a statement.

The upcoming session marks the second annual joint engagement between the PSC and the Sub-Committee. This session was institutionalized during the 1095<sup>th</sup> session, where the PSC made the decision to hold the meeting with the Sub-Committee every August. The engagement is not only supported by the PSC's decision, but is also enshrined in the PSC Protocol Relating

to the Establishment of the PSC, which mandates the PSC to follow up on progress towards promoting democratic practices, good governance, the rule of law, and the protection of human rights. Correspondingly, beyond promoting AU shared values, the mandate of the Sub-Committee additionally involves: hearing briefings from AGA platform members; recommending policy initiatives, draft declarations, draft resolutions and decisions in the area of human rights, democracy and good governance; considering proposals/documents concerning the programs, policies, strategies of AU human rights, democracy and governance initiatives; and supporting efforts and initiatives aimed at the full operationalization of the AGA, its platform and its synergy with the APSA.

Similar to the previous engagement, the upcoming session aims to create synergy and coordination between the PSC and the Sub-Committee in respect of the role of the PSC on issues relating to governance, democracy and human rights. The session also seeks to identify joint programs as well as initiatives going forward.

However, the surge in coup d'états in the continent increases the relevance of tomorrow's session. As a result of the successful coup attempt that took place from 26 – 28 July 2023, Niger has joined Guinea, Mali, Burkina Faso, Chad and Sudan in the list of African countries that have experienced a coup since April 2020. While some of those countries are still struggling to transition from military to civilian rule, Sudan has experienced a full-blown conflict that resulted in the worsening of human suffering with human rights violations including the death and displacement of hundreds of thousands of Sudanese. The increasing frequency of coups throughout the Sahel region reflects the failure of continental frameworks aimed at maintaining democratic order in African countries.

As concern over the growing number of coups in Africa intensifies, PSC has convened three sessions in the past year to address the issue of unconstitutional changes of

government, including the reflection forum held in March 2022 in Accra, Ghana. Subsequently, the AU's Extraordinary Session of the Assembly adopted the Declaration on Terrorism and Unconstitutional Changes of Government on May 28, 2022, in Malabo, Equatorial Guinea. This declaration enshrines the consensus among member states that an urgent response is required from both the AU and the Regional Economic Communities/Mechanisms (RECs/RMs). The AU and the RECs/RMs are intensifying their efforts to restore democratic rule by supporting the on-going transitions and attempting to put a stop to the epidemic of coups on the continent.

However, none of these efforts have succeeded in preventing coups. Progress in facilitating the transition of countries under military rule towards restoration of constitutional order also remains slow. Tomorrow's session thus presents an opportunity for discussing what more needs to be done collectively by the AGA and APSA institutions to reverse the spread of coups, including by revisiting the Accra Forum and the follow up of PSC's decision from the 14 September 2022 inaugural meeting with CSOs for reconvening of the Accra forum.

As the PSC itself admitted in various occasions and reflected in the Accra Declaration, the lack of regard by Member States for the provisions of the African Charter on Democracy, Elections and Governance ([ACDEG](#)) and other similar governance and human rights instruments is one of the sources of the decline in the state of democracy and human rights in Africa. Hence, as the organ mandated with promoting the AU's shared values on human rights, governance, and democracy, tomorrow's consultation presents an opportunity for critically reflecting on how HRDG Sub-Committee creates the space for the AGA Platform members to critically assess the weaknesses in their current approach to the execution of their mandate and design and deploy strategies and approaches that are more effective in arresting and countering the regression in democratic

governance and respect for human rights that serves as fertile ground for military coups, economic dislocation and conflicts and other sources of insecurity in Africa. The PSC's past engagement with the Sub-Committee had also urged Member States to expedite the universal signature and implementation of the ACDEG. However, despite popularization efforts, the ACDEG has not seen progress in terms of signatories since the previous engagement of the two organs. As such, in the upcoming session, the PSC is expected to be briefed on the work that the AGA Secretariat and the AGA Platform undertook towards enhancing ratification and implementation. The session may also include discussion on elections, as the monitoring of elections through periodic report is in the standing agenda of the PSC and promoting of ACDEG is one of the mandates of the Sub-Committee.

Furthermore, the ACDEG is at the core of the African Governance Architecture (AGA) and the AU [Executive Council](#) has also directed the Sub-Committee to continue engaging with AU organs and institutions with human rights and governance mandates in a view to enhance synergy between the AGA and African Peace and Security Architecture (APSA). In line with these and building on the PSC's previous engagement with the Sub-Committee, the PSC may seek to receive updates on the progress made and the challenges to the institutionalization of the synergy. The upcoming session may also present an opportunity for the PSC to explore a critical aspect that was overlooked in the previous session. Particularly, exploring ways to facilitate the implementation of decisions made by the members of the AGA platform, such as the African Commission on Human and Peoples' Rights (ACHPR), the African Court on Human and Peoples' Rights and the Committee of Experts on the Rights and Welfare of the Child as well as the AU Anti-Corruption Board. Additionally, the two organs may hold discussions on promoting the integration of AU democracy and human rights standards across the AU Executive Council and AU Assembly decisions through the PRC.

In terms of further follow up, in its previous engagement with the Sub-Committee the PSC has encouraged the Sub-Committee to engage CSOs through the AU Economic, Social and Cultural Council (ECOSOCC). As per the February 2023 report of the Sub-Committee that was submitted to the AU Executive Council, it was indicated that the Sub-Committee received a briefing from the ECOSOCC. In the report ECOSOCC also cited the promotion of the continental civil society sensitization campaign on the ratification and domestication of the ACDEG, participation in ECOSOCC Citizens' Forum and supporting ECOSOCC programs on the integration of Women and Youth in democratic governance in Africa as proposed areas of collaboration. Against that backdrop, the PSC may request an update on activities that were undertaken by the Sub-Committee in the engagement of CSOs.

The outcome of the session is expected to be a Communiqué. The PSC may welcome the consultation with the HRDG Sub-Committee of the PRC, while underscoring the need for enhancing the effectiveness of the Sub-Committee and importantly the role of the AGA platform and its members. In light of the coup that took place in Niger, it may condemn the democratic regression in the continent and the blatant disregard by member states of the decisions of the AU bodies on human rights and governance and the recent spike in military coups on the continent. It may also request the Sub-Committee working with the AGA Secretariat and the AGA Platform members to look into the apparent support that African citizens are showing to military coups and develop strategies on how to build strong defence on the part of African people against unconstitutional changes of government in all its forms. The PSC may also request the Sub-Committee to facilitate coordination and dialogue between the AGA Platform members and member states concerned on enhancing the implementation of decisions of the African human rights and governance bodies as critical measures for fending against conditions that make coups possible. While welcoming the engagement between the Sub-Committee and ECOSOCC, the PSC may

request that the coordination between the two focuses on measurable activities for enhancing public awareness and support for AU shared values including ACDEG through the use of media and public surveys working, for example, with organizations such as Afrobarometre. The PSC may also reiterate the need for the involvement of CSOs in governance matters and for the representation of Africa citizen in regional human rights bodies and in this respect the importance of expanding and consolidating platforms for their impactful engagement. In the light of the continuation of the occurrence of coups, the PSC may call for the convening of a follow up to the Accra Forum within the framework of decision for the holding of the forum on annual basis.