

The ICRC, in its capacity as an official observer to the African Union (AU), works with member States to draw attention to problems requiring humanitarian action and to promote greater recognition of IHL and its integration into AU decisions and policies, as well as wider implementation of IHL throughout Africa. It also aims to raise awareness of and acceptance for the ICRC's role and activities within the AU Commission and other AU bodies. It endeavours to build strong relations with AU-accredited intergovernmental organizations, NGOs and UN agencies in Addis Ababa.

## KEY RESULTS/CONSTRAINTS IN 2015

- ▶ The Multinational Joint Task Force developed normative frameworks for its operations in the Lake Chad region, including rules of engagement and detention procedures, with technical support from the ICRC.
- ▶ The African Standby Force (ASF) completed its cycle of training exercises; the African Peace Support Trainers Association worked to incorporate modules on IHL and other pertinent norms into ASF training.
- ▶ The African Union (AU) developed a three-year plan to integrate child protection into the processes/components of the African Peace and Security Architecture, which seeks to resolve crises in Africa.
- ▶ Member States added to their knowledge of humanitarian issues related to armed conflict, such as access to health care and the protection of children, through events/discussions held by the AU and the ICRC.

## YEARLY RESULTS

Level of achievement of ICRC yearly objectives/plans of action

HIGH

## CONTEXT

The African Union (AU) continued to back diplomatic and military efforts to address instability caused by armed conflict and political unrest throughout Africa. It supported the establishment of the Multinational Joint Task Force (MNJTF), which sought to curb the activities of armed groups in the Lake Chad region; Nigeria and neighbouring States – Benin, Cameroon, Chad and Niger – contributed troops to the MNJTF. AU-led international forces maintained a presence in Somalia and Sudan. The AU helped establish the Eastern Africa Fusion and Liaison Unit to combat “terrorism”, armed groups and transnational organized crimes.

The African Standby Force (ASF), composed of troops from various member States, completed the last phase of the Amani Africa cycle training exercises.

The AU launched diplomatic initiatives to support regional organizations in resolving situations of conflict/unrest, including those related to elections. With a view to putting an end to the armed conflict in South Sudan, it appointed a special envoy, an ad hoc committee composed of five African heads of State to facilitate negotiations for a peace agreement, and, following that, a commission to oversee the implementation of the final agreement. The AU sent a team of military experts and human rights observers to Burundi, and authorized the African Commission on Human and Peoples’ Rights (ACHPR) to undertake a fact-finding mission there.

## ICRC ACTION AND RESULTS

To support efforts to protect and assist conflict-affected populations throughout Africa, the ICRC continued to promote understanding of and respect for IHL and international human rights law among the AU and its member States, and among organizations affiliated to the AU. It did this by providing them with various forms of technical support: for instance, it maintained the secondment of an ICRC legal adviser to the AU, and organized joint events with and offered training opportunities to AU staff.

The ICRC continued to work with the AU to facilitate the incorporation of IHL and international human rights law into mission documents and the policies of peace-support operations led or authorized by the AU. For example, the ICRC legal adviser provided technical support to the AU team tasked with developing and proposing normative frameworks and mission documents to the MNJTF, including rules of engagement and standard operating procedures, particularly policies related to detention and the protection of civilians and children. AU officials attended workshops abroad to deepen their operational knowledge of IHL.

The ICRC highlighted the importance of incorporating the principles of IHL and other applicable norms in ASF training and operations; it proposed modules on IHL and international human rights law to the African Peace Support Trainers Association (APSTA), for it to incorporate into training for the ASF and Peace Support Operations Division (PSOD).

The AU adopted a Humanitarian Policy Framework to which the ICRC provided input. The ICRC continued to encourage AU officials, State authorities, and other stakeholders to address humanitarian issues, such as the protection of children during armed conflict, the effects of weapon contamination, the protection of medical services and the ratification of IHL-related treaties, notably the Arms Trade Treaty and the AU Convention on IDPs. It

supported the efforts of AU officials to further their understanding of IHL by sponsoring their attendance to regional events. These efforts contributed to the development of a three-year plan by the AU to incorporate child protection into the policies, processes and structures of the African Peace and Security Architecture. At a regional event, health ministers and other experts from the region exchanged views on strengthening the resilience of health-care systems against epidemics, armed conflicts and other emergencies.

At various AU events, AU officials, representatives of member States and other key actors were provided with information by the ICRC on humanitarian issues and the consequences of armed conflict.

## ACTORS OF INFLUENCE

The AU and its member States, and organizations affiliated to the AU, continued to benefit from ICRC support aimed at helping them ensure that their policies conformed with IHL and other applicable international law, particularly, through an ICRC legal adviser seconded to the AU and events/meetings organized with the help of the ICRC.

### **The AU develops a three-year plan to integrate child protection into its peace and security policies**

The AU worked towards establishing a policy framework for the conduct of peace-support operations with provisions addressing the prevention of sexual violence, and developing guidelines for deploying the ASF for humanitarian action. The MNJTF drafted mission documents and normative frameworks for its operations in the Lake Chad region – including rules of engagement, detention procedures and directives for the protection of civilians and children associated with weapon bearers.

Following discussions with humanitarian actors, the AU developed a three-year plan for incorporating the protection of children into the policies, processes and components of the African Peace and Security Architecture.

The ACHPR launched its guidelines on arrest, police custody and pre-trial detention, and had discussions with the ICRC on promoting compliance with them; the ACHPR and the ICRC signed a memorandum of understanding to facilitate such cooperation.

Two representatives from the PSOD deepened their knowledge of IHL at workshops abroad (see *International law and policy*).

### **Instructors incorporate IHL modules into training for peace-support troops**

The APSTA and the ICRC worked together to incorporate modules on IHL and other international norms – governing the use of force/treatment of persons held by peace-support forces – into PSOD and ASF training. In training sessions and with technical support, the ASF and some officers from the PSOD developed their understanding of IHL, and its application to the ASF’s training and conduct of operations (see also *Pretoria*).

### **The AU adopts a framework to serve as its humanitarian strategy**

Following meetings, including with the Specialized Technical Committee on Migration, Refugees and IDPs, the AU adopted a Humanitarian Policy Framework. The AU Department of Political Affairs received an ICRC offer to provide IHL-related input on a draft AU policy framework on transitional justice, with a view

to ensuring that humanitarian concerns such as the needs of the families of the missing are taken into account in transitional justice processes. The AU held a session of the Permanent Representative Council's Sub-Committee on Refugees, Returnees and IDPs in Africa and made recommendations for strengthening the resilience of AU member States against humanitarian crises.

#### **AU member States learn about ratifying and implementing the Arms Trade Treaty**

During workshops/discussions, officials from the AU and its member States, and others concerned, familiarized themselves with IHL treaties and the process for ratifying/implementing the Arms Trade Treaty and the AU Convention on IDPs. The model law to help States implement the Convention, which was drafted by the AU Commission on International Law (AUCIL) in 2014 with ICRC input, was yet to be endorsed by the authorities concerned.

A member of the AUCIL presented at a regional conference on IHL implementation and two AU representatives attended seminars abroad on the same topic, with the facilitation of the Office of the Legal Counsel (OLC) (see *Nairobi* and *Pretoria*). The OLC and the ICRC continued their discussions on promoting the ratification/implementation of IHL treaties.

#### **Health ministers discuss strengthening health-care systems against emergencies**

At an event organized by the AU and its partners, including the ICRC, health ministers and other experts from the region exchanged views on strengthening health-care systems against epidemics, armed conflicts and other emergencies. Information on the Health Care in Danger project was shared among the participants, and States were encouraged to support a resolution on safeguarding the delivery of health services. The AU Commissioner for Social Affairs discussed possibilities for further cooperation with the ICRC's vice-president, such as promoting the implementation of measures to protect health-care services.

During a conference on the African Charter on the Rights and Welfare of the Child, member States discussed the protection of children in armed conflict. The African Committee of Experts on the Rights and Welfare of the Child commissioned a study to assess the effects of armed conflict on children.

At an AU/ICRC event on mine action, AU officials, State representatives and international organizations were briefed on the need to assist victims of weapon contamination.

#### **AU officials and Member States discuss the consequences of armed conflict in the Lake Chad region**

During various AU events, including some where the ICRC shared its position on certain humanitarian issues in Africa, officials and other stakeholders discussed these and other related topics, such as the consequences of armed conflict, the prevalence of sexual violence and the need to facilitate safe access to health care. At regional consultations, AU Member States developed and adopted a Common African Position on Humanitarian Effectiveness to be presented at the 2016 World Humanitarian Summit.

Members of the AU Peace and Security Council (PSC) and representatives of the States concerned met to discuss the effects of the armed conflict in the Lake Chad region; they also heard the ICRC's assessment of humanitarian needs there and identified further means to assist victims. Dialogue among State officials continued to be facilitated by the ICRC; the AU and ICRC rescheduled the annual briefing of the PSC by the ICRC's president to 2016.