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**16th EXTRAORDINARY SESSION OF THE ASSEMBLY
OF THE AFRICAN UNION ON TERRORISM AND
UNCONSTITUTIONAL CHANGES OF GOVERNMENT IN AFRICA
28 MAY 2022
MALABO, REPUBLIC OF EQUATORIAL GUINEA**

Ext/Assembly/AU/Decl.(XVI)

**DECLARATION ON TERRORISM AND UNCONSTITUTIONAL CHANGES OF
GOVERNMENT IN AFRICA**

“Robust Response, Deepening Democracy and Collective Security”

DECLARATION ON TERRORISM AND UNCONSTITUTIONAL CHANGES OF GOVERNMENT IN AFRICA

“Robust Response, Deepening Democracy and Collective Security”

WE, the Heads of State and Government of the African Union (AU), meeting at the 16th Extraordinary Session of the Assembly of Heads of State and Government on Terrorism and Unconstitutional Changes of Government in Malabo, Equatorial Guinea, on 28 May 2022:

GUIDED by existing AU legal instruments, particularly the Constitutive Act (2000); the Protocol Relating to the Establishment of the Peace and Security Council (PSC) of the African Union (2002); the Common African Defense and Security Policy (CADSP) [2004]; the AU Non-Aggression and Common Defense Pact, (2005); AU Agenda 2063 specifically aspirations 3, 4 and 7; and the Johannesburg Declaration on Silencing the Guns in Africa, (2020), as well as the AU Master Roadmap of Practical Steps to Silence the Guns in Africa by 2030;

RECOGNIZING the continued relevance of various instruments adopted by the Organization of African Unity (OAU) and the AU over the past years to address the scourge of terrorism and violent extremism, including the Convention on the Prevention and Combating of Terrorism, (1999); the Plan of Action on the Prevention and Combating of Terrorism in Africa, (2002) and the Protocol to the OAU Convention on the Prevention and Combating of Terrorism (2004) and the Tripoli Declaration on Conflict Reduction, Sustaining and Promoting Peace in Africa (2009);

RECALLING Assembly Decisions [Assembly/AU/Dec.256(XIII)] on combating the payment of ransom to terrorist groups (2009) and [Assembly/AU/Dec.311(XV)] on the prevention and combatting of terrorism (2010);

BEARING IN MIND our pledge to silence the guns on the Continent, as contained in the 50th Anniversary Solemn Declaration (2013) and Decision [Assembly/AU/Dec.501(XXII)] declaring 2014 – 2024 as *the “Madiba Nelson Mandela Decade of Reconciliation in Africa”* (2014);

ALSO GUIDED by the principles enshrined in the African Charter on Democracy, Elections and Governance (2007); the African Charter on Human and Peoples’ Rights (1981), and other relevant AU human rights instruments;

FURTHER REITERATING our Decisions and pronouncements on unconstitutional changes of government in Africa, including Decisions [AHG/Dec.141(XXXV)], [AHG/Dec.142 (XXXV)] (1999) and [Assembly/AU/Dec.253(XIII)] (2009); the Declaration on the Framework for the OAU Response to Unconstitutional Changes of Government, (the Lomé Declaration) July 2000; as well as the PSC Ezulwini Framework for the Enhancement of the Implementation of Measures of the African Union in Situations of Unconstitutional Changes of Government (2009);

REAFFIRMING our commitment to promote constitutionalism; the principles of separation of powers and independence of the judiciary; the promotion of political pluralism with the full participation of citizens, in conformity with the African Charter on Democracy, Elections and Governance (ACDEG) and the Union's Declaration on the Principles Governing Democratic Elections;

REITERATING the Decisions of the Peace and Security Council (PSC) on the issues of terrorism, violent extremism and unconstitutional changes of government in Africa;

TAKING NOTE of the Reports of the Chairperson of the Commission on Terrorism and Violent Extremism and on Unconstitutional Changes of Government in Africa.

ACKNOWLEDGE THAT:

- i. The resurgence of unconstitutional changes of government; the expanding threat of terrorism and violent extremism across the Continent, including the influx of foreign terrorist fighters, private military companies and mercenaries, the proliferation of armed groups, as well as transnational organized crime, negatively impact the peace, security, stability, sovereignty and territorial integrity of some Member States;
- ii. Africa continues to face structural challenges in adequately addressing the root causes of terrorism, violent extremism, and unconstitutional changes of government;
- iii. Governance deficits; terrorism and violent extremism are being compounded by the impact of climate change; and the concern over the use of natural resources by terrorist groups as a source of financing; and
- iv. Despite these challenges, Member States, Regional Economic Communities and Regional Mechanisms (RECs/RMs) and AU Organs continue to make gradual progress towards the consolidation of democracy and constitutionalism, as well as countering terrorism and violent extremism; and
- v. There is an imperative for greater collective action to address the challenges of terrorism, violent extremism and unconstitutional changes of government.

WE HEREBY DECLARE THE FOLLOWING:

A. On Terrorism and Violent Extremism,

- 1) Our unequivocal condemnation of all manifestations of terrorism and violent extremism across the Continent; and reaffirm our commitment to preserve the indivisibility of the security of African states in line with the Common African Defense and Security Policy and within the spirit of finding African security solutions;
- 2) Salute all African citizens and peace operations personnel who paid the ultimate sacrifice as a result of terrorist attacks in the Continent and globally;

- 3) Scale up implementation of all relevant AU instruments and Decisions, particularly the 1999 Convention on the Prevention and Combating of Terrorism and the 50th OAU/AU Anniversary Solemn Declaration;
- 4) Accelerate the signing and ratification of relevant continental instruments, including the Convention on the Prevention and Combating of Terrorism; the AU Convention on Cross-Border Cooperation, and the African Charter on Maritime Security, Safety and Development in Africa;
- 5) Full operationalization of the African Standby Force (ASF) without further delay and to strengthen coordination with RECs/RMs on its utilization; and to expedite the finalization of the Memorandum of Understanding between the AU and RECs/RMs on the ASF;
- 6) Reiteration of Decisions, particularly [Assembly/AU/Dec.753.XXXIII] of February 2020, and Assembly/AU/Dec.815(XXXV) of February 2022 on the establishment of a Counter-Terrorism Unit within the ASF;
- 7) Affirmation of the call for the immediate and unconditional withdrawal of foreign terrorist fighters and mercenaries from the Continent; and on the Commission to speed up the conclusion of the revision of the OAU Convention on Mercenaries;
- 8) Strong rejection of external interference in Africa's domestic affairs and call upon all external actors to cease their support to terrorist groups in the Continent;
- 9) Reaffirmation of the imperative of adequate, sustainable and predictable financing for counterterrorism efforts on the Continent and consequently renew the call to the United Nations, particularly the UN Security Council, for use of assessed contributions for AU-mandated Peace Support Operations (PSOs), to further strengthen counter-terrorism efforts and promote stabilization in the Continent;
- 10) The AU Peace Fund is a viable instrument for addressing urgent peace and security challenges on the Continent and commend the contributions by Member States made thus far;
- 11) Strong commitment to provide adequate budgetary allocation for national initiatives and programmes aimed at strengthening the prevention and combatting of terrorism and violent extremism;
- 12) Strengthen the fight against local and external financing of terrorism and to accelerate the implementation of the Assembly Decision on the criminalization of the payment of ransom to terrorist groups; and to promote concerted efforts on the improved management of natural resources;

- 13) Scale up efforts to combat transnational organized crime especially the proliferation of illicit arms, including through enhanced intelligence sharing mechanisms, border management, cooperation and control;
- 14) Develop a comprehensive Continental Strategic Plan of Action on countering terrorism in Africa, premised on existing national and regional strategies, to enhance coordination and coherence, in order to consolidate coordination and enhance actions;
- 15) Deploy more efforts and resources to strengthen cybersecurity, including through legislation at national level, ratification of the AU Convention on Cybersecurity and Personal Data Protection and enhanced cooperation; and institute necessary legal and regulatory action to prevent the abuse of social media; platforms by terrorists, as well as support the development of the Continental Cybersecurity Strategy and the Child Online Safety and Empowerment Policy;
- 16) Establish an AU Ministerial Committee on Counter Terrorism to serve as a high level coordination, monitoring, evaluation and follow up mechanism of the implementation of the commitments made in this Declaration;
- 17) Substantially increase support for children, youth and women affected by armed conflict especially terrorism, radicalization and insurgency, in collaboration with RECs/RMs and AU Organs; and initiate concerted actions in building capacity for community-based resilience and stabilization, to promote effective long term recovery through the post-conflict reconstruction and development programs;
- 18) Promote a multidimensional and proactive approach in empowering the youth by reinforcing peace education, tolerance and coexistence in order to consolidate the fight against terrorism and violent extremism;
- 19) Strengthen the institutional capacity of the Commission, and specialized agencies of the AU including, the African Centre for the Study and Research on Terrorism (ACSRT), the AU Mechanism for Police Cooperation (AFRIPOL) and the AU Centre for Post-conflict Reconstruction and Development (PCRD), to build synergies with and improve the efficiency of Member States in the fight against terrorism and violent extremism;
- 20) Promote experience sharing and lesson learning among Member States and RECs/RMs to better coordinate and enhance regional and continental efforts in combating terrorism;
- 21) Build, diversify and consolidate strategic international partnerships to reinforce cooperation and coordination of efforts in preventing and countering terrorism;
- 22) Welcome the initiative of the AU-UN Joint Strategic Assessment (JSA) on security and governance in the Sahel under the auspices of the Chairperson of the Commission **H.E. Moussa Faki MAHAMAT** and the UN Secretary-General **H.E. António GUTERRES**; and the appointment of the former President of the

Republic of Niger, **H.E. Mahamadou ISSOUFOU**, as Chair of the JSA Independent High-Level Panel;

- 23) Welcome the outcome of the Meeting of Directors-General and Heads of Intelligence and Security Services of Africa held on 26 May 2022 in Malabo, Equatorial Guinea, and, in this regard, call for greater intelligence and information sharing and joint operations through the platform of the Committee of Intelligence and Security Services of Africa (CISSA), as well as the various regional fusion centres, to ensure effectiveness of our intelligence governance initiatives in the Continent.

B. On Unconstitutional Changes of Government,

- 1) Unequivocal condemnation of all forms of unconstitutional changes of government in Africa and reiterate our zero tolerance in this regard;
- 2) Recommitment to our total adherence to the relevant principles, norms and shared values contained in the AU Constitutive Act, the Protocol Relating to the Establishment of the PSC, the African Charter on Democracy, Elections and Governance, African Charter on Human and Peoples' Rights, and the Lomé Declaration;
- 3) Determination to further enhance the effectiveness and sustainability of AU support to Member States in political transition and post-conflict situations, to build durable peace, entrench democratic culture and governance, including through transitional justice, and prevent relapse to cycles of violence, within the context of silencing the guns in Africa;
- 4) Commendation of the strides made by Member States in organizing free, fair, credible and transparent elections, despite the challenges posed by the COVID-19 pandemic; and the continued respect for electoral outcomes and constitutional provisions relating to term limits;
- 5) Take due note of and endorse the Accra Declaration arising from the Reflection Forum on Unconstitutional Changes of Government held from 15 to 17 March 2022 in Accra, under the leadership of **H.E. Nana Addo Dankwa AKUFO-ADDO**, President of the Republic of Ghana and current Chairman of the ECOWAS Authority of Heads of State and Government;
- 6) Consolidation of our efforts to create a conducive environment for the effective participation of women and youth in political processes, as well as addressing the impact of unconstitutional changes of government on children;
- 7) Strengthen national, regional and continental mechanisms on early warning and conflict prevention, as well as the interface between the African Governance Architecture (AGA) and the African Peace and Security Architecture (APSA), to consolidate good governance, particularly constitutionalism and the rule of law through multi-level engagements; and to that end, call on Member States yet to accede to the African Peer Review Mechanism (APRM), to do so, to concretize national ownership of governance processes;

We are fully cognizant of the ultra importance of building resilient societies, social cohesion, national unity and regional cooperation, as the bedrock for lasting peace, and in the spirit of the Madiba Nelson Mandela Decade of Reconciliation in Africa; institute **31 January** of each year, as “*Africa Day of Peace and Reconciliation*”; and, to this effect, appoint **H.E. João Manuel Gonçalves LOURENÇO**, President of the Republic of Angola, as AU Champion for Peace and Reconciliation in Africa.

As Heads of State and Government of the African Union, speaking with one voice, mindful of our responsibility and commitment, we recommit to build on the shared vision of Pan-Africanism and the legacy of African unity and solidarity, by upholding constitutionalism, democracy and good governance and to embrace the multidimensional approach to achieve peace, security and sustainable development, in line with the aspirations of Agenda 2063 - The Africa We Want.

Adopted by the 16th Extra Ordinary Session of the Assembly of Heads of State and Government of the African Union, at Malabo, on 28 May 2022.

2022-05-28

Declaration on Terrorism and Unconstitutional Changes of Government During the 16th Extraordinary Session of the Assembly of the African Union on Terrorism and Unconstitutional Change of Government in Africa, 28 May, 2022, Malabo, Republic of Equatorial Guinea.

Executive Council

African Union Commission

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