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**CONCLUSIONS OF THE RETREAT OF THE PEACE AND
SECURITY COUNCIL OF THE AFRICAN UNION
DAKAR, (SENEGAL), 5 – 6 JULY 2007**

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I. INTRODUCTION

1. The Peace and Security Council (PSC) of the African Union (AU) held a Retreat to review its working methods in Dakar, Senegal, from 5 to 6 July 2007. The Retreat considered a number of issues relevant for putting in place enabling working methods for the functioning, and reached the conclusions below.

II. CONCLUSIONS

A. Chairmanship of the PSC

2. Article 8 (6) of the PSC Protocol states that the Chair of the PSC shall be held in turn by the members of the PSC in the alphabetical order of their names. Each Chairperson shall hold office for one calendar month". Each PSC member should have the opportunity to chair the PSC during a given mandate. However, clarity need to be given regarding the issues of the rotation of chairmanship, stand-in chairperson, the role of the chairperson and presence of the chairperson of the PSC in Addis Ababa.

(i) Rotation of Chairmanship

- **The Chair of the PSC shall be held in turn by the members of the PSC in the English alphabetical order of their names for one calendar month.**
- **Following each election of PSC members, the existing members and the new members shall be seated according to the alphabetical order and the chairmanship shall continue accordingly.**
- **The new members take up office on 1 April after their election in January of the same year.**
- **The new list of PSC members and the rotation of the chairmanship, shall be communicated to PSC Members and the other AU member States before the end of February of the same year.**

(ii) Stand-in Chairperson

The chairmanship of the PSC shall be assumed by the Permanent Representative of the country holding the chairmanship and duly accredited to the Chairperson of the AU Commission.

In his absence, the chairmanship shall be assumed by the next Chairperson in line down the list. This rule shall not prevent the interim Chairperson from assuming his/her office as Chairperson of the PSC the following month or months as the case may be.

Where the Chairperson represents a member State of the Council which is barred from participation in the discussion or decision-making process during the Councils deliberations, pursuant to Article 8 (9) of the Protocol, the Chairperson shall vacate the chair, which shall be assumed by the next chairperson in line for the duration of that situation.

In exceptional cases where a Chairperson voluntarily renounces his/her obligation, which should not be encouraged, he/she loses his/her right and turn to chair the Council (for a given PSC meeting or the month of his/her chairmanship).

(iii) Presence of the Chairperson at the AU Headquarters

In view of the increasing workload of the PSC, there is a need to develop the capacity of the PSC to enable it to respond in a timely manner to threats to peace. This necessitates regular consultations between the Chairperson of the PSC and the Commission, as well as between him/her and the other members, to set out priorities and upkeep the momentum for timely response.

Therefore the Chairperson of the PSC is, as much as possible, expected to remain in Addis Ababa during his/her chairmanship.

(iv) Role of the Chairperson of the PSC

The Chairperson of the PSC shall:

- represent the PSC wherever this is required;
- establish, in consultation with the Commission and the members of the PSC, a provisional monthly programme of work;
- make a briefing on the PSC activities and other security situations in Africa to the Permanent Representatives Committee (PRC) whenever there is need;
- participate in Commission initiated/led consultations at Headquarters on issues of peace and security and make sure that the Commission brief him/her when such consultations take place away from the Headquarters;
- lead, on the decision of the Council, PSC field missions whenever it is so decided by the PSC, subject to the incompatibilities provided for in Art. 24 of the Rules of procedure;
- brief, together with the Commissioner for Peace and Security, the media as may be necessary at the end of PSC meetings;

- **make contributions to the Report of the PSC on its Activities and the State of Peace and Security in Africa.**

B. Establishment of the monthly programme of work and annual calendar of major events of the PSC

3. The PSC is master of its own business and should therefore shoulder the tasks that go along this principle. Whilst the Commission needs to play its role in support of the PSC, it is the latter that should assume leadership on tasks such as the preparation of the PSC monthly programme of work and the drafting of decisions.

4. The indicative annual activities of the PSC could be captured as follows:

- i. periodic retreats of the PSC to brainstorm on its activities and any emerging challenges;
- ii. meetings of the PSC with the African Regional Mechanisms for Conflict Prevention, Management and Resolution;
- iii. meetings of the PSC with the UN Security Council;
- iv. meetings of the PSC with other organs of the Union, such as the African Commission on Human and Peoples' Rights, the Pan-African Parliament, etc;
- v. meetings of the PSC with non-State actors, including civil society organizations, private sector, think-tanks, etc, as necessary to address issues at hand.

- **The successive Chairpersons of the PSC, in consultation with the Commission, shall elaborate an indicative programme of work for a period of three to six months, which shall be considered each month by the PSC members.**

- **In addition, within twenty days towards the assumption of chairmanship of the PSC, the next chairperson shall prepare a monthly programme of work in consultation with the Commission**

C. Accreditation for PSC meetings

5. The meetings of the PSC shall be properly safeguarded and the integrity of its deliberations ensured with respect to the official delegates and individuals that can enter into and participate in those meetings. Thus, the following arrangements are to be put in place to this effect:

- i. **The Permanent Representatives of the PSC members accredited to the AU are the only ones to chair the PSC meetings. However, in case of impediment the chairmanship may be assumed by a plenipotentiary, with ambassadorial rank at a minimum and available for the month.**

- ii. **The Commission shall ensure proper accreditation of PSC members/delegates for participation to the PSC meetings in accordance with the relevant provisions of the PSC Protocol and of its rules of Procedures.**
- iii. **Any other participants to PSC meetings, including those from the AU Commission, shall also be subjected to an accreditation process.**
- iv. **In this respect, permanent identification badges for the accredited members and the Commission shall be issued as well as badges for the invited guests to the PSC meeting.**
- v. **Each delegation shall be led by a Head of delegation and comprise a maximum of four officials (depending on the availability of seats).**

D. Format of Meetings of the PSC

6. According to article 5 of its Rules of Procedure, the quorum for a meeting of the PSC shall be two-thirds of its total membership.

The Commission shall communicate to the members the attendance list of each meeting of the PSC.

According to article 8 of its Protocol, the PSC shall hold closed meetings. In sub-section 10 of the article, it is provided that the PSC may decide to hold open meetings. In the ongoing practice of the PSC, there appear to be more sessions held in one, which does not provide sufficient space as should be to attain clarity on all issues at hand. Aspects relating to interpretation of provisions of the PSC Protocol, briefing on issues, consultation, the taking of a decision, etc, are all being crowded into a single session.

In conformity with the provisions of the Protocol, the PSC shall hold the following types of meetings:

- **consultations;**
- **closed sessions during which decisions are taken; and**
- **open sessions to receive briefings and at the end of which no decisions are taken.**

E. Decision-making process in the PSC

7. There must be a formula for guiding the process, from the point of the seizure of an issue by the PSC to the stage where a decision is taken.

- i. **Each PSC member shall designate an expert to a Committee to prepare draft decisions. Officers from the Peace and Security Department shall also be members of the Committee. The Committee will treat the information on a given issue and elaborate a draft decision. The**

Chairperson of the PSC undertakes consultations to harmonise views on the draft. This process will proceed to a formal meeting to adopt the decision.

- ii. **Members of the PSC shall refrain from making substantive comments or raising questions requiring substantive discussion during public meetings.**

F. Format of Outcomes of PSC Meetings/Sessions

8. Rule 32 of the Rules of Procedure of the PSC states that, at the end of each meeting, the PSC may issue a Communiqué relating to its deliberations. In practice, the PSC has formatted the outcomes of its deliberations in two forms: decisions communicated through the issuance of a communiqué or press statement. However, this format needs to be streamlined in order to use appropriate formats for presenting the outcomes of PSC meetings.

9. The outcomes of the meetings of the PSC are targeted at recipients ranging from the member States, parties to conflict, the Commission (as a key player in implementation of decisions, among other tasks), the larger international community and affected populations, as well as the media. Also, open meetings and informal consultations of the PSC, such as those convened under article 8. 10 of the Protocol and under Rule 16, of the Rules of Procedure sometimes culminate in the PSC issuing a communiqué or a press statement. There are, again, cases in which the PSC has converted a briefing session initially meant for exchanging views into a decision-making session due to the nature of the issue under consideration. Thus, the outcomes of the meetings/sessions of the PSC, bearing in mind the types of those meetings, shall be communicated in a two-fold format as follows:

- i. **Communiqué on a decision of a closed PSC meeting on a given issue.**
- ii. **Press Statements on the outcome of a PSC meeting, at which no decision was taken.**

Furthermore, the Commission shall compile all PSC Communiqués on a CD-ROM for the members of the PSC and make them available on line.

G. Follow-up on the Implementation of PSC Decisions.

10. The business of the PSC continues to gather momentum as decisions are taken to address different situations in the continent. Hence, there is need for a close follow-up on the implementation of the decisions of the PSC in order to ensure the attainment of the objectives being pursued.

The follow-up on the implementation of PSC decisions shall be carried out through meetings of the PSC every six months. An implementation matrix indicating the progress made and the constraints encountered in process shall be elaborated to this effect.

H. Establishment of Subsidiary Bodies of the PSC

11. In implementation of article 8 (5) of its Protocol, which provides that the PSC may establish such subsidiary bodies as it deems necessary for the performance of its functions, the PSC concluded that, **at the initial stage, the following committees may be established as needed and on a case-by-case basis in future:**

- i. **a resource mobilization committee with each region being represented; and**
- ii. **a Committee on procedures and mechanisms for peace support operations with each region being represented.**

I. Preparation of the Report of the Peace and Security Council on its Activities and the State of Peace and Security in Africa

12. According to article 7, the PSC shall submit, through its Chairperson, regular reports to the Assembly on its Activities and the State of Peace and Security in Africa. Since the entry into function of the PSC in March 2004, the Commission has shouldered the responsibility for the preparation of the said Report. But the spirit of the Protocol on this issue is that there should be as much collaboration as possible between the PSC and the Commission in the preparation of this Report. Hence, there is need to envisage an increased involvement of PSC members in the drafting of the Report.

13. For purposes of enriching the Report, it may be desirable for the PSC to discuss its elaboration with respect to the possibility of having inputs into the Report from members of the PSC, through its Chairperson.

The report shall draw inputs from the monthly briefings by the Chairpersons of the PSC to the PRC. The PSC shall examine the report prior to its submission to the Assembly.

J. On the Implementation of Specific Articles in the PSC Protocol Relating to the PSC's Cooperation and Collaboration with other Entities

14. The successful building of cooperation and collaboration between the PSC and other entities as provided for in the Protocol depends on the effective implementation of the relevant articles in the PSC Protocol:

- i. Implementation of Article 16: Relations between the Peace and Security Council and Regional Mechanisms for Conflict Prevention, Management and Resolution

15. The working relations between the PSC and the Regional Mechanisms for Conflict Prevention, Management and Resolution are provided for in article 16 of the PSC Protocol. The Regional Mechanisms are expected to play an active role in the implementation of the peace and security architecture, from the vantage point of the value-added associated with being situated closer to theaters of conflict in relation to efforts to prevent and resolve conflicts /or to boost support for post-conflict recovery. In particular, sub-sections 16 (1) (a and b) and 16 (6) call for closer harmonization and interaction between the PSC and the Regional Mechanisms with respect to the

promotion of peace, security and stability, as well as related activities, in the continent. Article 16 also provides for the establishment of close collaboration arrangements between the Commission and the Regional Mechanisms.

- **The PSC shall hold an annual information and experience-sharing meeting with the Chairpersons of the Regional Mechanisms. The meeting shall preferably take place in May, ahead of the AU Summit in order for the Chairperson of the PSC to apprise the Assembly of its outcome.**
- **In pursuance to article 16 of the Protocol, the PSC and the Regional Mechanisms, through their respective secretariats, shall regularly exchange information on their activities aiming at the promotion of peace, security and stability in the continent and in the respective regions in order to facilitate the coordination of efforts.**

ii. Panel of the Wise

Modalities for interaction between the PSC and the Panel of the Wise

The modalities for interaction between the PSC and the Panel of the Wise should be adopted by the PSC in line with Article 11 on the establishment of the Panel of the Wise of the PSC Protocol.

iii. Implementation of Article 18: Relations between the PSC and the Pan-African Parliament

16. According to article 18 (2), the Pan-African Parliament can request the PSC to submit to it reports, through the Chairperson of the Commission, in order to facilitate the discharge by the Parliament of its responsibilities relating to the maintenance of peace, security and stability.

The Commission shall take steps towards the implementation of the provisions of Article 18, sub-sections 1, 2 and 3 of the PSC Protocol, regarding the relationship between the PSC and the Pan-African Parliament. The Parliament shall, to the extent possible, inform the PSC of its efforts in furtherance of peace, security and stability in Africa.

iv. Implementation of Article 19 :Relations between the PSC and the African Commission on Human and People's Rights (ACHPR)

At least once a year, the Chairperson of the PSC shall invite the Chairperson of the ACHPR to brief the PSC on the state of human rights in conflict areas of the continent. As the ACHPR reports to the Assembly of the Union on its activities on human and peoples' rights, the presentation to the PSC shall focus on situations that could be a threat to peace and security.

v. Relationship with the African Court of Justice on Human and People's rights

At least once a year, the Chairperson of the PSC shall invite the African Court on Human and People's rights to brief the PSC on issues of common concern.

vi. Relations between the PSC and CISSA

Cooperation shall be established between the PSC and the Committee of Intelligence and Security Services for Africa (CISSA) with a view to harnessing CISSA's inputs into the peace efforts in the continent.

vii. Implementation of Article 17: Relations with the United Nations and its Security Council

17. Article 17 of the Protocol provides that, in the fulfillment of its mandate in the promotion and maintenance of peace, security and stability in Africa, the PSC shall cooperate closely with the United Nations Security Council, which has the primary responsibility for the maintenance of international peace and security. This close cooperation between PSC and the UN shall also include relevant UN Agencies. Also, article 3(c) of the Constitutive Act of the African Union encourages international cooperation taking account of the Charter on the United Nations.

The cooperation between the PSC and the UN Security Council shall be pursued within the framework of the joint Communiqué agreed by the UN Security Council and the AU PSC in Addis Ababa, on 16 June 2007.

viii. Relations with other Regional Organizations (League of Arab States, AOS, EU, etc.)

18. In pursuance of the relevant provisions of the PSC Protocol, the PSC shall maintain closed interaction with all relevant international organizations, including the European Union, the League of Arab States, the Organisation of American States and the International Organisation of la Francophonie.

This will include a yearly meeting with the relevant structures of these organizations to consult on issue of common concern.

ix. Implementation of Article 20: PSC Relations with Civil Society Organizations

19. According to article 20 of its Protocol, the PSC shall encourage non-governmental organizations, community-based organizations and other civil society organizations, particularly women's organizations, to participate in the efforts aimed at promoting peace, security and stability in Africa. When so required, such organizations may be invited to address the Peace and Security Council.

An appropriate formula to be approved by the PSC shall be established to allow for interaction between the PSC and the Civil Society Organizations with a view to giving effect to Article 20 of the PSC Protocol.

K. Framework for PSC field missions

20. In order to enhance its work with respect to the taking and implementation of decisions on given situations and issues, the PSC may undertake field missions to affected areas.

- **Whenever required, the PSC shall undertake field missions. The Terms of Reference of such missions shall be determined by the PSC.**
- **Resources shall be mobilized to support the undertaking of field missions by the PSC.**

L. Enhancement of the Peace Fund

21. Article 21 of the PSC Protocol states that in order to provide the necessary financial resources for peace support missions and other operational activities related to peace and security, a Special Fund, to be known as the Peace Fund, shall be established. This Fund shall be made up of financial appropriations from the regular budget, voluntary contributions from member States and other sources, including voluntary contributions from outside Africa. However, the AU continues to face serious financial problems in the implementation of its peace and security agenda, particularly the deployment of peace support operations. This highlights the need for more robust efforts to mobilize additional resources for the Peace Fund.

In addition to the existing mechanisms in the Commission, the PSC shall establish a Resource Mobilization Committee that will propose initiatives to be taken to this effect.

M. Advocacy for UN funding of AU peacekeeping missions in Africa

22. On the issue of funding for AU peace support missions, **the PSC, as the organ responsible for peace and security in the continent, should be involved in advocacy and sensitisation efforts in pursuit of the decision of the 9th Ordinary Session of the Assembly on funding of peace support operations undertaken by the AU or under its authority, with the consent of the UN, from UN assessed contributions.**

N. Related Issues

23. There is necessity to strengthen the capability of both the Peace and Security Department, including the PSC Secretariat, and those of the Military Staff Committee of the PSC. Article 10(4) of the PSC Protocol provides for the establishment, within the Commission, of a Secretariat, as a focal point, to assist the Chairperson of the Commission and the Commissioner in charge of Peace and Security, in their respective responsibilities towards the PSC.

a. **Strengthening of the capacities of the Peace and Security Department (PSD)**

The PSC shall advocate within the AU Organs for the review of the structure and capacity of the PSD in the following areas in order to render it more effective:

- human resources
- equipment;
- conference facilities and office space;
- dedicated translation and interpretation team; and
- budgetary provision for field missions

b. **Strengthening of the PSC Military Staff Committee (MSC)**

24. The MSC of the PSC is established under article 13 of the PSC Protocol, sub-sections 8 to 11, to advise and assist the PSC on issues of military and security requirements for the promotion and maintenance of peace and security in Africa. It is vital that the MSC discharge its responsibilities more effectively.

- i. **The PSC members shall abide by the relevant provisions of the Protocol by ensuring that they are represented in the MSC by his/her military officer accredited to Addis Ababa or a military officer specially sent by its Government to that effect;**
- ii. **The PSC shall obtain the input of the MSC when considering issues on pre-deployment or deployment of troops and major military equipment to field missions, in accordance with the provision of the Protocol.**