MONTHLY DIGEST ON THE AFRICAN UNION PEACE AND SECURITY COUNCIL

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THE MONTH AT A GLANCE

In December, under the chairship of the Gambia, the African Union (AU) Peace and Security Council (PSC) had a scheduled program of work consisting of two sessions, the annual retreat with the African Peer Review Mechanism (APRM), the annual high-level seminar and an informal consultation. Additionally, the PSC held a consultation to discuss the draft UN Resolution on Financing of Peace Support Operations.

Other than the session on children in armed conflict and the high-level seminar, which were held at the level of ministers, all other activities of the PSC during the month were at the level of ambassadors.

All of the initially planned sessions/activities took place during the month, except for one revision which included the addition of the informal consultation to discuss the draft UN Resolution on Financing of Peace Support Operations.

From the agenda items in the monthly program of work, two were in the form of PSC sessions. Both of them were on thematic issues: private military companies and mercenaries and children affected by armed conflicts. Only the ministerial and open session relating to children in armed conflict had an outcome taking the form of Banjul Conclusions. The only country/conflict-specific engagement of the PSC during the month involved the informal consultation on countries in transition on 21 December.

THE PSC REQUESTED FOR THE ESTABLISHMENT OF A WORKING GROUP TO REVIEW THE OAU/AU CONVENTION ON MERCENARIES

On 1 December, the PSC convened its 1189th session to discuss the topic of Private Militaries and Defence Companies (PMDCs) operating in Africa. During the session, the PSC also received a briefing on the status of the review of the OAU/AU Convention on Mercenaries. This meeting was organized in response to the increasing presence of PMDCs in Africa, as highlighted in our insight of the session. The session received a briefing on the status of the revision of the OAU/AU Convention on Mercenaries from the Commissioner for Political Affairs, Peace and Security (PAPS), Bankole Adeoye.

There is no outcome document adopted by the session, however, as indicated on the PAPS ‘X’ (formerly Twitter) account, while condemning the attacks on the military in the Republic of Sierra Leone and the army factions in Guinea Bissau, the PSC rightly expressed concerns regarding the use of PMDCs in Africa, including in contexts where regimes have come to power through unconstitutional means. Furthermore, the post stated that in light of the human impact attributed to PMDCs, the PSC strongly condemned the actions of these
entities. Specifically, the PSC denounced the activities of PMDCs that have adverse effects on human security and infringe upon the rights of individuals within the regions where these companies operate.

According to the Peace and Security Council’s Fourth Quarter Report for 2023, during the session, there was a notable emphasis put on expediting the operationalization of the African Standby Force (ASF) to ensure its swift deployment in response to security challenges across the continent. This is a clear recognition that one major factor for the increasing resort to PMDCs is the security vacuum facing affected countries on account of the inability of continental and regional bodies to address the security threats facing those countries. However, it is essential to recognize that while the operationalization of the ASF is pivotal for addressing regional security issues and providing multilateral security support, it may not completely remove the use of PMDCs. These entities often function in diverse capacities and operate under bilateral arrangements with host nations, presenting complexities that may not be fully addressed by the ASF’s conventional operational framework.

The PSC appears to be fully aware that addressing the challenges posed by PMDCs extends beyond operational frameworks. This awareness is reflected in its request for the AU Commission to strengthen collaborative ties with the UN-Working Group and intensify investigations and assessments on all PMDCs and Mercenaries-related activities across the continent. The objective is to generate region-specific recommendations for relevant policy organs, including the African Court on Human and People Rights (ACHPR), for thoughtful consideration.

Effectively addressing the multifaceted challenges posed by PMDCs necessitates a comprehensive approach that tackles the critical question of the capacity of the state to provide security throughout its territory.

From the account of the fourth quarter report of the activities of the PSC from the PAPS department on the session, the PSC also requested the establishment of a working group to expedite the review of the OAU/AU Convention on Mercenaries and to assess PMDCs and related activities. The PSC also directed the AU Commission to expeditiously revitalize the Nouakchott and Djibouti Processes for enhanced intelligence cooperation as part of the fight against foreign fighters, non-state armed groups and criminal gangs.

This same 118th session also served to consider a second agenda item focusing on a briefing on the outcome of the 3rd edition of the Luanda Biennial Forum on the Culture of Peace. The Biennale of Luanda (Pan-African Forum for the Culture of Peace) is an event that is held every 2 years in Angola’s capital city, Luanda. Its primary objective is to promote experience sharing and dialogue on the promotion of the culture of peace and intergenerational dialogues, as a means of preventing violence and resolving conflicts. During the session, the PSC received a briefing from the Permanent Representative of Angola on the deliberations and outcome of the 3rd edition held under the theme ‘Education, Culture of Peace and African Citizenship as tools for the sustainable development of the continent.’

THE PSC DECIDED TO ESTABLISH A ROBUST CONTINENTAL REPORTING, MONITORING AND EVALUATION FRAMEWORK AND PRODUCE ANNUAL REPORT ON THE STATE OF CHILDREN IN CONFLICT

The PSC held a Ministerial and High-Level Open Session on the Promotion and Protection of the Rights and Welfare of Children in situations of conflict in Africa was convened in Banjul, Republic of The Gambia, from 4 to 5 December 2023. The session brought together PSC members, representatives of AU Member States, Africa Platform on Children Affected by Armed Conflicts (AP-CAAC), AU Organs/institutions, RECs/RMs, members of the African Union Network of Think Tanks for Peace (NeT4P peace) and African Civil Society Organizations (CSOs) to exchange ideas and lessons learned on practical means of preventing violations of children’s rights in conflict situations.

The open session was convened to seek ways to strengthen relationships and collaboration between the PSC, AU member States, other AU Organs, RECs/RMs, UN organs and key partners to effectively prevent and protect children from violations of their rights,
alongside reaching an agreement on prioritized actions to strengthen the response of Member States, RECs/RMs and other AU Organs in preventing grave violations against children in conflict situations.

To enhance the scope of the discussion, the meeting focused on three particular sub-topics, namely: Preventing violations against children in conflict situations: Implementation of AU Legal Frameworks on child protection, the role of the Member States; Prevention of the use and recruitment of children by armed forces and armed groups; and Lessons and best practices on child protection (AU Child Protection Policies): Rehabilitation and reintegration of children in post-conflict settings. The two-day open session allowed for a more comprehensive and inclusive examination of the subject, incorporating diverse viewpoints, exploring related issues and considering implications that were previously overlooked regarding the plight of children in conflict situations.

In the outcome of the session adopted as a conclusion, the PSC commended member states that have signed, ratified and domesticated the African Charter on the Rights and Welfare of the Child. Furthermore, it urged the remaining 5 member states who are yet to do so to sign, ratify and domesticate the charter, emphasizing the importance of the commitment to safeguarding children’s rights.

In addition to this, the Council urged Member States to ensure sensitization on the rights of children in the communities and endorse, domesticate and implement the Safe Schools Declaration. As captured in Amani’s Insight on the PSC open session on the Implementation of the Safe Schools Declaration in the Promotion of Education for the Children Affected by Armed Conflicts in Africa held in March 2020, the deliberate attacks against schools by belligerent parties have deprived children of attaining their fundamental right to education in many conflict-affected countries in Africa. As the threat of terrorism and organized crime continues to increase, educational institutions have become vulnerable to these security risks. These highlight the imperative for enhanced protection measures at the national level.

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“If the cycle of abuse in the context of armed conflict is to be broken, more must be done to shatter the culture of impunity for those who commit these crimes. Ensuring that there is no safe haven for perpetrators is a critical element of post-conflict reconstruction and a deterrent in conflict prevention efforts.”

Dr. Alhaji Sarjoh Bah,
Director of Conflict Management,
Political Affairs, Peace and Security Department of the AU
Source: @SarjohBah3

Consequently, the deliberation also delved into implementing measures to prevent grave violations against children’s rights and welfare. Amani’s Insight on this meeting also highlighted the increasing recurrence of grave violations against children in various conflict settings on the continent. Thus during the first half of 2022, a significant increase of 57% was recorded by the UN in grave violations against children as compared to the previous year. Of the four countries globally where the highest number of recruitment and use of children by parties to conflicts were verified in 2021, three were African countries – the Democratic Republic of Congo (DRC), Mali and Somalia. Attacks against schools are a recurrent form of violence in the conflicts involving terrorist groups in Burkina Faso, Mali and Nigeria as well as in Cameroon’s anglophone conflict. Additionally, the UN OCHA Report has indicated that Sudan is currently facing the largest internal displacement crisis globally with UNICEF reporting that Sudan is the world’s largest displacement crisis. Additionally, conflict situations such as those in the Lake Chad Basin involving Boko Haram and in Somalia have also seen instances of child abduction.

The council stressed the importance of holding all perpetrators of grave violations against children accountable. Relatably, in the context of DDR (Disarmament, Demobilization and Reintegration) programmes, the discussions highlighted that the specific needs and well-being of children affected by armed conflict should be carefully taken into account throughout the DDR process. This involves recognizing and addressing the unique challenges and vulnerabilities that children face as a result of their involvement in armed conflict. This could include providing specialized support for psychological trauma, educational opportunities, vocational training and social services tailored to their needs. Additionally, creating a supportive environment within communities that promotes acceptance and understanding, is crucial for the successful reintegration of these children.

Lastly, the Troop and Police Contributing Countries (T/PCCs) were encouraged to enhance training programmes for law enforcement, military personnel and judicial officials. This is with the objective to incorporate child protection laws and best practices in preventing, investigating and prosecuting crimes against children in conflict situations.

Key Actionable Recommendations:
As encapsulated in the adopted Banjul Conclusions the PSC gave some practical recommendations with regard to the plight of children in conflict situations. They include:

- The imperative to develop a Continental Child Justice Framework addressing both punitive measures as well as the recourse and restitution elements for child survivors;
- Need to establish a robust continental reporting, monitoring and evaluation framework with clearly defined indicators, in line with Assembly Decision [Assembly/AU/Dec.718 (XXXIII)], aimed at providing accurate, reliable and up-to-date data on the plight of children in situations of violent conflict and crisis;
- PSC request to the AU Commission to expe-
PSC TASKED THE AU COMMISSION TO ENGAGE THE A3 TO ADVANCE AFRICAN COMMON POSITION IN THE NEGOTIATIONS ON UNSC RESOLUTION ON FINANCING

Although it was not envisaged in the initial program of work, the PSC held consultation on the draft UNSC resolution on financing of AU-led peace support operations (PSOs) initiated by the African three members of the UNSC (A3) on 7 December. During the consultation, it received a briefing from the Commissioner for Political Affairs, Peace and Security on the A3 draft resolution and the state of negotiations on the draft.

The PSC reiterated its position that the use of UN assessed contribution for AU PSOs be in line with the framework provided for in the AU consensus paper adopted during the 36th AU summit. The PSC accordingly tasked the AU Commission to engage the A3 to uphold the common African position in the negotiations.

THE 3RD RETREAT OF THE PSC AND THE AFRICAN PEER REVIEW MECHANISM (APRM)

Following the convening of the 3rd retreat of the PSC and the African Peer Review Mechanism (APRM) on 11-12 December in Johannesburg, South Africa, the PSC, on 17 December, considered the conclusions of the retreat during its 191st session. The retreat was organized under the theme ‘Strengthening diversity management in Africa as an effective response to governance, peace and security challenges in Africa’.

The 3rd Joint Retreat also offered a platform for the PSC and APRM to engage in discussions pertaining to governance issues that have implications for peace and security across the continent. One of such agenda is the APRM impact study over the last 20 years. As indicated in the conclusions of the meeting, after consideration of the study, it was noted that the study parallels with the Afro Barometer report and voiced deep concern regarding the evident governance deficit present on the continent.

Another focus during the 3rd retreat centred on the methodology for the implementation of the African Governance Reports (AGR), specifically delving into the case of AGR 2023 on Unconstitutional Changes of Government (UCG) in Chad, Comoros, Sierra Leone, and Lesotho. These countries were encouraged to intensify their endeavours in translating the recommendations emanating from the Africa Governance Report 2023 into tangible actions.

The discussions of the 3rd Joint Retreat also delved into the critical issues of foreign interference and military coups in Africa, underscoring the necessity for embracing collective security approaches to robustly mitigate external interference across the continent. These encompassed advocating for regional integration, fostering the creation of a unified African market, ensuring universal access to energy and prioritizing comprehensive infrastructure improvements.

The conclusions adopted by the session provide a list of recommendations on strengthening diversity management in Africa as an effective response to governance, peace and security challenges in Africa. Recognizing that numerous conflicts in Africa stem from diversity-related factors, such as ethnic tensions and religious disparities, these recommendations can contribute to the formulation of comprehensive strategies that could be designed to acknowledge and leverage the inherent richness of Africa’s diversity and aspire to tackle governance challenges, promote peace and security and foster sustainable development.

Discussions were also held on the 20th anniversary celebration of the APRM focused on expediting and enhancing governance reforms through various measures and interventions.
In the Communique of the 1191st session where the PSC adopted the Conclusions of the 3rd Retreat, the PSC urged the APRM to re-examine its methodology in country reviews to ensure that reviewed countries do not relapse into conflict. Furthermore, the Council requested the APRM to timely submit early warning reports for consideration by the Council in order to ensure a timely response to the predicted emergence of conflict.

**Key Actionable Decisions**

The PSC:

- Requested the AU Commission and APRM Continental Secretariat to ensure the implementation of the Conclusions;

- Requested the AU Commission and the APRM Continental Secretariat to prepare the matrix of the status of the implementation of the Conclusions for the consideration and adoption by the Council;

- Requested the APRM to timely submit early warning reports for the consideration of the Council in order to timely respond to predicted emergence of conflict;

- Decided to hold the Fourth Joint Retreat at a date to be jointly agreed upon, focusing mainly on early warning and areas for further enhancing the role of the APRM in contributing towards conflict prevention and strengthening good governance in accordance with AU normative instruments; in this regard; and

- Directed the PSC Committee of Experts, with the support of the AU Commission and the APRM Continental Secretariat, to dedicate efforts towards the preparations of the holding of the Fourth Joint Retreat of the PSC and APRM.

**PSC EXPRESSED PREFERENCE FOR THE APPOINTMENT OF A RETIRED HEAD OF STATE/Government AS HIGH-LEVEL REPRESENTATIVE FOR SUDAN IN LINE WITH PSC SUMMIT OF MAY 2023 WHILE EMPHASIZING A POLITICAL MECHANISM FOR ACCOMPANYING COUNTRIES IN TRANSITION**

On 21 December 2023, the PSC held informal consultations to receive an updated briefing on countries in political transition, focusing on Burkina Faso, Guinea and Mali. The humanitarian situation in Sudan was added to the agenda item following proposals from the PSC Chairperson.

This was the second time that the PSC deployed the format of informal consultation with countries suspended from the AU activities due to unconstitutional changes of government (UCG) for discussing the transition and the process towards restoration of constitutional order and civilian rule. The inaugural informal consultation was held in April 2023. AU Commissioner for PAPS, Bankole Adeoye, and the Commissioner of Political Affairs, Peace and Security of ECOWAS, Abdel-Fatau Musah, provided comprehensive briefings to the PSC on the political, security and humanitarian situation in Burkina Faso, Guinea, and Mali. They also provided updates on the progress of implementing the transitional roadmaps to return to constitutional order. As is the case with informal consultations, there was no formal outcome document.

**PSC Country Considerations in December 2023**

**MALI**
Mali has already announced the postponement of its February 2024 Presidential election due to technical reasons.

**BURKINA FASO**
The Burkina Faso presidential election scheduled for 24 July 2024 is uncertain due to the military authorities’ condition that it depends on the security situation, which is not showing signs of improvement.

**GUINEA**
Guinea’s junta leader, Colonel Mamady Doumbouya, announced during an end-of-year address that a referendum would occur in 2024, without specifying a date.

**SUDAN**
The PSC reiterated the call for the appointment of a High-Level Representative at the level of a retired head of State, in accordance with the decision made at PSC’s 1185th session in May 2023.
During the consultation, the PSC voiced its ‘deep concern’ over the lack of significant progress on the transitions, citing the absence of clear roadmaps and broad societal participation. Burkina Faso, Guinea and Mali had reached an agreement with the regional bloc ECOWAS on transition timelines after intense negotiations. However, recent developments have raised doubts about these countries’ commitment to adhering to the agreed timelines. In this respect, Mali has already announced the postponement of its February 2024 Presidential election due to ‘technical reasons’, with no confirmed rescheduled date provided. The likelihood of Burkina Faso’s presidential election, originally slated for 24 July 2024, remains uncertain, as the military authorities have conditioned its occurrence on the security situation, which shows no sign of improvement. Guinea aims to hold an election at the end of 2024. While a constitutional referendum, a key step towards reinstating civilian rule, was initially planned for December 2023, did not materialize.\(^1\) During the informal consultation, the PSC emphasized the critical importance of ensuring widespread participation and inclusivity in all efforts aimed at ensuring national ownership and integrity of the political processes in these countries.

The consultation also addressed the deteriorating relationship between ECOWAS and the countries under consideration. The PSC deplored not only the lack of cooperation from these countries but also external interference that it perceives as undermining efforts of both ECOWAS and the AU in the region.

Tensions have soared between ECOWAS and its suspended Member States. It is to be recalled that on 16 September, Burkina Faso, Mali, and Niger solidified their allegiance by signing a mutual defence pact, forming the Alliance of Sahel States, while announcing their withdrawal from the G5 Sahel alliance. While ECOWAS has not explicitly condemned this shift, the regional bloc conveyed its disapproval of ‘all forms of alliances that seek to divide the region and promote foreign interest in the region’ during its latest Summit on 10 December 2023. PSC also expressed its concern over the establishment of the AES, citing its potential to disrupt regional integration in the continent.

\(^1\) During an end-of-year address, Guinea’s junta leader, Colonel Mamady Doumbouya, announced that the referendum would take place sometime in 2024 but did not specify a date.

In a move that acknowledges the inadequacy of the diplomatic efforts for supporting the countries facing complex transitions, the PSC, as highlighted in the quarterly report on its activities produced by the PAPS Department, underscored ‘the need to demonstrate a clear determination in accompanying the countries, and, in this regard, recommended that the Chairperson of the AU Commission consider the expeditious appointment of a retired Head of State/Government to engage the countries concerned and to brief the Heads of State and Government to galvanize the required political support.’

On the humanitarian situation on Sudan, beyond expressing concern over the dire humanitarian situation as a result of the continued fighting between the two warring parties, PSC took the opportunity to reiterate the call for the appointment of a High-Level Representative at the level of a retired Head of State, in line with the decision adopted at PSC’s 1185th session held in May 2023 at a Summit level.

Other key recommendations requiring follow-up:

In this consultation, the PSC:

- Emphasized the imperative of establishing a political mechanism with clear objectives to support the concerned Countries in concluding their transitions timely and returning to democratic and constitutional order;
- Requested the AU Commission to provide a comprehensive briefing to the Council on the outcomes of the AU’s technical assessment conducted in Mali;
- Highlighted the importance of conducting an assessment in the context of the withdrawal of UN Mission in Mali (MINUSMA) and other security arrangements;
- Called upon the Commission to ensure the expeditious operationalization of the PSC Subcommittee on Sanctions to monitor and provide monthly briefings to the Council, starting from January 2024, on countries under suspension;
- Agreed to convene a Joint Annual Consultative Meeting with Regional Economic Communities, particularly those with Peace and Security Organs, to ensure alignment on interventions;
- Also agreed to have a Joint Consultative meet-
ing with ECOWAS in the first quarter of 2024 to jointly explore best ways and means of accompanying countries in political transition in the region;

- Stressed the need for deploying all preventive diplomacy efforts, including mediation by traditional and religious leaders; and
- Recommended the use of AU Peace Fund as catered for in Windows 1 and 2.

Clearly, while the foregoing shows the richness of the deliberation and its proposed policy actions, these are not adopted as formal policy positions. As a result their status remains uncertain. This accordingly raises the challenge of whether and how these policy proposals can oblige follow up and implementation.

THE ANNUAL HIGH-LEVEL SEMINAR

The PSC convened the 10th high-level seminar on peace and security in Africa, also known as the Oran Process in Oran, Algeria on 17-18 December. The seminar was organized with the theme ‘Celebrating 10 Years of Progress and Cooperation: A Decade of Transformation and Innovation, reaching new heights together’.

The primary purpose of the High-Level Seminar is to ensure the A3 remains effective in advocating and safeguarding African shared positions, interests, and concerns in alignment with decisions made by AU decision-making bodies. This effectiveness is particularly crucial during the UN Security Council’s discussions on peace and security matters that impact Africa and its population.

“I appeal for enhanced efforts to address the scourge of terrorism and violent extremism, radicalization, the impact of climate change on peace and security while stressing on financing of predictable, adequate and sustainable financing for AU Peace Support Operations as critical means to implement the various AU Programs of Oran Process.”

Ambassador Bankole Adeoye, Commissioner for Political Affairs, Peace and Security

As documented in analysis featured in our Ideas Indaba page, the high-level seminar assessed the progress made and challenges faced by the African three members of the UN Security Council (A3) over the past decade, in advancing the African voices and agenda in the UNSC. Participants also engaged in open discussions about peace and security situations in Africa, addressing thematic issues including unconstitutional change of government, challenges faced by the A3, and identifying ways to move forward. Recommendations were made to improve collaboration and coherence between the AUPSC and A3 in their respective roles. The seminar also examined the draft Manual on Modalities of Engagement between the PSC and the A3 that distilled into a framework the conclusions of the previous high-level seminars.

Apart from the agenda items specific to the Seminar, the PSC also held a consultation on a proposal relating to specifying the percentage of UN-assessed contribution for AU-led PSOs for inclusion in the A3 draft resolution. Details on what transpired in this
respect are available in an analysis featured on our Ideas Indaba page.

OTHER ACTIVITIES OF THE PSC FOR THE MONTH

As initially envisaged in the PSC program of work, the PSC Chairperson (representing the West African region) and one PSC Member per region from other regions of the AU participated in the COP 28 held in Dubai. Together with the AU Commissioner for Political Affairs, Peace and Security, Bankole Adeoye, the delegation engaged in various side events including two such side events hosted by Adeoye.

Source: @AUC_PAPS and @ClimateDiplo
ABOUT AMANI AFRICA

Amani Africa is an independent African based policy research, training and consulting think tank with a specialization and primary focus on African multilateral policy processes, particularly those relating to the African Union.

We support the pan-African dream of peaceful, prosperous and integrated Africa through research, training, strategic communications, technical advisory services, and convening and facilitation.

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