

AFRICAN UNION

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PEACE AND SECURITY COUNCIL 544<sup>TH</sup> MEETING

ADDIS ABABA, ETHIOPIA 18 SEPTEMBER 2015

PSC/PR/COMM/3.(DXLIV)

COMMUNIQUE

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The Peace and Security Council of the African Union (AU), at its 544<sup>th</sup> meeting held on 18 September 2015, adopted the following decision on the situation in Burkina Faso:

### **Council,**

1. **Takes note** of the briefing provided by the Commission on the situation in Burkina Faso;
2. **Recalls** communiques PSC/PR/COMM(CDLXV) and PSC/PR/COMM (CDLXVIII) on the situation in Burkina Faso, adopted at its 465<sup>th</sup> and 468<sup>th</sup> meetings held on 3 and 18 November 2014, respectively, by which the AU expressed its support to the transition process initiated in November 2014, following the adoption of the Transitional Charter and the establishment of transitional institutions, on 16 and 17 November 2014, respectively;
3. **Expresses its appreciation** to the Chairperson of the Commission for the steps taken to support the transition process, including through the establishment, jointly with the Economic Community of West African States (ECOWAS) and the United Nations (UN), of the International Support and Follow-up Group for the Transition in Burkina Faso (GISAT-BF). Council **commends** the GISAT-BF for its efforts, and **expresses its appreciation** to ECOWAS and the leaders of the region, as well as to the UN and other members of the international community, for their support for the Transition. Council **notes** that, thanks to the commitment of the Burkinabe stakeholders and the support of the international community, the Transition in Burkina Faso, despite various challenges, has made remarkable progress, thus creating conditions for the holding of presidential and legislative elections on 11 October 2015 and of local elections in January 2016;
4. **Recalls** the relevant provisions of the AU Constitutive Act, as well as those of the African Charter on Democracy, Elections and Governance, on the total rejection by the AU of unconstitutional changes of Government;
5. **Expresses its deep concern** about the prevailing situation in Burkina Faso, marked by the kidnapping and unlawful detention, since 16 September 2015, of the President of the Transition, Mr. Michel Kafando, the Transitional Prime Minister, Mr. Yacouba Isaac Zida, and some members of the Government, as well as by the military coup d'etat that took place on 17 September 2015. Council **strongly rejects** the persistent actions by elements belonging to the *Regiment de securite presidentielle* (RSP) to derail the Transition process, which constitute a serious threat to peace, security and stability in Burkina Faso, the region and the continent as a whole;
6. **Endorses** the joint press release issued by the AU, ECOWAS and the UN on 16 September 2015, strongly condemning the kidnapping and the coup d'etat perpetrated by elements of the RSP and calling for the immediate and unconditional release of the hostages, as well as the press statement issued by the Chairperson of the Commission on 17 September 2015, reiterating the demand for the release of the transitional authorities, condemning the seizure of power by the military, and calling for concerted international efforts to reverse the coup d'etat. Council **also welcomes** the statements made by the UN

Security Council, as well as by the European Union (EU) and AU bilateral partners, condemning the coup d'etat and calling for a return to the *status quo ante*;

7. **Strongly condemns** the kidnapping and unlawful detention of the President of the Transition, Mr. Michel Kafando, the Transitional Prime Minister, Mr. Yacouba Isaac Zida, and of some members of the Government, and **stresses** that these actions constitute a terrorist act which should be dealt with as such by the entire international community. Council **also strongly condemns** the announcement by the military of the "dissolution" of the transitional institutions and the assumption of power by the army. Council **totally rejects** this announcement and **underlines** that the latter and all the measures taken by those who seized power by force in Burkina Faso are null and void. Council **stresses** that the AU shall neither recognize nor support any process conducted outside the Transition launched in Burkina Faso in November 2014, and therefore **demands** a return to the *status quo ante*;

8. **Strongly condemns** the repression carried out by elements of the RSP against the population, causing several deaths and injuries, and **demands** an immediate end to these acts. Council **expresses its full solidarity** with the people of Burkina Faso in these difficult circumstances, **presents** its condolences to the families of the victims of this repression and **wishes** speedy recovery to the injured;

9. **Stresses** that the perpetrators of the kidnapping of the transitional authorities and of their overthrow, as well as the elements involved in the repression against the demonstrators, shall be held accountable for their acts before the relevant national and international jurisdictions;

10. **Demands** the immediate and unconditional release of the President of the Transition, Mr. Michel Kafando, the Prime Minister, Mr. Yacouba Isaac Zida, and other members of the Government;

11. **Decides to suspend, with immediate effect**, the participation of Burkina Faso in all AU activities, in accordance with the relevant provisions of the AU Constitutive Act and of the African Charter on Democracy, Elections and Governance;

12. **Further decides** that the following measures against the perpetrators of the coup d'etat shall automatically enter into force, if the *status quo ante* is not restored within 96 hours from the adoption of the present Communiqué:

- (i) travel ban and asset freeze on all members of the so-called "National Committee for Democracy" put in place by the perpetrators of the coup d'etat and of any personality who would participate in any Government that they may establish. Council **requests** the Commission to circulate the list to all Member States and international partners as of the expiration of the deadline set above, and to update it regularly to include the civilian supporters of the military junta;
- (ii) qualification of senior officers of the RSP involved in the kidnapping of the President of the Transition, the Prime Minister and some members of the Government as terrorist elements, within the framework of the OAU 1999 Convention on the Prevention and Combatting of Terrorism and its 2004 Protocol. In this respect,

Council **requests** the Commission to immediately compile a list, which will include members of the junta, and to circulate it to all Member States, as well as to the international partners, at the expiration of the deadline set above;

- (iii) initiation of the required consultations with the relevant AU and international institutions, with a view to bringing to justice the perpetrators of the unconstitutional change, in accordance with the relevant provisions of the African Charter on Democracy, Elections and Governance;
- (iv) launching of consultations with the West African Monetary Union (UEMOA), with a view to denying the *de facto* authorities access to the resources of the West African State Central Bank (BCEAO), as was the case in the management of similar crises in the region; and
- (v) request to all bilateral and multilateral partners to suspend all military and security cooperation programmes with Burkina Faso, as well as economic cooperation programmes, on the understanding that everything must be done to minimize the impact on the civilian population;

13. **Expresses its determination** to consider additional measures that are likely to expedite the achievement of the objectives set above;

14. **Also expresses its support** to the ongoing ECOWAS efforts undertaken by its Chair, President Macky Sall of Senegal, to expedite the restoration of the *status quo ante*, within the framework of the African Peace and Security Architecture;

15. **Requests** the Chairperson of the Commission to urgently establish a Panel of Experts to assist Council and the Commission in the monitoring of the implementation of the measures mentioned above and to seek international support, as may be appropriate, to ensure the effective functioning of this Panel, as well as to convene, in consultation with ECOWAS and the UN, a meeting of the GISAT-BF, in order to facilitate close international coordination and the implementation of the measures outlined in paragraph 12 above;

16. **Emphasizes** that the repeated interferences of the RSP in the transition process have highlighted the need for an in-depth reform of the defense and security sector in Burkina Faso, based on modalities to be agreed upon among all concerned actors. In this regard, Council **requests** the Commission, on the basis of the AU Policy Framework on Security Sector Reform, to work on the modalities of an AU contribution to this process;

17. **Requests** all Member States to scrupulously implement the measures mentioned above, bearing in mind their obligations under Article 7 (paragraphs 3 and 4) of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union, which stipulates that Member States agree that, in carrying out its duties under the Protocol, Council acts on their behalf and that Member States agree to accept and implement the decisions of Council in accordance with the AU Constitutive Act;

18. **Requests** all international partners, including the EU and its Member States, the UN Security Council and other international partners, to fully support this Communique and the implementation of the measures contained in paragraph 12 above;

19. **Requests** the Chairperson of the Commission to take all the necessary measures for the implementation of this Communique and to transmit it to the UN Security Council and other concerned international partners, for their information and action as appropriate;

20. **Decides** to remain actively seized of the matter.