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PEACE AND SECURITY COUNCIL

859TH MEETING

17 JULY 2019

ADDIS ABABA, ETHIOPIA

PSC/PR/BR.(DCCCLIX)

PRESS STATEMENT

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The Peace and Security Council (PSC) of the African Union (AU), dedicated its 859th meeting, held on 17 July 2019, to an open session on the theme: “Protection of Civilians from the Use of Explosive Weapons in Populated Areas (EWIPA)”.

Council took note of the Opening Statement made by H.E. Mr Sebade Toba, Permanent Representative of the Togolese Republic to the AU, in his capacity as President of the Council for the month of July 2019. Council also took note of the Statement made by the Director for Peace and Security, Dr. Admore Kambudzi, as well as the presentations made by the Acting Head of the AU Defence and Security Division, Ms. Einas Mohammed, and the representative of Handicap International, Humanity & Inclusion, Mr. Baptiste Chapuis. Council further took note of the statements made by the Republic of Mozambique, the United Nations Office to the AU, the International Committee of the Red Cross, Africa All Council of Churches, representatives of Member States, and AU partners.

Council recalled its previous communiqués and press statements on the protection of civilians in armed conflict, namely those adopted by the 841st meeting of 16 April 2019 [PSC/PR/BR. (DCCCXLI)]; 833rd meeting of 19 March 2019 [PSC/PR/BR. (DCCCXXXIII)]; 775th meeting of 22 May 2018 [PSC/PR/BR. (DCCLXXV)].

Council reiterated its commitment, within the framework of the AU Master Roadmap of Practical Steps to Silence the Guns in Africa by the year 2020, to intensify efforts to prevent and end armed conflicts in Africa, particularly through addressing their underlying root causes in a comprehensive manner.

Council recalled the Declaration of the 32nd Ordinary Session of the AU Assembly, held in February 2019, launching the theme of the Year 2019: “*The Year of Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa*” and reiterated its strong condemnation of all acts of terrorism. In this respect, Council condemned the attack carried out on 3 July 2019 against the Tajoura Migrant Detention Centre in the vicinity of Tripoli, Libya, as stated in the communiqué of its 857th meeting of 5 July 2019, as well as the terrorist attack that took place in a hotel in the Somalia’s port city of Kismayo, on the 12 July 2019.

Council emphasized the deep and long-term impact of armed conflict on civilian objects, particularly as a result of the use of explosive weapons with wide-area effects, which impedes the delivery of humanitarian assistance, hinders the return of refugees and displaced persons, increases the cost of recovery and reconstruction, and undermines overall peacebuilding efforts.

Council expressed grave concern over the devastating humanitarian consequences of armed conflict and the alarmingly high number of civilian casualties, due to indiscriminate or disproportionate use of explosive weapons, in contravention of international law, especially in highly urbanized areas. Council reaffirmed the principles of proportionality, precaution and distinction.

Council demanded that all parties to armed conflicts fully comply with their obligations under international humanitarian law, to distinguish between civilian populations and combatants, and their obligation to do everything feasible to verify that objectives to be attacked are neither civilians nor civilian objects, and are not subject to special protection; and to take all feasible precautions in the choice of warfare means and methods with a view to avoiding, loss of civilian life, injury to civilians and damage to civilian objects.

Council called upon Member States to ensure that their armed forces and security forces, within their respective competencies under domestic law, build capacities and integrate measures to address the challenges of urban warfare into military doctrine and at the tactical, operational and strategic levels.

Council commended the efforts of the Commission to strengthen international humanitarian law compliance and accountability frameworks in the context of Peace Support Operations, especially those aimed at preventing and minimizing civilian harm, and encouraged further enhancement of such measures, as well as their adaptation and replication in the context of ad-hoc security coalitions.

Council underlined the important role that education, training and exchanges of experiences in international humanitarian law can play in supporting efforts to halt and prevent indiscriminate and disproportionate use of force in conflict situations. In this regard, Council requested the Commission to facilitate such learning and exchanges in consultation with the Specialized Technical Committee on Defence, Safety and Security, and within the broader African Standby Force framework.

Council underscored the need to fully assess the scale of the humanitarian and socio-economic consequences of the use of explosive weapons with wide-area effects in populated areas in Africa, in order to inform and guide mitigation measures and post-conflict reconstruction and development efforts. In this respect, Council requested the rapid finalization of the instruments relating to the AU Humanitarian Agency and the effective operationalization of the AU Center on Post-Conflict Reconstruction and Development with a view to enable those two institutions to provide the necessary technical expertise and support.

Council stressed the imperative to prevent non-state armed groups, including terrorist and criminal actors, from acquiring and using explosive weapons with wide-area effects, especially through preventing the diversion of arms, ammunition and commercial material used in the development of improvised explosive devices, in line with the regional and international instruments, best practices in end-use and end-user controls, as well through strengthening intelligence-led policing to detect and disrupt illicit arms transfers, including transfers in violations of UN Security Council embargoes.

Council recognized that breaches, committed wherever or by whomsoever, further erodes respect of international humanitarian law and stressed the duty of all States to put an end to impunity and to prosecute, in accordance with their obligations under international law, those responsible for all violations.

Council welcomed multilateral efforts to enhance the protection of civilians and mitigate the impact of armed conflict on civilians and civilian objects in compliance with international humanitarian law, particularly through the development of voluntary guidelines and best practices, including, but not limited to, the Kigali Principles on the Protection of Civilians and the Safe Schools Declaration.

Council expressed support for an inclusive consultation process to develop a political declaration that addresses the impact of explosive weapons with wide-area effects in populated areas, underlining that the declaration must include action-oriented commitments that strengthen accountability and combat impunity. In this regard, Council commended the Republic of Mozambique and the Republic of Senegal for their efforts within the so-called Core Group on EWIPA, and also commended the Republic of Mozambique for co-hosting a regional meeting on “protecting civilians from the use of explosive weapons in populated areas”, on 27-28 November 2017, in Maputo, and its subsequent communiqué.

Council agreed to convene an open session, before October 2019, bringing together all Member States to promote active African participation in the global process of elaborating a political declaration, and to agree on a set of principles and proposals that will guide Africa’s engagement during the upcoming meeting in Vienna, Austria on 1 and 2 October 2019, and in Dublin, Ireland in 2020. Council further instructed its Experts Committee and Military Staff Committee to work jointly, with the support of the Commission, in preparing for the above-mentioned open session.

Council agreed to remain seized of the matter.