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PEACE AND SECURITY COUNCIL 595th MEETING
ADDIS ABABA, ETHIOPIA
28 APRIL 2016

PSC/PR/COMM. 3(DXCV)

The Peace and Security Council (PSC) of the African Union (AU), at its 595th meeting held on April 28 2016, adopted the following decision on the role of African non-permanent Members of the United Nations Security Council (A3) and the AU Permanent Observer Mission to the United Nations, in the defense, promotion and the follow-up of decisions and positions of the AU and its Peace and Security Council within the UN Security Council:

Council,

1. **Takes note** of the statements made by the representatives of Angola, in its capacity as coordinator of the A3, the Representative of Egypt, as an African non-permanent Member of the UN Security Council, the Representative of Ethiopia, as an AU Member State, candidate for a non-permanent Member seat of the UNSC, whose candidacy has been endorsed by the AU. Furthermore, Council also **notes** with regret the absence of the Representative of Senegal, invited to take part in its capacity as an African non-permanent member of the UN Security Council;
2. **Recalls** Articles 3 (a, d), 9 (1 a, e) and 23 (2) of the Constitutive Act of the AU, which respectively stipulate that the objectives of the Union shall be to: (a) Achieve greater unity and solidarity between the African countries and the peoples of Africa; (d) Promote and defend African common positions on issues of interest to the continent and its peoples; and (1) the functions of the Assembly shall be to: (a) Determine the common policies of the Union; (e) Monitor the implementation of policies and decisions of the Union as well as ensure compliance by all Member States; and furthermore, any Member State that fails to comply with the decisions and policies of the Union may be subjected to other sanctions;
3. **Further recalls** Article 7 (3) of the Protocol Relating to the Establishment of the Peace and Security Council of the AU, which emphasizes that the Member States agree to accept and implement the decisions of the Peace and Security Council, in accordance with the Constitutive Act;
4. **Further recalls** paragraph 24 of Decision Assembly/AU/Dec.598 (XXVI), adopted by the 26th ordinary session of the Assembly of the Union, held on 30 and 31 January 2016 in Addis Ababa (Ethiopia), which states that the Assembly reiterates that the African Members of the UN Security Council have special responsibility to ensure that the decisions of the PSC are well reflected in the decision making process of the UNSC on peace and security issues of concern to Africa. In light of the above, the Assembly requests the African members of the United Nations Security Council (A3), working with the Commission, including the AU Permanent Mission to the UN, to present reports through the PSC, to the Assembly, on their efforts within the Security Council and the extent to which they promote African common positions as articulated by the PSC. The Assembly further requests the PSC to provide timely guidance to the African members of the UNSC to facilitate consistency in the promotion and defense of African positions on issues of concern to the continent;
5. **Reiterates** the relevant provisions of its communiqués adopted, respectively, at its 418th meeting, held on 11 February 2014, and at its 478th meeting held on 19 December 2014, by which the Council considered and approved the conclusions of the 1st High level Seminar on peace and security in Africa,

held in Algiers, Algeria, from 8 to 10 December 2013, and the identified measures to be implemented on the basis of the report of the 2nd High level Seminar held at ministerial level, in Oran, Algeria, from 9 to 11 December 2014, to strengthen the Council's role in promoting peace, security and stability on the continent and in promoting and defending African common positions and decisions on issues relating to peace and security in Africa within the United Nations Security Council;

6. **Reaffirms** the need for **the A3**, to respect, protect, promote in all circumstances, decisions and positions of the AU, on all matters of peace and security in Africa and urge them to redouble efforts and do everything possible to strengthen the cohesion and coordination within the A3 and with Council;

7. **Agrees**, in the spirit of further enhancing the role of the AU, to transmit systematically and in a timely manner, through the Permanent Observer Mission of the AU to the United Nations, to the A3 Group, communiques and press statements of the Council, for the purpose of defending the positions and decisions contained therein within the UNSC decision making process, and in all its stages;

8. **Decides**, on the basis of the principle that the candidacies of the Member States of the AU are endorsed and supported by the AU, and within the framework of the implementation of Decision Assembly / AU / Dec.598 (XXVI):

- i. **That** the A3 should report to the Council, particularly, through the report of the PSC on its Activities and the State of Peace and Security in Africa, by devoting part of this report to A3 activities and how they have worked to defend the decisions and positions of the Council and the African Union;
- ii. **To convene** regular meetings on the role of A3 in the defense and promotion of the decisions and positions of the Council and the AU, at least 3 times a year, to coincide with the accession of each of the A3 to the coordination of the A3 activities, and whenever necessary, in order to follow the explanations of their voting (EOV) in the UN Security Council meetings, and to take necessary measures in this regard;
- iii. **To receive**, through the Permanent Observer Mission of the AU to the United Nations, monthly reports on its activities in connection with the meetings of the UN Security Council on African issues, including its interaction with the A3 and their contributions to the success of efforts to defend the decisions of the Council and the AU.

9. **Stresses** the need for A3, working as a coherent and coordinated Group, to strengthen their consultation, on peace and security in Africa related issues, with the other non-permanent members of the UN Security Council, and to keep the Council informed of the results of these actions;
10. **Reiterates**, for the purpose of their timely and effective implementation, the provisions contained in paragraph 8 of the communique PSC/PR/COMM(CDLXXVIII) of the 478th meeting of the Council, held on 19 December 2014;
11. **Recognizes**, at the same time, the negative implications arising from the lack of coordination and cohesion in African Groups worldwide, on the treatment by the AU of issues related to peace and security in Africa, and **invites** Member States of the AU to take all necessary steps and measures to tackle this prejudicial situation to the common interests embodied by the AU;
12. **Agrees** that this situation cannot continue further, and therefore **calls on** the AU Commission, through the Office of Legal Counsel, to examine this issue, including the issue of establishing an accountability mechanism for the A3 and the issue of establishing criteria to govern the endorsement process of candidatures of AU Member States to become non- permanent members of the UNSC, and to submit the outcome to the Council and, through it, to the Assembly of the Union, to enable it to take a decision that puts an end to all aspects that cause this situation, based on the relevant provisions of Constitutive Act and previous decisions of the AU, including the Executive Council Decision on the Sandton City Ministerial Retreat (EX.CL/Dec.894(XXVII));
13. **Requests** Member States to take all necessary measures to implement the provisions of this communique, including within their activities to promote and defend the positions, interests and decisions of the AU;
14. **Also requests** the AU Permanent Observer to the United Nations, in New York, which was not represented at this 595th meeting of Council, to provide, in its capacity of Secretariat of the A3, a detailed briefing on its activities in support of the A3 to a future session of Council, prior to the upcoming AU Summit in July 2016;
15. **Further requests** the AU Commission to take all necessary measures to implement the decisions contained in this communique, and to keep the Council regularly informed;
16. **Decides** to remain actively seized of this matter.