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PEACE AND SECURITY COUNCIL

1102nd MEETING

22 AUGUST 2022

ADDIS ABABA, ETHIOPIA

PSC/PR/COMM.1102 (2022)

COMMUNIQUÉ



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Adopted by the Peace and Security Council (PSC) of the African Union (AU) at its 1102nd Meeting held on 22 August 2022 on the theme: “Lessons Learning Session on the Implementation of the African Union Transitional Justice Policy: Impact on National Resilience and Democratization”:

The Peace and Security Council,

Recalling Decision [[Assembly/AU/Dec.501 \(XXII\)](#)], by which the AU Assembly declared the Decade 2014-2024 as the Madiba Nelson Mandela Decade of Reconciliation in Africa; **also recalling** its previous decisions, particularly Communiqué [[PSC/PR/COMM. 1017\(2021\)](#)] adopted at its 1017th meeting held on 5th August 2021 on AU support to the Member States in Political Transition and Post-Conflict situations; Communiqué [[PSC/PR/COMM.\(CMLIII\)](#)] adopted at its 953rd meeting, held on 8th October 2020, that was dedicated to a consultation with the African Commission on Human and People’s Rights (ACHPR); and Communiqué [[PSC/MIN/COMM.\(DCCCXCIX\)](#)] adopted at its 899th meeting held at the ministerial level, on 5th December 2019, in Luanda, Angola, on the theme “National Reconciliation, Restoration of Peace, Security and Rebuilding of Cohesion in Africa”;

Acknowledging the nexus between truth, justice, accountability, peace and reconciliation; as well as the importance of fighting the culture of impunity, promoting accountability, and ensuring justice for the victims of human rights violations, as necessary preconditions for promoting national reconciliation, healing, cohesion and durable peace; and **also acknowledging** that transitional justice is a prerogative of Member States concerned;

Determined to further enhance the effectiveness and sustainability of AU support to all Member States in political transition and post-conflict situations, in order to build durable peace, entrench the culture of democratic governance, prevent relapses to cycles of violence, and realize “the Africa we want”;

Mindful of the critical importance of redoubling efforts aimed at, among others, creating conducive conditions for the realization of African Agenda 2063, by ensuring the continued implementation of the African Union Transitional Justice Policy (AUTJP) adopted in 2019, in line with Article 4 (o) of the Constitutive Act, which calls for peaceful resolution of conflicts, respect for the sanctity of human life, condemnation and rejection of impunity; as well as Post-conflict, Reconstruction and Development (PCRD) Policy Framework adopted in 2006.

Noting the statements by H.E. Jainaba Jagne, Permanent Representative of the Republic of the Gambia to the AU and Chairperson of the PSC for the month of August 2022, and the statement of H.E. Bankole Adeoye, AU Commissioner for Political Affairs, Peace and Security, as well as the presentation by Mr. John Ikubaje on the Implementation of the African Union Transitional Justice Policy (AUTJP) adopted in 2019; **also noting** the presentations by

Dr. Lamin J. Sise, former Chairperson of the Truth, Reconciliation and Reparation Commission (TRRC) of the Republic of The Gambia; H.E. Hope Gasatura, Permanent Representative of the Republic of Rwanda to the AU; H.E. James Peter Morgan, Permanent Representative of the Republic of South Sudan to the AU; and H.E. Adekunle King, Permanent Representative of the Republic of Sierra Leone to the African Union; and

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

1. **Commends** Dr. Lamin J. Sise, Ambassador Hope Gasatura, Ambassador James Peter Morgan, and Ambassador Adekunle King, for sharing the experiences of their respective countries in implementing transitional justice;
2. **Also commends** the African Union Commission for its continued support to the efforts being deployed by the Member States in implementing their national transitional justice programmes and also for developing the Roadmap for the Implementation of the AUTJP, and a Resource Guide to the AUTJP; and in this regard, **encourages** Member States to use the AUTJP, as a reference guide, in developing their own comprehensive and context-specific transitional justice policies and programmes;
3. **Emphasizes the importance** of ensuring participation of all marginalised groups and affected communities, particularly, women, youth, victims, community leaders and leaders of religious groups, as well as to ensure witness protection guarantees in transitional justice programmes and, to this end, **encourages** the Member States to create the necessary conditions;
4. **Encourages** Member States emerging from conflicts to holistically address the fundamental root causes of conflicts and to incorporate transitional justice elements, as well as the culture of peace and tolerance of diversity into the national educational curricula from the primary, through secondary to tertiary levels;
5. **Calls** on the Member States, in the spirit of promoting African solutions to African problems, to adopt home-grown solutions and a "whole of society approach" to transitional justice, draw inspiration from African traditional values and approaches, as well as from the best practices and lessons from the experiences of other Member States, as may be appropriate, in order to ensure inclusivity, local ownership and legitimacy;
6. **Emphasizes the need** for the Member States emerging from conflicts to strategically mainstream and sequence transitional justice with other critical post-conflict reconstruction, stabilization, development and peacebuilding initiatives;
7. **Stresses the importance** of widening the scope of transitional justice to include economic and social justice, emphasises the importance of legislative and institutional

reforms, as well as the establishment of capable and independent institutions that will lead and drive national transitional justice, in this regard;

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8. **Urges** political parties to play a key role in coordination with other relevant national stakeholders, in uniting and reconciling communities; mindful of the nexus between human rights and transitional justice;
9. **Encourages** the DPAPS to liaise with the AU Reform Unit to integrate Transitional Justice Unit from the Democracy, Election and Constitutionalism Division into the Governance and Human Rights Division;
10. **Congratulates** the Economic Community of West African States (ECOWAS) and the Inter-Governmental Authority on Development (IGAD) for developing their regional transitional justice policies and **encourages** the other RECs/RMs to also consider doing the same;
11. **Acknowledges** the critical role of civil society in awareness-raising campaigns, and the media in informing and educating the public on the importance of justice and national reconciliation, mutual respect and tolerance of all forms of diversity in accordance with the provisions of the AUTJP and, in this regard, **strongly urges** CSOs and the media to continue using their positions in the society in promoting the culture of tolerance of diversity and peace in the Continent;
12. **Requests** the Chairperson of the AU Commission, to mobilize the resources required for the effective implementation of the AUTJP; in this context, **commends** all bilateral and international partners, particularly the European Union (EU), African Transitional Justice Legacy Fund (ATJLF) and the Centre for the Study of Violence and Reconciliation (CSV) for their continued support to the implementation of the AUTJP, and **underlines the importance** of ensuring coordination and complementarity of their support, as well as to ensure that any direct support to the Member States, directly responds to the identified national priority needs of the recipient countries;
13. **Calls upon** the AU Commission, the ACHPR and the regional economic communities and regional mechanisms (RECs/RMs) to further enhance their collaboration and coordination in support of Member States in the implementation of their respective Transitional Justice processes and mechanisms;
14. **Decides** to regularize this briefing as an annual meeting of the Council.

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2022-08-22

Communiqué of the 1102nd Meeting of the Peace and Security Council held on 22 August 2022, on the Implementation of the AU Transitional Justice Policy.

Peace and Security Council

African Union Commission

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