

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## AIDE MEMOIRE

### THE AFRICAN UNION'S PLANNING AND DECISION-MAKING PROCESS

#### PREAMBLE

The purpose of this Aide Memoire is to provide a ready reference for AU planning staffs. It is meant to be a living document which will allow further adaptation of the contents based upon experience throughout the AMANI AFRICA cycle and beyond.

It is organized into three sections:

- ◆ Part 1 – The African Union Peace and Security Infrastructure which aims to provide context within which the mandating process occurs.
- ◆ Part 2 – The African Union Mandating Process which describes the process and the roles of the participants in the process, as well as the key outputs of the three planning phases:
  - Phase 1 – Development of the Initial Draft Mission Plan
  - Phase 2 – Development of the Draft Mission Plan
  - Phase 3 – Development of the Integrated Mission Plan
- ◆ Part 3 – Annexes providing Document Examples and Templates

#### INTRODUCTION

The African Union (AU) mandating process for peace support operations is hinged on the African Peace and Security Architecture (APSA) which is the AU mechanism for prevention, management and resolution of conflicts as outlined in the Constitutive Act of the AU of 2000 and the PSC Protocol of July 2002. This is re-affirmed in the signing, in Addis Ababa in January 2008, of the Memorandum of Understanding on Cooperation on Peace and Security between the AU and the Regional Economic Communities (RECs)/ Regional Mechanisms (RMs) for Conflict Prevention, Management and Resolution. This MOU, inter alia, commits the parties to work together to make the ASF fully operational and outlines the modalities of interaction between the AU and the RECs/RMs, with respect to the African Standby Force (ASF).

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

## PART 1 - THE AFRICAN PEACE AND SECURITY ARCHITECTURE

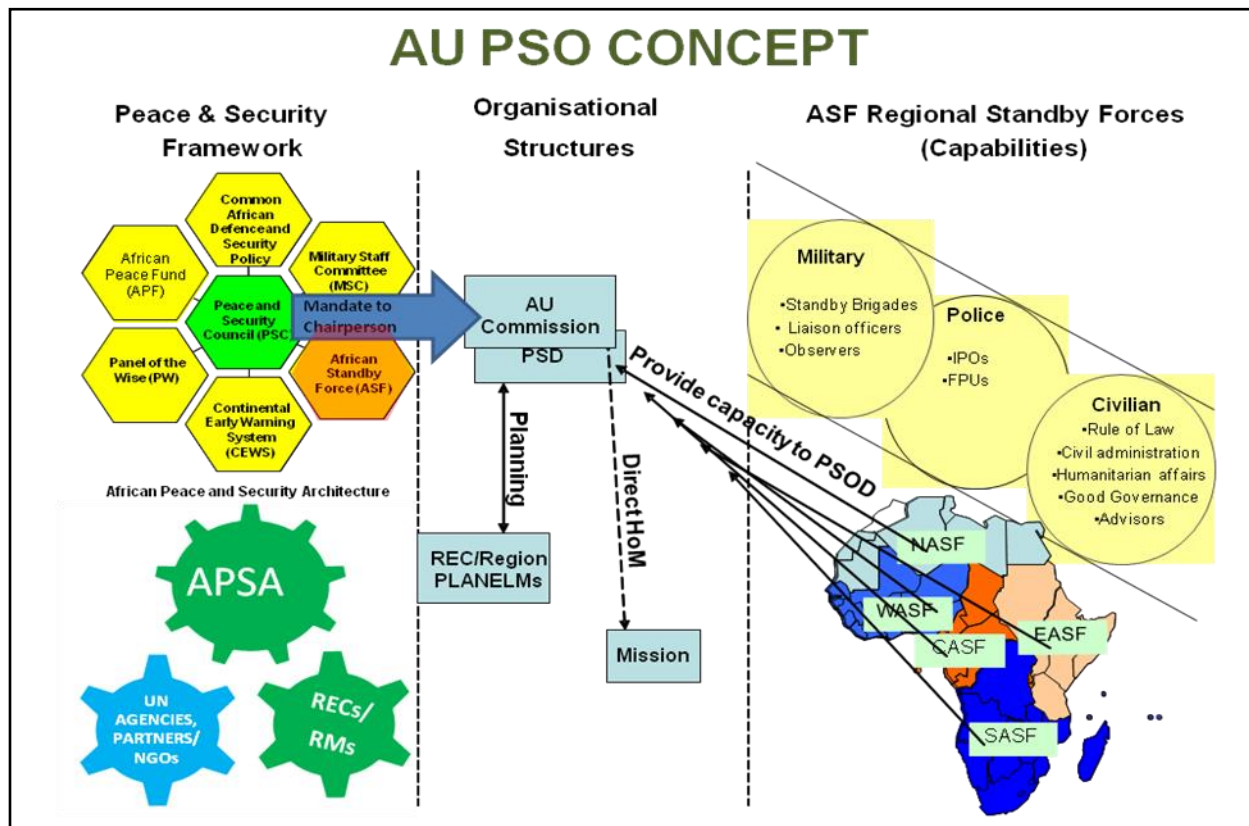


Figure 1 – AU PSO Concept

The PSC Protocol articulates the determination of the members of the AU to address conflicts on the continent and to ensure that Africa, through the AU, plays a central role in bringing about peace, security and stability on the Continent. To that end, it created the **Peace and Security Council (PSC)** which, on behalf of the Assembly provides timely and effective response to conflict and crisis situations in Africa as well as the prevention, management and resolution of such conflicts, post-conflict peace building efforts and developing a common defense policy. The PSC is supported by:

- ♦ **The AU Commission (AUC)** is the Secretariat of the AU and, under the leadership of the Chairperson of the Commission which, under the direction and authority of the PSC, and in consultation with the UN and all parties involved in a conflict, deploys efforts and takes all initiatives deemed appropriate to prevent, manage and resolve conflicts. The lead department with respect to peace and security within the Commission is the Peace and Security Department (PSD). It is comprised of the following divisions:

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- **Defense and Security Division (DSD)** which deals with counter-terrorism, Common African Defense and Security Policy, land mines and small arms.
- **Conflict Management Division (CMD)** which deals with early warning, conflict management and post conflict issues.
- **Peace Support Operations Division (PSOD)** which manages ongoing PSO missions and the ASF.
- **Peace and Security Council Secretariat** which provides secretariat support to the PSC.
- ♦ **The Panel of the Wise (PW)** comprises five eminent African personalities from various segments of society who have made outstanding contributions to the cause of peace, security and development on the continent. They advise the PSC and the Chairperson of the Commission on all issues pertaining to the promotion and maintenance of peace, security and stability in Africa.
- ♦ **The Continental Early Warning System (CEWS)** consists of an observation and monitoring centre (Situation Room). It is expected to be integrated with the observation and monitoring units of the RECs/RMs as well as appropriate consultative mechanisms with the United Nations, its agencies, other relevant international organizations, research centers, academic institutions, and NGOs in order to facilitate the effective functioning of the Early Warning System.
- ♦ **The African Standby Force (ASF)** was established to enable the PSC to perform its responsibilities with respect to the deployment of PSO missions and intervention pursuant to Articles (h) and (j) of the Constitutive Act. The ASF shall be composed of standby, multidisciplinary contingents comprising civilian, police and military components from the RECs/RMs (ECOWAS, SADC, EASBRICOM, ECCAS and NARC). In undertaking its functions, the ASF shall, where appropriate, cooperate with the United Nations, its agencies, other relevant international organizations, as well as with national authorities and NGOs. The detailed tasks of the ASF and its modus operandi for each authorized mission shall be considered and approved by the PSC upon recommendation of the Commission. The AU and each REC/RM have Planning Elements (PLANELM) which conduct day to day planning associated with the AU PSO commitments.
- ♦ **The Military Staff Committee (MSC)** advises the PSC on all issues relating to security requirements for the promotion of peace and security in Africa. The MSC is composed of Senior Military Officers of the Members of the PSC. The MSC can meet at the level of Defence Advisors as well as Ministers of Defence of the PSC members.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

The Protocol further defined the following relationships with:

- ◆ Regional Mechanisms for Conflict Prevention, Management and Resolution which were further delineated in MOU of January 2008.
- ◆ The United Nations and Other International Organizations.
- ◆ The Pan African Parliament.
- ◆ The African Commission on Human and People's Rights.
- ◆ Civil Society Organizations.

In order to provide the necessary financial resources for PSO missions and other operational activities related to peace and security, the Protocol created a **Peace Fund** made up of financial appropriations from the regular budget of the AU, voluntary contributions from Member States and from other sources within Africa. Voluntary contributions from sources outside Africa shall be raised and accepted by the Chairperson of the Commission.

There are two key aspects which make the mandating process unique to the African Union:

- ◆ **The relationship between the RECs/RMs and the AU.** The RECs/RMs provide the PSO capability through a combination of standby forces on roster rather than through direct negotiations with Member States by the AUC. They are also the “first responders”, should a crisis develop. Hence a strong relationship between the AU and REC/RM leadership and close cooperation between their early warning and planning elements are essential. However, specific crisis situations may require additional force generation that may warrant further negotiations directly with individual/capable Member States.
- ◆ Due to the challenges it currently faces with funds and in supplying the required force enablers for its missions, the AU depends heavily on international organizations, agencies and donor nations for such things as strategic lift, strategic enablers, funding, and humanitarian support capacity amongst others. This often necessitates the involvement of outside agencies in the planning process, where appropriate.

## PSO MISSION SCENARIOS

The AU PSO doctrine envisages six potential mission scenarios.

- ◆ Scenario 1. AU/Regional military advice to a political mission.
- ◆ Scenario 2. AU/Regional observer mission co-deployed with a UN mission.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- ◆ Scenario 3. Stand-alone AU/Regional observer mission.
- ◆ Scenario 4. AU/Regional peacekeeping force for Chapter VI and preventive deployment missions (and peace building).
- ◆ Scenario 5. AU Peacekeeping force for complex, multidimensional peacekeeping missions, including those involving low-level spoilers.
- ◆ Scenario 6. AU intervention, (e.g.) in genocide or humanitarian crisis situations where the international community does not act promptly or where the international community requires the AU to act on its behalf.

Deployment timelines required for each scenario (from mandate resolution) is as follows:

- ◆ Scenarios 1 through 4: 30 days
- ◆ Scenario 5: 90 days with the military component being able to deploy in 30 days.
- ◆ Scenario 6. 14 days with robust military force.

To meet these timelines, particularly in the case of Scenario 6, each REC/RM is expected to develop its own Rapid Deployment Capability (RDC).

## LEGAL FRAMEWORK OF AU PSO MISSIONS

**Constitutive Act of the African Union.** The principle of African ownership is paramount in AU PSO missions. Accordingly, the primary legal authority derives from the Constitutive Act of the African Union.

- ◆ Article 4. (h). “The right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide and crimes against humanity.”
- ◆ Article 4. (j). “The right of Member States to request intervention from the Union in order to restore peace and security.”

**The United Nations Charter.** The UN has authorized PSO under Chapter VIII of The United Nations Charter which states “Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security...” and which encourages the “peaceful settlements of local disputes through regional arrangements or by such regional agencies before referring them to the Security Council.”

**Status of Mission Agreement (SOMA)** is an agreement with the Government of the Member State in question that is normally negotiated by the PSD in consultation with the AU Legal Counsel prior to mission deployment.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

**Rules of Engagement** (ROE) for each mission would be developed by PSOD in consultation with AU Legal Counsel using the Draft AU *Guidelines for the Development of Rules of Engagement (ROE) for African Union Peacekeeping Operations*.

**Application of the Legal Framework.** The PSC is the AU authority for intervention in Scenarios 1 through 5 under Article 4. (j) of the Constitutive Act. For an intervention under Scenario 6 under Article 4. (h) of the Constitutive Act, the authority is vested in the Assembly of the AU. While international sanction is preferred under Chapter VIII of the UN Charter, this is not a pre-condition for action by the AU. All efforts will be made to obtain UN concurrence and the cooperation of its agencies and partners early in any intervention, at either regional or continental levels. It is conceived that the RECs/RMs would take necessary steps to address conflict situations within their member states with the AU mechanisms playing a supporting role. The AU may decide to play a lead role in the resolution of the crisis situation, using one or more of its regional standby forces.

## **PART 2 - THE AU MANDATING PROCESS**

A process that attempts to regularise the AU process that leads to the issuance of a mission mandate and the development of an Integrated Mission Plan was proposed in April 2009 during the AU Strategic Decision Makers' Seminar. The Process spells out the roles of the relevant departments within the AUC as well as the roles of other relevant stakeholders. The Process is guided by specific planning principles and assumptions, and requires the engagement of AUC and other actors both at the continental and REC/RM level, as well as consultations with international agencies and national authorities. It focuses on the key decision making responsibilities and the need to achieve integrated planning early in the process. Though this proposal is the only attempt that documents the AU mandating process, it is yet to be adopted.

This narrative, though brief, provides a simple and logical approach to the mandating process, while highlighting the decisive points and the relevant decisions to be made, including the expected output (i.e.) timely and comprehensive decisions and guidance for further planning.

### **Integrated Planning**

An Integrated Mission is one in which there is a shared vision amongst all the relevant actors on the strategic objective of the mission. This strategic objective is the result of a deliberate effort by all the stakeholders to achieve a common understanding of the mandate and functions of the various stakeholders and to use this understanding to maximize the mission's effectiveness, efficiency, and impact in all aspects of its work. It is one in which the mission structure is derived from an in-depth understanding of the specific country setting; of the evolving security, political, humanitarian, human rights and development imperatives in the mission area and of the particular mix of assets and capacities available and/or required to achieve the desired impact through mutually supportive action. In other words, form (mission structure) should follow function and be tailored to the specific requirements of each mission.



# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

The Integrated Planning Process (IPP) is therefore designed to facilitate achievement of this common understanding by establishing a process that engages the capacities of all the stakeholders relevant to achieving impact in a PSO mission. The IPP does not aim to take control of the planning processes of the other stakeholders. It aims to ensure that the right people are at the table, that the right issues are being considered, and that the appropriate authorities and accountability requirements are in place to motivate flexible, creative, and integrated strategic and operational planning.

It follows that the IPP is based on the following basic principles and assumptions:

- ◆ □Integration is the guiding principle for the planning, design and implementation of complex AU PSOs in conflict and post-conflict situations, for linking the different dimensions of peace support operations (political, development, humanitarian, human rights, rule of law, social and security), and integrating the imperatives of each dimension into its strategic thinking and design.
- ◆ □Integration calls upon all players to maximize efficiency and effectiveness of the presence of all the stakeholders at country level, including minimizing duplication and optimizing available logistical, human, and financial resources to meet the combined aims and mandates of the various components of the AU presence. An essential element of this process will be to conduct, at HQ and country level, an inventory of the different planning processes, and the planning of substantive and operational capacities early on.
- ◆ An integrated mission exemplifies a system-wide response encompassing and balancing the various dimensions of the relevant stakeholders' visions, goals and objectives in a given conflict and post-conflict country setting. On a case by case basis, and with due regard to the requirements within individual conflict / post conflict environments, it will incorporate the full range of activities based upon international norms, including human rights, refugee and humanitarian law, and standards and have appropriately funded, mandated and empowered human rights capacities and programmes that are reflected in the activities of the mission.
- ◆ □The IPP aims to assist the stakeholders to achieve a common strategic and operational plan that is responsive to the objectives of the AU system and the PSC mandate through a shared understanding of the priorities, organizational principles and UN programme interventions, clear delineation of responsibilities, as well as an organizational structure that supports these priorities.
- ◆ □Implementation of the IPP should serve to ensure a seamless approach between and preceding, during, and subsequent to, the deployment of a peace support operation, or transition, if applicable.
- ◆ □The IPP will ensure that humanitarian principles are respected so that they are upheld in the implementation of the Mission's mandate and support the creation of an effective humanitarian operating environment.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- ◆ The IPP will be consistent with, and mutually supportive of relevant planning processes of other international organizations, agencies and their partners. Emphasis will be placed on achieving proper sequencing of planning activities, coherence in identifying needs, objectives and results, and identifying opportunities for linking planning activities.
- ◆ □The IPP will be a collectively owned and driven process within the AU, with consultations with key external partners and stakeholders (including national actors)

## **Pre-Crisis Activities**

Under normal circumstances, an emerging crisis situation will be monitored by the Continental Early Warning System under the lead of the Conflict Management Division (CMD) of the Peace and Security Department. The Commissioner for Peace and Security will coordinate all efforts relating to the evolving crisis. The decision to mandate a PSO may be triggered by any one, or a combination of the following:

- ◆ Deliberation by the PSC on the possibility of an AU mandated mission.
- ◆ A request by a Member State (MS) or regional organization to the AUC to intervene in a MS.
- ◆ The need for intervention in a MS in respect of grave circumstances, genocide or gross abuse of human rights, including war crimes.
- ◆ The signing or negotiation of a peace agreement with implications for the international community and the AU.

## **Constituting the CMTF**

As a crisis continues to evolve in a particular area, the CMD will conduct a strategic analysis of the crisis and present it to the Chairperson through the Commissioner for Peace and Security. The PSC will then be informed and it may direct the Chairperson to take appropriate action to resolve or manage the crisis. The Chairperson may deploy the Panel of the Wise (PW) or his Special Envoy (SRCC) as part of the initial efforts to resolve the conflict. Should the situation warrant the deployment of a PSO mission, a Conflict Management Task Force (CMTF) may be constituted by the Chairperson. Its composition is flexible but may include the following:



# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

**CMTF Composition:** PSD (CMD, DSD, PSOD), DPA (Humanitarian, Elections, Governance etc), Bureau of the Chairperson (Legal Counsel, Communication & Information Div), Bureau of the Deputy Chairperson (Admin, & Human Resources Dev, Programming, Budgeting, Finance and Accounting), Social Affairs (Gender, Child Protection, Human Rights) and co-opted members.  
**Lead: PSD**

Figure2 – Composition of the Conflict Management Task Force (CMTF)

The CMTF will work under the direction of the Commissioner for Peace and Security, with CMD playing the lead role. Its membership may be expanded to reflect the priorities of a particular mission and may change during the course of the planning effort as mission requirements change. The core members represent the various Departments of the AU Commission and any other specialist representation as may be required. Also included are the representatives of the affected RECs/RMs. The CMTF may also create sub-groups to deal with specific issues, such as the mission's budget, strategic deployment, legal aspects etc.

The CMTF will ensure coherent and consistent engagement of all the relevant departments within the AUC, as well as other external stakeholders. It will draw on the strategic analysis of CMD and the reports of other earlier initiatives, like those of the PW and SRCC and respective REC/RM, if available. It will undertake a strategic assessment of the situation and develop scenarios and options that will outline the possible strategic objectives for an AU PSO, a range of alternative strategies, and the role of the AU effort. After consideration of the strategic analysis and the Chairperson's recommendations, the PSC will select the option upon which to base further planning efforts and will provide further guidance to the Chairperson. The CMTF then drafts the Chairperson's Directive which will guide subsequent planning.

## **Chairperson's Directive**

The Chairperson's Directive translates the PSC decision and additional guidance into strategic planning guidance for the development of the operational objectives. It states the broad, strategic objective(s) as well as the proposed form and scope of the PSO. The Directive is issued to the Peace and Security Department, to initiate detailed operational planning for the mission.

## **Commissioner Peace and Security's Planning Guidance**

Based on the Chairperson's Directive, the Commissioner of Peace and Security issues his own Planning Guidance to the CMTF. The CMTF, now under the lead of PSOD, will develop an Initial Draft Mission Plan.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

## Initial Draft Mission Plan

The Initial Draft Mission Plan translates the broad, strategic objective into operational objectives based on the Chairperson and Commissioner's Planning Directives. The core of the Initial Draft Mission Plan will be the formulation of the integrated operational objectives for the PSO mission expressed in the format of a Planning Matrix.

The development of the Initial Draft Mission Plan is an integrated process which involves all the actors and stakeholders. The resulting plan will have identified any assumptions as well as additional information requirements which need to be addressed before the formulation of the Draft Mission Plan.

The Initial Draft Mission Plan will also provide the framework for other concurrent planning activities which will continue throughout the main planning process and it provides the basis for a Technical Assessment Mission (TAM).

PLANNING MATRIX						
<b>Overall Strategic Objective:</b> A summary of the overall strategic objective drawn from the Chairperson's Directive.						
<b>Assumptions:</b> The key assumptions that underpin the ability to achieve the strategic objective						
<b>Objective 1:</b> Operational level objective that contributes to the achievement of the above, for example to stabilise						
Required Output	Activity	Timeframe	Success Criteria	Resources	Responsibility	Comment
Number taken from the objective: 1.1, 1.2 etc	The individual activities that have to take place to achieve the objective, 1.1.1, 1.1.2, 1.1.3 etc	The time by which an activity should be completed	What constitutes success in achieving the activity (What does it look like when you have achieved success?)	The resources needed	Who has the lead	Particularly: <input type="checkbox"/> linkages to other activities <input type="checkbox"/> anything that questions the assumptions
<b>Objective 2:</b> Delivery of humanitarian assistance ( <i>Illustrative only</i> )						
<b>Assumptions:</b> 1. Basic levels of security sufficient to allow humanitarian operations to take place, 2. Support of local population, 3. etc, etc,						
Required Output	Activity	Timeframe	Success Criteria	Resources	Responsibility	Comment
2.1 Immediate needs	2.1.1 Food distribution	As soon as possible	Commence in major population centres as soon as basic security established.	Flash Appeal, NGOs	ASF, UNOCHA	Coordination with military component
	2.1.2 Provision of basic shelter	As soon as possible	Initial focus on IDPs and refugees.		ASF, UNOCHA, NGOs	
2.2 Needs of IDPs	2.2.1 Identify and determine why they are displaced	Within 3 months of PSC resolution	Registration of all IDPs	Resource neutral ASF	UNHCR	
	2.2.2 Return IDPs to villages ASAP as security	When possible	All IDPs returned to their villages	Transportation costs	ASF, UNHCR, national authorities, NGOs	

Figure 3 – Sample Planning Matrix

The following other activities are expected to be going on concurrently:

- ◆ **Capacity Generation.** The RECs/RMs providing the ASF components will have been informally identified along with potential sources for additional capacities. As the process matures, more detailed force generation planning continues until the mandate is approved and the arrangements are formalized.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- ◆ **Logistics.** Logistics planning will take place throughout the process with resources being identified to fill the requirement, and contracts being drawn up as appropriate.
- ◆ **Finance.** Funding will be critical throughout. Financiers will be consulted on the cost implications of the mission and funding sources. Mission budget estimates will continue to evolve, even after the PSO mission has initiated its deployment.
- ◆ **Deployment.** The requirement for strategic lift, Ports of Embarkation and Disembarkation (POE, POD), reception, staging, onward movement and integration infrastructure, Host Nation Support (HNS) and force enablers have to be identified early in the planning process so that SOMA negotiations and contracting processes may be initiated prior to the scheduled deployment.

## Technical Assessment Mission

A TAM will be launched to undertake a short-term country level assessment in order to confirm the parameters of the Initial Draft Mission Plan. It also provides a critical opportunity to deepen the engagement with the UN Country Team (UNCT) and other key national, regional and international stakeholders on the crisis. The TAM will focus on those areas identified during the first phase of planning in order to confirm any planning assumptions and answer those questions identified in the preparation of the Initial Draft Mission Plan. The report of the TAM will be used to produce the Draft Mission Plan.

**TAM Composition:** CMTF including RECs/RMs  
and co-opted members,  
Lead: DPA

Figure 4 – Composition of the Technical Assessment Mission (TAM)

**Draft Mission Plan.** The Draft Mission Plan translates the operational objectives into an action plan for the mission as a whole and for its constituent components. It should, as a minimum:

- ◆ Identify resource requirements (military and police component strengths, civilian component requirements, specialized equipment, infrastructure requirements, medical guidelines and sustainment policies) so that further budget planning may proceed.
- ◆ Place the resource requirements in the context of the operational objectives.
- ◆ Identify the general deployment plan.
- ◆ Identify considerations for the negotiation of the SOMA with the host nation.
- ◆ Identify considerations for the development of Rules of Engagement (ROE)

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

Once this second phase of planning is complete, the CMTF will draft the Chairperson's Report to PSC.

## Report of the Chairperson to the PSC

The Report of the Chairperson to the PSC is the third and final planning stage in the development of the mandate. As such, it should provide the necessary details required for a decision. The report of the Chairperson has four components:

- ◆ A summary of the developments in the affected country since the last Report of the Chairperson.
- ◆ A summary of the concepts of operations for the mission as a whole and for the mission's constituent components (military, police, civilian and support) within the framework of the overall strategic and operational objectives. This should also highlight the integrated aspects of the planning to-date.
- ◆ A requirement for resources: human, materiel and financial.
- ◆ A draft mandate.

The PSC will approve the proposed mandate, or amend it as necessary. The approved mandate is included in a PSC Communiqué which provides the legal authorization for the activation and the deployment of the PSO mission and the approval of the funds required for the implementation of the decision. Once approved, the responsibility for the final stage of planning is transferred from the CMTF to the Integrated Mission Planning Team (IMPT). The composition of the IMPT will reflect the multidimensional nature of the mission.

**IMPT Composition:** Head of Mission and his Component Commanders (if designated), senior mission staff and other relevant stakeholders.

Figure 5 – Composition of the Integrated Mission Planning Team (IMPT)

## Designation of the Mission Senior Leadership

Ideally, the Mission Senior Leadership will be designated early in the process and will participate in the CMTF, the TAM and the development of the Report of the Chairperson to the PSC, but not as leaders of these processes. In reality, they will likely be designated closer to the end of the second planning phase, and will lead the work of the IMPT.

After the mission has been mandated, the Commissioner for Peace and Security, on behalf of the Chairperson, will issue the **Command Directive** to the Head of Mission which formalizes the transfer of responsibility from the AU Commission (CMTF) to the

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

Mission (IMPT) and outlines the legal status of the Mission and the Head of Mission and provides such additional guidance as is required for the implementation of the Mandate by the Mission.

## **Integrated Mission Plan**

The Integrated Mission Plan is the further development of the Draft Mission Plan to the operational level. It provides a medium for an integrated and fully-costed Mission Plan based on the approved mandate. It is prepared, when possible, by the senior mission leadership which includes the Head of Mission and his Component Commanders. If they have not yet been designated, this stage is jointly coordinated by the CMTF and the IMPT as they deploy. The IMPT is a mission level team and will be constituted by the SRCC having received his directive from the Commissioner for Peace and Security (on behalf of the Chairperson) to transfer the responsibility for operational planning to the mission.

Much of the detailed operational level planning will have taken place concurrently with the mandate development phase. The plan would be adjusted to match the mandate based on the realities on the ground. It is expected that the Rules of Engagement (ROE) would have been developed at this stage by PSOD.

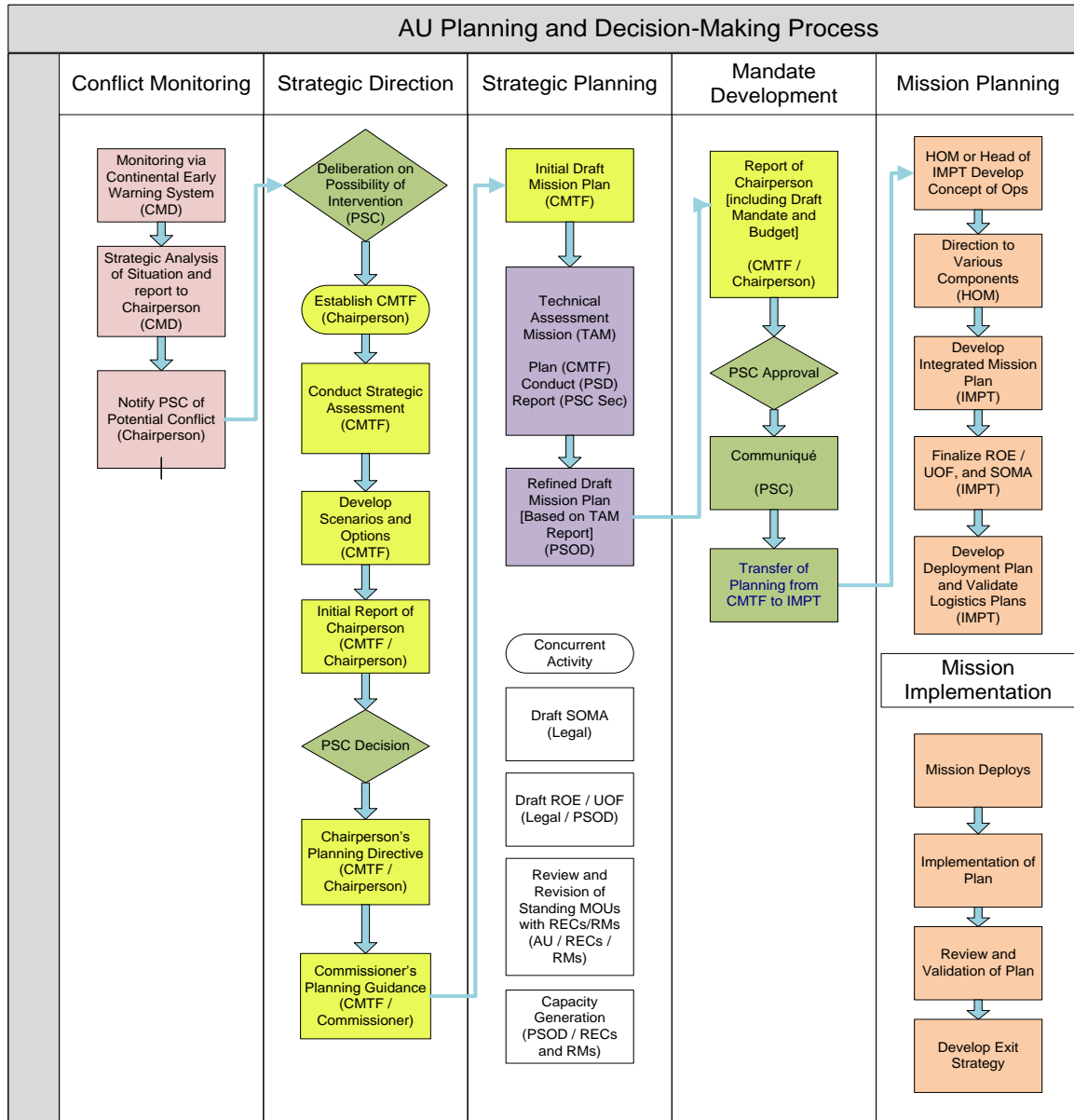
## **List of Figures**

1. AU PSO Concept, page 2.
2. Composition of the Conflict Management Task Force (CMTF), page 9.
3. Sample Planning Matrix, page 10.
4. Composition of the Technical Assessment Mission (TAM), page 11.
5. Composition of the Integrated Mission Planning Team (IMPT), page 12.
6. AU Planning and Decision-Making Process, page 14.

## **List of Annexes**

- A. Chairperson's Initial Report to PSC / PSC Decision
- B. Chairperson's Planning Directive
- C. Commissioner's Planning Guidance
- D. Matrix Template for Planning
- E. Initial Draft Mission Plan
- F. Technical Assessment Mission – Issues to Consider
- G. Draft Mission Plan
- H. Chairperson's Report to the PSC
- I. Communiqué
- J. Integrated Mission Plan Format
- K. Status of Mission Agreement (Sample)

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS



Version 1,  
22 September 09

Figure 6 – AU Planning and Decision-Making Process



# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## **Annex A –Chairperson’s Initial Report to PSC / PSC Decision**

### **CHAIRPERSON’S INITIAL REPORT TO PSC**

**Introduction** (including overall objectives and intentions)

- ◆ Political situation
  - Governance
  - Rule of Law
  - Civil Society
- ◆ Security situation
- ◆ Military situation
- ◆ Police situation
- ◆ Human Rights situation
- ◆ Humanitarian situation

### **Objectives**

### **Constraints and Limitations**

### **Options**

- ◆ Options
- ◆ Option analysis
- ◆ Recommendation

### **DECISION OF THE PSC**

#### **PSC Decision**

The PSC supported the recommendation of the Chairperson and directed the Chairperson to initiate planning for the deployment of... and within the following parameters:

- Legal Framework
  - Charter of the United Nations (Regional Arrangements)
  - Article 4(j) of the Constitutive Act of the African Union
  - Status of Mission Agreement (SOMA) with the Government of...
  - Letter of Invitation from the Government of...
  - Rules of Engagement – to be developed.
- Mission Scope
- Mission Duration

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- Mission Name

## **Other Considerations**

# **AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS**

---

## **Annex B – Chairperson’s Planning Directive**

### **CHAIRPERSON’S PLANNING DIRECTIVE**

**Introduction**

**Situation**

**Chairperson’s Intent**

**Assumptions**

**Constraints and Limitations**

**Strategic Objectives**

**Success Criteria**

**Stakeholders**

**End State**

**PSC Direction**

**Legal Framework**

**Charter of the United Nations (Regional Arrangements)  
UN Security Council Resolution  
UN General Assembly Resolution 377 (Uniting for Peace) 03/11/1950  
Constitutive Act of the African Union  
Status of Mission Agreement (SOMA)  
Letters of Invitation from Governments  
Rules of Engagement**

**Mission Scope  
Mission Duration and Transition  
Mission Name**

**Other Considerations**

**Logistics Considerations**

**Commissioner’s Guidance to Planning Staff**

**Timeframe and Responsibilities**

# **AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS**

---

## **Annex C – Commissioner’s Planning Guidance**

### **COMMISSIONER’S PLANNING GUIDANCE**

**Introduction**

**Chairperson’s Intent**

**Assumptions:**

**Strategic Objectives**

**End State**

**PSC Direction**

**Other Considerations:**

**Logistics Considerations**

**Commissioner’s Guidance to Planning Staff**

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## Annex D - Matrix for Planning

Objective 1.						
Key Assumptions:						
Key Output	Activity	Timeframe	Success Criteria	Resources	Responsibility	Comment
1.1.	1.1.1.					
	1.1.2.					
1.2.	1.2.1.					
	1.2.2.					

(Reference: Annex A to Chapter 7 of ASF Peace Support Operations Doctrine, Nov 06)

*Objective.* Objectives should be identified at the operational level so as to contribute to the strategic objective. An example might be, “Re-establish security in Leppko province”.

*Key Assumptions.* Assumptions are suppositions about the current or future situation that are assumed to be true in the absence of facts. They take the place of **necessary** but **unavailable** facts, and fill the gaps in what the commander and staff know about a situation. (It follows that assumptions should be made only where necessary, and replaced once facts become available.)

Assumptions may relate to:

- Current unknown strengths and dispositions (e.g. “hostile forces east of the Kodari river are fewer than 150 personnel”);
- likely reactions of hostile/potentially hostile forces, local populations or governments to AU/ASF actions (e.g. “hostile forces will avoid decisive engagement with ASF”);
- adequacy of AU/ASF resources to meet operational requirements (e.g. “ASF will be able to maintain adequate security along international boundaries”); or
- external phenomena, such as weather (e.g. “Rainy season will not begin until October”).

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

*Assumptions should be realistic, but should err on the side of caution.*

*Key Outputs. Key outputs are effects or conditions that must be achieved to support the operational objective. These might include “effective presence of Task Force in Leppko”, or “reduction in violent incidents”.*

*Activity. Activities (by AU/ASF) enable the outputs. Thus “effective presence of Task Force in Leppko” requires the activities, “deployment into Leppko”; “sustainment of Task Force”, and “conduct of robust patrolling”.*

*Timeframe. Timeframes for the initiation or completion of activities may be imposed, or may depend on the completion of previous activities. They will also be needed to initiate subsequent activities. Thus, timeframes may be described as fixed dates, or “as soon as possible”, or “no later than three weeks following peace agreement”, to meet the broader schedule of operational implementation.*

*Success Criteria. Success criteria should be measurable, or at least observable. They should relate to the output, not to the enabling activity. They may not be absolute, i.e. “return of all refugees” may be technically impossible; “return of at least 80% of refugees” may be feasible.*

*Resources. Specific resource needs should be identified for each activity, especially if they represent an incremental cost, a scarce commodity, or something that may be otherwise difficult to bring into effective use.*

*Responsibility. The appropriate mission element(s) responsible for the specified activity should be identified. It may be appropriate to allocate “lead” and “secondary” responsibility between elements.*

*Comment. Comments may relate to additional coordination and liaison requirements, to connections with other outputs or objectives, or to requirements for additional authority or approval.*



# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## Annex E – Initial Draft Mission Plan

### INITIAL DRAFT MISSION PLAN

#### References:

*Only key documents should be cited as references and, in particular, documents that are referred to specifically within the text of this document. Key documents might include:*

- *the Chairperson's Directives, or other initiating document(s);*
- *relevant UN Security Council resolutions, reports or other documents;*
- *existing plans or contingency plans from which the present mission plan is derived;*
- *earlier drafts of the mission plan;*
- *reports from the AU or other agencies describing the initiating crisis;*
- *the AU doctrinal foundation upon which the mission, its process and its execution are based;*
- *ASF Standard Operating Procedures or other manuals directly referred to.*

#### SITUATION

*The Situation should summarize the context in which the problem is set, and identify the boundaries of the problem. It should normally include:*

- *The strategic/political context, both within the host nation(s), and within the adjacent region(s) and the broader international community, insofar as these affect mission success, and the cumulative effect of recent activities on the strategic situation;*
- *The orientation, disposition, actions, capabilities and probable intentions of hostile or potentially hostile political and military factions active in (or able to affect) the host nation(s);*
- *The orientation, disposition, actions, capabilities and known intentions of allied or friendly forces in (or able to affect) the host nation(s);*
- *The general situation of the civilian population and civilian institutions within the host nation(s); and*
- *Actions authorized or taken to date by the AU or its agencies.*

*Detailed information regarding hostile activities may be expanded upon in Intelligence Summaries and other documents. Detailed background information on the area of operations will normally be provided in other documentation.*

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## **Assumptions**

*Assumptions are suppositions about the current or future situation that are assumed to be true in the absence of facts. They take the place of **necessary** but **unavailable** facts, and fill the gaps in what the commander and staff know about a situation. (It follows that assumptions should be made only where necessary, and replaced once facts become available.)*

## **MISSION**

*The Mission should be in the form of a simple **Mission Statement**; the description of a task that sets the conditions for the desired political-military end-state. It should explain the “when”, the “where”, the “who”, the “what” and the “why”.*

### **Operational Objectives**

*Operational Objectives are the effects or conditions that will be achieved in support of the Mission. Individual tasks will be derived from these objectives, and assigned to one or more mission elements.*

### **Overarching Considerations.**

*Overarching Considerations are conditions that affect the achievement of the Mission and/or its Operational Objectives. They may involve constraints on freedom of action, or cross-cutting characteristics that must be reflected in all processes or all outcomes.*

## **EXECUTION**

*The Execution is the nucleus of the plan, by which the Mission described above is to be achieved.*

### **General**

*This should summarize the Head of Mission’s / Commander’s thought process behind the plan, to include:*

- *Identified centres of gravity; identified constraints and restraints; and identified risks, together with their possible effects on mission success;*
- *An expression of the Head of Mission’s / Commander’s intent (the purpose of the plan), including a description of the desired end-state, and the criteria which will define mission success;*
- *A summary of the Head of Mission’s / Commander’s vision for how the operation will unfold, including key phases or milestones, and insight into the relationships and interdependencies between mission elements and their assigned tasks;*

### **Mission Deployment**

*Mission deployment refers to the disposition and posture of AU / ASF elements in order to achieve the Mission. It includes the mission organization, the geographic scheme of manoeuvre (and its sequence), and the intended capabilities and perceptions that must be generated.*

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## **Civilian**

*This would describe the composition and scope of the civilian mission element(s), including contributing organizations and element management structures(s). It should include guidance for the conduct of operations by the civilian element(s), and the identification of key mission tasks for which the civilian element(s) is the lead element.*

## **Military**

*This would describe the composition and scope of the military mission element (including military observers), including force-contributing organizations and military command structures(s). It should include guidance for the conduct of operations by military forces, and the identification of key mission tasks for which the military are the lead element.*

## **Police**

*This would describe the composition and scope of the police mission element (including gendarmerie forces), including force-contributing organizations and police command structures(s). It should include guidance for the conduct of operations by police contingents, and the identification of key mission tasks for which the police are the lead element.*

## **Mission Employment**

*Mission employment describes the conduct of operations and, in particular, the information required for the coordination of activities between mission elements. This might include:*

- *Timelines for the completion of phases, including the deployment and attainment of initial and full operational capability;*
- *Sector boundaries and other coordinating mechanisms and constraints on manoeuvre;*
- *Liaison requirements between mission elements and with other agencies;*
- *Specific guidance on functional areas such as engineering, mine warfare, EOD, intelligence, security, psychological operations, civil-military cooperation, public affairs, etc.*

## **SERVICE SUPPORT**

*This section is a description of the administrative and logistic requirements to support the mission. This includes the deployment of mission elements to the area of operations; the sustainment and reinforcement (if necessary) of the mission once deployed; and the eventual redeployment of mission elements from the area of operations. Concepts of logistic support should be explained.*

*Specific functional areas of support will normally also be addressed in detailed Annexes to the plan/ Functional areas may include:*

- *Supply (e.g. food, water, fuel, ammunition, technical stores, spare parts, etc.)*
- *Maintenance (vehicles, weapons, technical equipment, roads and buildings);*
- *Accommodations and shelter (warehousing, barracks, etc.);*
- *Medical, dental and veterinary services;*

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- *Movement (including designation of air and sea points of departure and arrival, rail and road routes, and other facilities);*
- *Personnel management and welfare (evacuation/replacement, discipline, morale, safety, recreation, etc.)*

*Responsibilities for service support must be clearly defined. Responsibility will normally be assigned to the mission; to the contributing nation(s); or to the host nation(s).*

## **COMMAND, CONTROL and COMMUNICATIONS**

*Command and Control should identify the command and other authorities above and within the AU mission. Channels of authority (chains of command) should be defined, together with the designation of alternate commanders. Primary and alternate headquarters locations should also be identified.*

*Communications should identify primary and secondary means of communications between mission elements, including electronic communications, together with procedures for communications between command levels, including the Headquarters' operational cycle.*

*Communications may also anticipate problems in communicating, as well as limitations and shortfalls in AU capabilities, as a lead in to finding solutions.*

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## Annex F – Technical Assessment Mission – Issues to Consider

*NOTE: The content of the following document is a suggested  
List of considerations only and may change on a case by case  
basis.*

### TECHNICAL ASSESSMENT MISSION (TAM) IN SUPPORT OF INITIAL MISSION PLANNING – ISSUES TO CONSIDER

#### Introduction:

The following checklist is designed to serve as a guide to the Technical Assessment Mission (TAM) that is being deployed by the AUC to ----- in support of initial planning for deployment of an AU Mission.

#### Objective:

The key objective is to confirm/validate key assumptions that had been made during the initial stages of planning including:

- Political situation.
- Peace agreements in place.
- Attitude to AU operations.
- Key humanitarian actions in place, and possible support requirements.
- Key factors (including logistics, operations, security situation, terrain, etc) with potential to affect operations.

#### Political:

- Key political issues and identification of key political actors to meet. (some of these may be important in facilitating the actions of the TAM.)
- Current status of pacific action including peace negotiations, agreements, etc.
- The position of key political actors, including the activities/strength of civil society.
- Availability of political space for the opposition, and the position of the government in this regard.
- Information on the vibrancy, effects and relevance of the Diaspora on the political situation.
- Relationship with neighbouring governments, including relationship of such governments with ethnic groups that are found across both borders.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- Identifying partners on the ground including Country Team, NGOs, civil society groups, religious groups, etc; initiating coordination and cooperation mechanisms with these identified partners.
- Identify existing or predictable influence of external powers on the internal political situation.

## **Environment:**

- Nature of the environment and impact (including effects of monsoon) at different times of the year on the mission activities, (re)deployment activities, lines of communication and equipment (aviation assets, type of vehicles, Communications & IT, etc).
- Availability of geographical data - military or commercial, paper or digital - and type from the area.
- The possible impact of rivers and coastline on movement, support and operations, and availability of navigable rivers/waterways in the country.
- Extent of environmental degradation causing population movement and the presence of toxic/hazardous materials.

## **Military:**

- General threats and possible risks for AU forces. How fluid/dynamic are the current security threats?
- The possible options, types of force, risks and problems for deployment of military and component. What capabilities are available from any previous international engagement that can be taken over<sup>1</sup> (including what shortfalls in capabilities need to be made up).
- Operational requirement for the humanitarian, human rights, electoral, DDR and other components that – on a case by case basis – will be required in the mission, and which the military will work with within the AOO.
- What operational capabilities are required for operations in various parts of the mission area, and how this will be reflected in the total size and configuration of the force<sup>2</sup>, including types of military vehicles required for operation within various terrain types, requirement for night vision devices, ammunition type, etc.
- Military characteristics of the key players (regional, national, warring factions -update) and areas the AU should focus on in terms of initial contacts and discussions.
- The impact of security situation in neighbouring countries on the target area of operation. What military actions are necessary to ensure the situation does not escalate.

---

<sup>1</sup> There are times that the AU could be taking over from another international organization, and this becomes helpful.

<sup>2</sup> The terrain of a certain AOO could vary drastically in various areas and the force configuration will not be generic.



# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- Mapping of humanitarian organisations (UN agencies, implementing partners and NGOs and others operating outside the UN mandate, i.e. Red Cross Red Crescent Movement, MSF, etc).
- Possible ways and means to project a reaction force in response to crisis situations in the AOO. Support to development of contingency plans.
- Any impact of UXO/minefields on operations, including logistics.
- Characteristics and level of professionalism of the national security forces, including key commanders<sup>3</sup>.

## **Police:**

- Local capacity and capability;
- Availability and state of headquarters, training centers, police stations and other infrastructures;
- Local deployment of the police;
- The structure, professionalism and discipline of the local police leadership;
- Ethnic (and other demographic considerations) representation within the police force;
- Strength and existing/available resources including transportation, communication equipment, crowd control equipment, accommodation and clothing;
- General state of law enforcement agencies/rule of law.
- The possible options, types of force, risks and problems for deployment of police component. What capabilities are available from any previous international engagement that can be taken over (including what shortfalls in capabilities need to be made up).

## **Information:**

- The information gathering capabilities that the AU force should have and how such capabilities should be installed in filling information gaps.
- Any available surveillance capacity within the target AOO that may have been installed by other international efforts.
- The elements necessary to ensure time sensitive and accurate situational awareness on the ground.
- Type, capacity, current status and service availability of TV/Radio, telephone systems, mobile telephones systems and Internet service providers.

---

<sup>3</sup> The AU may be required to support the national security forces – military, police, etc – and appropriate knowledge of their level of professionalism, discipline, etc. becomes important.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## **Humanitarian:**

- The IDP/Refugees locations/concentrations, demography (sex, age, literacy, etc), numbers, ethnic mix of camps, vulnerabilities, capabilities, extant governance structures within the displaced population, security requirement, and impact on AU military operations. Possibility of sectarian violence; recent population movements and patterns.
- Conduct strategic documentation on humanitarian crisis – Oslo Guidelines (1994), Principles of Good Humanitarian Donorship, the Humanitarian Charter, the Paris Declaration, CAP, CHAP, etc.
- What humanitarian action is already on ground; what additional humanitarian action is required. (Need to coordinate on the ground with Humanitarian Actors/ Country Teams).
- Confirm operational status of the in-country UN Country Team and the Humanitarian community.
- Identify major humanitarian partners and on-going operations, their missions, capabilities, mandates, activities and constraints/limitations.
- What coordination mechanisms (host government, UN, IASC, OCHA, UNCM Coord, etc) exist that could be relevant to force activities?
- Identify which bi-lateral partners support the national government with humanitarian funding and related support and their influences on government policy and action.
- Confirm existing policies, guidelines on civil-military relations.
- Identify requirements for and availability of military and civil defence assets and be fully conversant with the Use of MCDA Guidelines in Complex Emergencies.

## **Human Rights:**

- Key/identifiable areas of human rights abuses – government institutions? Militias/ warlords? Ethnic/tribal leaders? Requirements for investigations and support.
- Key support that the mission could provide in removing child soldiers from present situation, and possible action in rehabilitating them.
- Identifying issues of sexual and gender based violence, sexual exploitation and abuse and other forms of abuse against women and girls and identifying areas that the mission could provide support in line with the provisions of UNSCRs 1325 (2000) and 1820 (2008).
- Investigating issues related to child welfare and security and identifying areas that the mission could provide support to child protection.
- Identify national/local actors addressing the human right/legal protection issues; familiarize with their analysis, strategies and responses/activities.

## **Governance:**

- Inclusiveness and political space for opposition, civil society, Diaspora, etc.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- State of governance institutions, and their capacity to provide good governance to the people; identified gaps that the AU could be of assistance, and nature of such assistance.
- Identify and familiarize with international programmes and actors addressing governance (political and socio-economic) issues.
- Election – national and local – cycles, key issues of contention, credibility and capacity/capability of electoral commission, areas that the AU could provide support to further elections.
- Rule of Law (RoL) issues and capabilities of RoL institutions including the capacity of the judiciary and the prisons, areas of support that could be provided by the AU.
- State and configuration of the security sector, including capacity; areas that the AU could assist in reforms action.
- Level of robustness/vibrancy of civil society; nature of interaction and cooperation that is necessary for the mission with civil society; areas that civil society could support in the political process.
- Support action for DDR (RR); possible staging areas – identification of disarmament sites, demobilization sites; areas of support to rehabilitation, including identification of partners and possible areas of the society that could accommodate rehabilitation.

## **Overall Situational Awareness:**

- Cultural and sociological information that AU personnel should understand in order to be fully accepted by the population. What national troops (culture, religion, etc) will not be acceptable to the host nation; what nationalities – civilian staff – will not be acceptable to the host nation.
- Given the wide spread of IDP/Refugees locations/concentrations, what the AU mission should do in order to provide security to the vulnerable population in as wide an area as possible.
- What the AU should do in order to best gain the respect and trust of the population within the host nation.
- For independent agencies and NGOs who co-habit the same operational environment as the peacekeeping mission but who work independently, what the AU should do to keep them informed of the situation (failure to do so often creates a security problem for peacekeepers).

## **Logistics:**

- Airfields (standard and sub-standard). Rating, capacity, maximum landing weight and rotations per day; Maintenance requirements: immediate, medium and long-term.
- Seaports (standard and sub-standard). Rating, capacity, number of docks, depth (including maximum ship weight), available infrastructures and equipment for loading/off loading; maintenance requirements – immediate, medium and long-term; availability of ship maintenance facility/dock.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- Characteristics of the preferred Main Supply Routes (MSR). Points of entry for COE/AUOE and troops. Characteristics of the railway system (if available), roads, bridges and waterways? Major infrastructure repairs or upgrading required.
- Estimated throughput rates (wet ⇔ dry season/various terrains) for food, fuel and water required to sustain AU military and other operations. Suitable locations of Forward Log Base?
- What the local infrastructure offers (artisans, construction material); the specifics of available 'real estate' in terms of location, capacity, internal facilities (ammo storage, kitchens, dining hall, living accommodation, medical, welfare, etc), including level of effort required to standardize.
- Availability of potable water in the target AOO, including sufficiency of water resources or requirement for alternate resources – and specific locations. Water drilling, water purification systems, type of drilling rigs required; current capacity of local contractors.
- Status of and capability of extant medical infrastructure in the country, and what facilities should be provided by TCCs; suggested medical evacuation concept.
- Setting priorities on the use of scarce or limited facilities (ramp space, warehousing, gantries, etc) in consultation with the host government and by consensus with all other actors and stakeholders.
- Logistic requirements for an emergency evacuation plan.

## **Economic:**

- Consult with international actors, International Financial Institutions, (IFI) such as the IMF, the World Bank, regional development banks to address economic issues, particularly long term economic reform and recovery that usually take decades.
- Overall state of the economy, including extent of exploitation of natural resources in an environmentally sustainable manner; extent of such exploitation that is artisan and not available to the government.
- Level and impact of imports and exports on overall trade and GDP.
- Effects of sanctions (if any is in place) and possible positive effect of such sanctions if one was recommended to the AUC/PSC.
- Level of international investments and privatization.
- Banking system, currency and exchange rates; availability of foreign currency.
- Level of unemployment, and possible impact of large numbers of unemployed youths on the security situation and the prospects of education and vocational training and subsequent employment.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## Annex G – Draft Mission Plan

### DRAFT MISSION PLAN

#### References:

*Only key documents should be cited as references, and in particular documents that are referred to specifically within the text of this document. Key documents might include:*

- *the Chairperson's Directives, or other initiating document(s);*
- *relevant UN Security Council resolutions, reports or other documents;*
- *existing plans or contingency plans from which the present mission plan is derived;*
- *earlier drafts of the mission plan promulgated;*
- *reports from the AU or other agencies describing the initiating crisis;*
- *the AU doctrinal foundation upon which the mission, its process and its execution are based;*
- *ASF Standard Operating Procedures or other manuals directly referred to.*

#### 1. SITUATION.

*The Situation should summarize the context in which the problem is set, and identify the boundaries of the problem. It should normally include:*

- *The strategic/political context, both within the host nation(s), and within the adjacent region(s) and the broader international community, insofar as these affect mission success, and the cumulative effect of recent activities on the strategic situation;*
- *The orientation, disposition, actions, capabilities and probable intentions of hostile or potentially hostile political and military factions active in (or able to affect) the host nation(s);*
- *The orientation, disposition, actions, capabilities and known intentions of allied or friendly forces in (or able to affect) the host nation(s);*
- *The general situation of the civilian population, civilian institutions and the humanitarian situation within the host nation(s), including local and international organisations engaged in ameliorating the condition); and*
- *Actions authorized or taken to date by the AU or its agencies.*

*Detailed information regarding hostile activities may be expanded upon in Intelligence Summaries and other documents. Detailed background information on the area of operations will normally be provided in other documentation.*

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## 2. ASSUMPTIONS.

*Assumptions are suppositions about the current or future situation that are assumed to be true in the absence of facts. They take the place of **necessary** but **unavailable** facts, and fill the gaps in what the commander and staff know about a situation. (It follows that assumptions should be made only where necessary, and replaced once facts become available.)*

## 3. MISSION

*The Mission is the statement of a broad task that sets the conditions for the desired end-state. It should explain the “when”, “where”, “who”, “what” and “why”.*

### a. Operational Objectives.

*Operational Objectives are the effects or conditions that will be achieved in support of the Mission. Individual tasks will be derived from these objectives, and assigned to one or more mission elements.*

## 4. GENERAL

### a. Overarching Considerations.

*Overarching Considerations are conditions that affect the achievement of the Mission and/or its Operational Objectives. They may involve constraints on freedom of action, or cross-cutting characteristics that must be reflected in all processes or all outcomes.*

### b. Integrated Approach.

*An integrated mission is one in which there is a shared vision among all AU actors as to the strategic objectives of the AU presence at the country-level. This approach should reflect a shared understanding of the operating environment and agreement on how to maximize the effectiveness, efficiency, and impact of the AU’s overall response. Structural or programmatic integration between AU actors must be driven by an assessment of whether or not it will add real value and improve the impact of the AU engagement. An integrated mission’s structure should be derived from an in-depth appreciation of the specific country setting and an honest assessment of the AU’s capacities to respond effectively. It should be driven by the AU strategy for that country and the resources available to the AU.*

*AU doctrine stresses the importance of an integrated approach. This section should operationalize that philosophy by describing in broad terms **how** such an approach will assist in resolving the problem.*

### c. Mission Impact.

*This section should describe the intended impact of the AU mission in a broader strategic context. This may include effects in both the host nation and the international community, as well as effects in political, diplomatic, economic, social and other domains. Desired mission impacts (i.e. positive outcomes) should be identified, along with any possible or probable undesired consequences whose effects may require mitigation.*

## 5. Mission Deployment

---

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

*Mission deployment refers to the disposition and posture of AU elements in order to achieve the Mission. It includes the mission organization, the geographic scheme of manoeuvre (and its sequence), and the intended capabilities and perceptions that must be generated.*

*For specifics regarding civilian, military and police mission elements, see Annex E above.*

## **6. Mission Employment**

*Mission employment describes the conduct of operations, and in particular the information required for the coordination of activities between mission elements. This might include:*

- *Timelines for the completion of phases, including the deployment and attainment of initial and full operational capability;*
- *Sector boundaries and other coordinating mechanisms and constraints on manoeuvre;*
- *Liaison requirements between mission elements and with other agencies;*
- *Specific guidance on functional areas such as engineering, mine warfare, EOD, intelligence, security, psychological operations, civil-military cooperation, public affairs, etc.*
- *Guidance regarding rules of engagement, force posture (stance), etc.*

*For specifics regarding civilian, military and police mission elements, see Annex E above.*

# **AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS**

---

## **Annex H – Chairperson’s Report to the PSC**

### **REPORT OF THE CHAIRPERSON OF THE COMMISSION WITH RESPECT TO THE SITUATION IN ...**

- 1. Introduction**
- 2. Aim**
- 3. Basis for an African Union Intervention**
- 4. Proposed Mission Mandate**
- 5. Proposed Mission Structure**
- 6. Integrated Approach**
- 7. Mission Impact**
- 8. Mission Program Outline**



# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## Annex I – Communiqué

*NOTE: The content of the following document is an example only  
and will necessarily change on a case by case basis.*

AFRICAN UNION  
الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

P.O. Box: 3243, Addis Ababa, Ethiopia, Tel.: (251-11) 551 38 22 Fax: (251-11) 551 93 21

Email: situationroom@africa-union.org, oau-ews@ethionet.et

---

PEACE AND SECURITY COUNCIL

XX MEETING

XX 2009

ADDIS ABABA, ETHIOPIA

PSC/PR/Comm( XXX)

### COMMUNIQUÉ

#### DRAFT COMMUNIQUE OF THE XXX MEETING OF THE PEACE AND SECURITY COUNCIL

The Peace and Security Council of the African Union, at its XX meeting held on XX 2009, adopted the following decision on the situation in xxxx and the deployment of an AU peace support mission in that country:

**Council,**

- (i) **Takes** note of the Report of the Chairperson of the Commission on the situation in xxxx [PSC/PR/X(XXXX)] and the recommendations made by the Military Staff Committee on the proposed deployment of an integrated African Union Mission in xxxx (AM\_\_);
- (ii) **Recalls** its previous decisions on the deployment of a peace support mission in xxxx as well as resolution xxxx (2009) adopted by the UN Security Council on XX 2009, regarding the deployment of a peace support mission in xxxx;

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- (iii) **Notes** the letter to Council of xx xxxx 2009 from the President of xxxx, requesting the assistance of the African Union, and indicating his intention to...;
- (iv) **Reiterates** its commitment to the unity, sovereignty and the territorial integrity of xxxx;
- (v) **Reiterates** its conviction that, following the signature of the Peace Agreement, which will mandate the..., there exists today a unique and unprecedented opportunity to restore structures of governance in xxxx and bring about lasting peace and reconciliation, which the xxxx people, their leaders and the international community as a whole should seize;
- (vi) **Stresses** the need on the part of the signatories of the Peace Agreement to embark on an all-inclusive and genuine process of dialogue and reconciliation within the framework of the Agreement. Council **welcomes** the stated commitment of the leaders of the xxxx population to dialogue and reconciliation, and **encourages** the Government of xxxx to pursue its ongoing efforts with a view to reaching out to all segments of the population. Council also **encourages** the Chairperson of the Commission to take all necessary steps to assist this process and to ensure that the AU plays a leading role in this respect;
- (vii) **Further stresses** the critical role of the countries of the region in the overall efforts aimed at bringing about lasting peace and reconciliation in xxxx and strongly **appeals** to them to demonstrate the necessary cohesion in support of the Government of xxxx and their efforts during the transitional arrangements outlined in the Agreement;
- (viii) **Decides** to authorize the deployment of an integrated peace support mission in xxxx, which shall be named The African Union Mission In xxx (AMlX), for a minimum period of 6 months, without prejudice to its subsequent extension by six month increments at Council's discretion, starting from the date of this decision, with the following mandate:
  - (1) To provide support to the Government of xxxx for the furtherance of dialogue and reconciliation in the Peace Agreement process under the stewardship of the President of xxxx working in concert with regional leaders, namely the Presidents of xxxx and xxxx.
  - (2) Establish, in conjunction with the Government of xxxx, a safe and secure environment, sufficient to permit a free and fair election. This comprises, *inter alia*:
    - (i) Police and/or military presence in the areas of instability commensurate with the security situation.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- (ii) A graduated police response capability with executive authority.
  - (iii) The provision of a close protection capability for all the xxxx candidates.
  - (iv) Monitoring of the activities of the xxxx Defense Forces to ensure that they comply with the provisions of the Peace Agreement.
- (3) Fulfill the protocols in the Agreement relating to the conduct of elections, including:
  - (i) The provision of expertise to the Electoral commission to assist in the preparations for the upcoming election in accordance with the agreed timeframe in accordance with Article 18 of the African Charter on Democracy, Elections and Governance.
  - (ii) The establishment of an AU election monitoring process in conjunction with experienced AU and international organizations to monitor the conduct of the election in accordance with Article 19, 20 and 21 of the African Charter on Democracy, Elections and Governance.
- (4) To facilitate the delivery of humanitarian assistance, coordination in conjunction with the Government of xxxx and the members of the international community in order to provide for, and facilitate the return of, the displaced populations.
- (5) The investigation of violations of human rights that are alleged to have taken place in xxxx.
- (6) The establishment of a Reform and Restructuring program for the xxxx Police Forces (Police and Gendarmerie) comprising:
  - (i) A mentoring and advisory capacity with priority to the areas of greatest civil instability.
  - (ii) The establishment of a bilateral Police Training Program.
- (7) The provision of technical assistance to the Government of xxxx to address civil administration issues, and issues of ethnic and sectarian discrimination violence in the form of training for judiciary and police on rule of law and human rights issues.
- (8) To exercise its right of self-defence, including the right to protect its personnel, installations and equipment and vulnerable civilians.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## **Mission Structure**

- a. AMLx shall be an integrated mission, led by a Special Representative of the Chairperson of the Commission supported by an integrated HQ. Its personnel strength shall be deployed in xxxx and xxxx. The core of this HQ will be based upon a regional brigade headquarters and will comprise all the elements of an integrated HQ. The mission shall further consist of four components as follows:
  - (1) A Military Component led by the Force Commander not exceeding xxxx comprising:
    - (i) A Standby Force Brigade (SFB) tailored to the specifics of the situation.
    - (ii) A Military Observer Group (MOG) of unarmed military observers.
    - (iii) A rotary wing unit (RWU) with sufficient lift for one infantry company/FPU.
  - (2) A Police Component led by the Police Commissioner comprising:
    - (i) A police contingent not exceeding xxx consisting of:
      - (a) A Close Protection Unit (CPU) for the security of the candidates (to be provided on a bilateral basis).
      - (c) A Police Training Unit (PTU) to set up a training program for the xxxx Police and Gendarmerie.
      - (d) Two Formed Police Units (FPU) of company strength for a maximum of xxx police officers.
  - (3) A Civilian Component comprising:
    - (i) In addition to the Special Representative of the Chairperson of the Commission, the office will include a legal adviser, gender adviser, conduct and discipline adviser and public information specialists.
    - (ii) A Humanitarian Assistance Team (HAT) that will coordinate humanitarian assistance and facilitation of IDP returns, in partnership with the Government of xxxx the UN Country Team (UNCT), and other relief organizations, and maintain liaison with humanitarian organisations that work independently of the peacekeeping mission.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- (iii) An Electoral Assistance Team (EAT) to provide technical assistance to the Electoral Commission, and to prepare for the arrival of and support to the AU election monitoring mission.
  - (iv) A Human Rights Team (HRT) to review and further investigate alleged violations of the African Charter on Human and Peoples' Rights. Other technical experts (e.g. rule of law) to assist the government to address civil administration and issues of marginalization as well as ethnic and sectarian violence.
  - (v) A Political Affairs Team that will assist in the process of implementing the Peace Agreement and to provide other good offices as required.
- (4) A Mission Support Component comprising such resources and personnel as may be required for the deployment, sustainment and re-deployment of the mission (finance, personnel, administration, logistics, IT, communications), including a Level 3 Medical Treatment Facility (MTF).
- b. AMLx shall be reinforced, should the situation so require, with a rapid deployment reinforcement capability comprising:
  - (1) One infantry battalion at no more than 7 days' notice to arrive and a second battalion available within 14 days.
  - (2) One Formed Police Unit (FPU) of company size within 7 days' notice to arrive.
- (ix) **Invites** member states to provide support to the Government of xxxx, as part of AMLx, and on a bilateral basis:
  - (i) A close protection unit for the security of the candidates.
  - (ii) Technical Experts in the electoral process and an election monitoring team.
  - (iii) The establishment of a Police Training Program for the xxxx Gendarmerie.
- (x) **Welcomes** the steps being taken by the Commission to convene a meeting that will bring together military and security experts of the AU, the Troop Contributing Countries (TCCs), and the Government of xxxx, with the support of the United Nations and other stakeholders, to develop a detailed operation plan, as well as a

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

meeting that will involve the TCCs, on the one hand, the AU member states and partners willing to provide technical, logistical and financial support, on the other;

- (xi) **Urges** the Regional Economic Communities/Coordinating Mechanism and member states to provide military and other personnel, equipment and services that will be required for the successful deployment of AMI<sub>x</sub>;
- (xii) **Appeals** to AU member states, the League of Arab States, the European Union and its member states, the United Nations, as well as other AU partners, to urgently provide, in a predictable and coordinated manner, the required financial, technical and logistical support to facilitate the deployment of AMIC as soon as possible;
- (xiii) **Requests** the United Nations and its Security Council to provide all support necessary for the speedy deployment of AMI<sub>x</sub> and the effective accomplishment of its mandate, including the provision of financial support, bearing in mind that in deploying a mission in xxxx, the African Union is acting on behalf of the entire international community;
- (xiv) **Stresses** that stabilization and development of xxxx will require the strong involvement of the United Nations. In this respect, Council **urges** the United Nations Security Council to consider an expansion of the responsibilities of the UN presence in xxxx and to consider the appointment of a Special Representative to the Secretary General to monitor developments in the region;
- (xv) **Decides** to remain seized of the matter.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## Annex J – Integrated Mission Plan Format

### FRAMEWORK FOR AN INTEGRATED MISSION PLAN

#### 1. SITUATION/AUTHORITY FOR ACTION

##### a. Situation.

*The Situation should summarize the context in which the problem is set, and identify the boundaries of the problem. It should normally include:*

- *The strategic/political context, both within the host nation(s), and within the adjacent region(s) and the broader international community, insofar as these affect mission success, and the cumulative effect of recent activities on the strategic situation;*
- *The orientation, disposition, actions, capabilities and probable intentions of hostile or potentially hostile political and military factions active in (or able to affect) the host nation(s);*
- *The orientation, disposition, actions, capabilities and known intentions of allied or friendly forces in (or able to affect) the host nation(s);*
- *The general situation of the civilian population and civilian institutions within the host nation(s); and*
- *Actions authorized or taken to date by the AU or its agencies.*

*Detailed information regarding hostile activities may be expanded upon in Intelligence Summaries and other documents. Detailed background information on the area of operations will normally be provided in other documentation.*

*The Situation may include assumptions where facts are unavailable (which should be identified as such), as well as estimates of key probable future courses of action (either in the face of an intended AU mission, **or** in its absence).*

##### b. Authority.

*The legal authority for the AU mission (as well as for any other concurrent or previous international actions) should be cited here, together with a summary of what action is authorized. This should include both AU and any other relevant legal authorities, including international treaties and resolutions (e.g. UN Security Council).*

#### 2. STRATEGIC APPROACH.

##### a. Integrated approach.

*The nature of integration between civilian, police and military mission elements should be explained, together with the need for such an approach in the context of the mission. Departures from AU doctrine should be noted and explained.*

##### b. Overarching view.

*The intended AU mission may be a part of a larger process or course of action; its relationship to this process should be explained. (The process itself should already have been described under Situation.)*

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

*The strategic environment may impose constraints and restraints upon the freedom of AU actions, or may force either processes or outcomes other than those that might arise from the planning process. These should be articulated, and their underlying rationale and/or authority explained.*

## **3. KEY MISSION OBJECTIVES**

### **a. Mission.**

*The Mission should be in the form of a simple **Mission Statement**; the description of a single action that sets the conditions for the desired political-military end-state. It should explain the “when”, the “where”, the “who”, the “what” and the “why”; e.g. “The ASF [who] will deploy to Carana [where] in July 2010 [when], to assist the Caranese government in maintaining stability [what], in order to permit the conduct of Presidential elections [why].”*

*Description of the mission should also include the commander’s vision for how the operation will unfold, including key phases or milestones; insight into the relationships and interdependencies between mission elements and their assigned tasks; and direction regarding the stance of the mission at its various phases.*

### **b. Objectives.**

*Objectives are the effects or conditions that enable the mission, and that must therefore be achieved in support of the Mission (from which individual tasks will be derived).*

### **c. End State.**

*The mission End State is the set of circumstances or effects that the mission is designed to achieve. Accompanying the End State may be several criteria by which mission success may be measured.*

## **4. MISSION STRUCTURE**

### **a. HQ.**

*The location(s) and composition of the mission Headquarters, including any specific criteria for types of HQ to be established, and where. Key officials may be named (if the plan is a Contingency Plan, appointments may not be confirmed).*

### **b. Sector A**

*The area of operations may be divided geographically into several sectors, with tasks and mission elements assigned to meet specific requirements. Sector definition should normally be the same for civilian, police and military elements, and may also reflect the administrative organization of the host nation, the terrain, and/or the security or other situation(s) on the ground.*

#### **i. Civilian,**

*This would describe the composition and scope of the civilian mission element(s), including contributing organizations and element management structures(s). It should include guidance for the conduct of operations by the civilian element(s), and the identification of key mission tasks for which the civilian element(s) is the lead element.*

#### **ii. Military.**



# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

*This would describe the composition and scope of the military mission element (including military observers), including force-contributing organizations and military command structures(s). It should include guidance for the conduct of operations by military forces, and the identification of key mission tasks for which the military are the lead element.*

## **iii. Police.**

*This would describe the composition and scope of the police mission element (including gendarmerie forces), including force-contributing organizations and police command structures(s). It should include guidance for the conduct of operations by police contingents, and the identification of key mission tasks for which the police are the lead element.*

## **c. Sector B**

*See above.*

### **i. Civilian,**

### **ii. Military.**

### **iii. Police.**

## **5. MANAGEMENT/ COMMAND**

### **a. HQ.**

### **b. Relationships.**

## **6. COORDINATION MECHANISMS**

### **a. Political.**

### **b. External Agencies – OCHA, Red Cross Red Crescent Movement, etc**

### **c. Military.**

### **d. Police.**

### **e. Other.**

## **ANNEXES TO COVER**

### **SRCC OFFICE**

#### **LEGAL**

#### **GENDER**

#### **CONDUCT AND DISCIPLINE**

### **POLITICAL**

### **HUMANITARIAN**

### **HUMAN RIGHTS/RULE OF LAW/GOVERNANCE/CIVIL SOCIETY**

### **ELECTIONS**

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## **MILITARY**

### **DEPLOYMENT**

*Deployment refers to the disposition and posture of the AU military force in order to achieve the military tasks of the Mission (and support other tasks). It includes the force organization, the geographic scheme of manoeuvre (and its sequence), and the intended capabilities and perceptions that must be generated.*

### **ROE**

*Rules of Engagement will be issued, together with any additional direction necessary to implement or amplify upon ROE.*

## **POLICE**

### **DEPLOYMENT**

*Deployment refers to the disposition and posture of the AU police contingent in order to achieve the police tasks of the Mission (and support other tasks). It includes the contingent organization, the geographic scheme of manoeuvre (and its sequence), and the intended capabilities and perceptions that must be generated.*

### **USE OF FORCE**

*Instructions for the Use of Force will be issued.*

## **PUBLIC INFORMATION**

*The Public Information Annex should provide:*

- *Background information regarding the present level of media and public interest in the initiating event;*
- *Information on national and international media activities and media capabilities within the host nation(s);*
- *Structure of mission PA agencies, including release authorities, designated spokespersons, etc.*
- *Direction/advice for national and mission PA staffs regarding desired messaging on mission-related topics;*

## **ADMINISTRATION**

*This Annex is a description of the administrative and logistic requirements to support the mission. This includes the deployment of mission elements to the area of operations; the sustainment and reinforcement (if necessary) of the mission once deployed; and the eventual redeployment of mission elements from the area of operations. Concepts of logistic support should be explained.*

*Specific functional areas of support will normally be addressed in detailed Appendices.*

## **FINANCE/PROCUREMENT**

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

*This Appendix should detail procedures and policies for financial management and procurement, in accordance with AU doctrines. It should describe:*

- *Sources for funding of various mission lines of activity, including AU, contributing nation and external sources;*
- *Authorities for expenditure, both by type of expenditure and imposed limits on spending authority at different levels;*
- *Rules for contracting and delegation of contract signing authority;*
- *Policies for hiring local civilian personnel;*
- *Policies and procedures for currency movement and exchange;*

## **LOGISTICS**

*This Appendix should include information, policies and procedures for:*

- *Supply (e.g. food, water, fuel, ammunition, technical stores, spare parts, etc.)*
- *Maintenance (vehicles, weapons, technical equipment, roads and buildings);*
- *Accommodations and shelter (warehousing, barracks, offices, etc.);*
- *Movement (including designation of APODs, SPODs, rail and road routes, and other facilities);*

*Responsibilities for service support must be clearly defined. Responsibility will normally be assigned to the mission; to the contributing nation(s); or to the host nation(s).*

## **PERSONNEL/HUMAN RESOURCES**

*This Appendix should include information, policies and procedures for:*

- *Medical, dental and veterinary services (pre-deployment criteria, evacuation/treatment facilities, public/preventative health, etc.);*
- *Personnel management (removal/replacement, discipline, safety, etc.)*
- *Personnel welfare (pay, morale, recreation, etc.)*

*Responsibilities for personnel support must be clearly defined. Responsibility will normally be assigned to the mission; to the contributing nation(s); or to the host nation(s).*

## **COMMUNICATIONS**

*This Appendix should include information, policies and procedures for:*

- *Channels of communication (chain of command) between mission elements and with other AU and non-AU agencies;*
- *Liaison with external agencies, including host nation government;*
- *Primary and alternate means of communications between mission elements, including electronic communications;*
- *Mission 24-hour Headquarters event cycle, and routine reporting schedules;*
- *Authority for use and allocation of the electromagnetic spectrum;*

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## **TRAINING**

*This Appendix should include information, policies and procedures for:*

- *Pre-deployment training standards for civilian, police and military personnel (including specialized qualifications, e.g. for drivers);*
- *Identification of training requirements within the mission;*
- *Conduct of incremental training within the mission;*
- *Capturing lessons learned and evaluation.*

## **CIVILIAN SECURITY**

*This Appendix should include information, policies and procedures for:*

- *Screening of civilian mission staff (including locally hired personnel);*
- *Security of Headquarters, logistic and other facilities;*
- *Use of civilian security services, armed guards, etc. (including locally hired personnel);*

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## Annex K – Status of Mission Agreement (Sample)

*NOTE: The content of the following document is an example only  
and may change on a case by case basis.*

### DRAFT

## STATUS OF MISSION AGREEMENT BETWEEN THE GOVERNMENT OF CARANA AND THE AFRICAN UNION MISSION IN CARANA

This Agreement is made and entered into this .....day of **November**, in the year Two Thousand and Nine, between the Government of Carana, (hereinafter referred to as “the Government”) on the one hand, and the African Union Mission in Carana (hereinafter referred to as “the Mission”) on the other hand.

**WHEREAS** the Government of Carana and the Commission of the African Union:

**Seeking** to promote peace and stability in Carana in accordance with International Law, the Charter of the United Nations and the Constitutive Act of the African Union;

**Reaffirming** the principles of strict respect for the sovereignty, territorial integrity and political independence of Carana;

**Recalling** the Communiqué of the Peace and Security Council (PSC) of the African Union of **23 November 2009**, authorizing the AU to deploy an integrated Peace Support Mission in Carana for an initial period of six months which may be extended by six month increment at the PSC’s discretion, to achieve the establishment, in conjunction with the Government of Carana, of a safe and secure environment in Mahbek Province and support the investigation of violations of human rights that are alleged to have taken place in the Province;

**Determined** to give effect to the Peace and Security Council decision on the deployment of an African Mission in Carana;

**NOW THEREFORE** the Government of Carana and the Commission of the African Union;

**HAVE AGREED** as follows:

### CHAPTER 1 – GENERAL PROVISIONS

#### Article I: Definitions

1. For the purpose of this Agreement:

a) “AMICA” shall mean the Africa Union Mission in Carana, whose establishment was mandated by the Peace and Security Council at its 209B meeting held in Addis Ababa on **23 November 2009**.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

b) “Member of AMICA” shall mean members of the Military, Police and Civilian components of the Mission;

c) “Government” shall mean the Government of Carana;

d) “Territory” shall mean the territory of the Government of Carana;

e) “Mission” shall mean AMICA;

f) “Headquarters” shall mean any plot of land or any building situated on Carana territory, made available to the Mission for use within the framework of the activities of the Mission or as accommodation for the members of AMICA on lease or on loan, as well as any plot of land or building situated on the territory of Carana and used temporarily by the Mission for its meetings.

g) “Head of Mission” (HoM) shall mean the person appointed by the Chairperson of the Commission to head the Mission.

h) “Special Representative of the Chairperson of the African Union Commission” (SRCC) shall mean the person appointed by the Chairperson of the Commission to represent him in Carana.

i) “Contractors” shall mean persons other than members of AMICA, engaged by the AU, including juridical as well as natural persons and their employees and sub-contractors, to perform services for AMICA and/or to supply equipment, provisions, supplies, materials and other goods, including spare parts and means of transport, in support of AMICA activities. Such contractors shall not be considered third party beneficiaries to this Agreement.

j) “PSC” shall mean the Peace and Security Council of the African Union.

k) “Vehicles” mean civilian, police and military vehicles in use by the AU and operated by members of AMICA, participating states or contractors in support of AMICA activities.

l) “Vessels” mean civilian, police and military vessels in use by the AU and operated by members of AMICA, participating states or contractors in support of AMICA activities.

m) “Aircraft” mean civilian, police and military aircraft in use by the AU and operated by members of AMICA, participating states or contractors in support of AMICA activities.

## **Article II: Application of the Present Agreement**

2. Unless specifically provided for otherwise, the provisions of the present Agreement and any obligation undertaken by the Government or any privilege, immunity, facility or concession granted to AMICA or any member thereof shall apply in Carana only.

## **Article III: Application of the AU Convention**

3. AMICA, its property, funds and assets and its members, including the HOM and SRCC, and members of all components of the Mission, shall enjoy the privileges and immunities specified in the present Agreement as well as those provided for under the AU Convention on Diplomatic Privileges and Immunities. However, these provisions are not applicable to Carana nationals.

4. The provisions of Article II of the Convention that apply to AMICA, also apply to the funds and to the participating States regarding the national contingents that are involved in AMICA as envisaged in paragraph 3 of this Agreement.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## CHAPTER II - MANDATE OF AMICA

### Article IV: Mandate of AMICA

5. The PSC at its 209B Meeting held on 23 November 2009, authorized the conduct of AMICA, mandating it to provide support to the Government of Carana for the furtherance of dialogue and reconciliation in the Yudifa Comprehensive Agreement process, establish in conjunction with the Government of Carana a safe and secure environment in Mahbek Province and support the investigation of violations of human rights that are alleged to have taken place in the Mahbek Province, and to exercise its right to self-defence including the right to protect personnel, installations, equipment and vulnerable civilians.

6. In this respect, the deployment of AMICA with a military component not exceeding 4500, a Police Component not exceeding 300 personnel, and a Civilian Component was authorized.

## CHAPTER III - STATUS OF AMICA

### Article V: Legal Personality

7. The Government recognizes the legal personality and legal capacity of AMICA in Carana.

### Article VI: Conduct of AMICA personnel

8. AMICA and its members shall refrain from any action or activity incompatible with the impartial and international nature of their duties, or inconsistent with the spirit of the present arrangements. AMICA and its members shall respect all local laws and regulations. The HoM shall take all appropriate measures to ensure the observance of these obligations.

9. Without prejudice to the Mandate of AMICA and its international status:

a) The African Union shall ensure that the mission conducts its operation in Carana with full respect for the principles and rules of the international Conventions applicable to the conduct of military and diplomatic personnel. These international Conventions include the four Geneva Conventions of 12 August 1949 and their Additional Protocols of 8 June 1977 and the Vienna Convention on Diplomatic Relations of 18 April 1961;

b) The Government of Carana undertakes to treat, at all times, the military, police and civilian personnel of AMICA with full respect for the principles and rules of the international conventions applicable to the treatment of military and civilian personnel, including the Vienna Convention on Diplomatic Relations of 18 April 1961.

10. AMICA and the Government of Carana shall therefore ensure that members of their respective military, police and civilian personnel are fully acquainted with the principles and rules of the above mentioned international instruments.

11. The Government undertakes to respect the international nature of AMICA while AMICA similarly undertakes to respect the sovereignty and territorial integrity of Carana.

### Article VII: AU Flags, Markings and Identification

---

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

12. The Government recognizes the right of AMICA to display within its territory, the AU flag on its headquarters,

Camps or other premises, vehicles and aircraft as may be deemed necessary by the SRCC.

13. Vehicles and aircraft of AMICA shall carry a distinctive identification, which shall be notified to the Government.

## **Article VIII: Communications**

14. AMICA shall enjoy the facilities in respect to communications and shall, in coordination with the Government, use such facilities as may be required for the performance of its task.

15. In the light of paragraph (a) above, AMICA shall:

a) Have the right to establish, install and operate AU radio stations under its exclusive control to disseminate to the public in Carana, information relating to its mandate. Programs broadcast on such stations shall be under the exclusive editorial control of AMICA and shall not be subject to any form of censorship. AMICA will make the broadcast signal of such stations available to the state broadcaster upon request, for further dissemination through the state broadcasting system. Such AU radio stations shall be operated in accordance with the International Telecommunication Convention and Regulations. The frequencies on which such stations may operate shall be decided upon in cooperation with the Government. If no decision has been reached fifteen (15) working days after the matter has been raised by AMICA with the Government, the Government shall immediately allocate suitable frequencies for use by such stations. AMICA shall be exempt from any taxes and or fees for the allocation of frequencies for use by its stations, as well as from any taxes on, or fees for their use.

b) Have the right to disseminate to the public in Carana, information relating to its mandate, through official printed materials and publications, which AMICA may produce itself or through private publishing companies in Carana. The content of such materials and publications shall be under the exclusive editorial control of AMICA and shall not be subject to any form of censorship. AMICA shall be exempt from any prohibitions or restrictions regarding the production or the publication or dissemination of such official materials and publications, including any requirement that permits be obtained or issued for such purposes. This exemption shall also apply to private publishing companies in Carana which AMICA may use for the production, publication or dissemination of such materials or publication.

c) Have the right to install and operate radio sending and receiving stations, as well as satellite systems, in order to connect appropriate points within the territory of Carana with each other and with the AU offices in other countries, and to exchange telephone, voice, facsimile and other electronic data with the AU global telecommunications network. Such telecommunication services shall be operated in accordance with the International Telecommunication Convention and Regulations. The frequencies on which such services may operate shall be decided upon in cooperation with the Government. If no decision has been reached within fifteen (15) working days after the matter has been raised with the Government by AMICA, the Government shall immediately allocate suitable frequencies for use by such stations. AMICA shall be exempt from any taxes on, and fees for the allocation of frequencies for use by such stations, as well as from any taxes and or fees for their use. If no decision has been reached fifteen (15) working days after the matter has been raised with the Government by AMICA, the Government shall immediately allocate suitable frequencies to AMICA for this purpose. AMICA shall be exempt from any taxes on and fees for the allocation of frequencies for use by such stations, as well as from any taxes on or fees for their use.

d) AMICA shall enjoy the right to unrestricted communication by radio (including satellite, mobile, V/Sat and handheld radio), telephone, electronic mail, facsimile or any other means, and of establishing the



# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

necessary facilities for maintaining such communications within and between premises of AMICA, including the laying of cables and land lines and the establishment of fixed and mobile radio sending, receiving and repeater stations. The frequencies on which the radio will operate shall be decided upon in cooperation with the Government. It is understood that connections with the local system of telephone, facsimile and other electronic data may be made only after consultation and in accordance with arrangements with the Government, it being understood that the use of the local system of telephone, facsimile and other electronic data will be charged at the most favourable rate.

e) AMICA may make arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from members of AMICA. The Government shall be informed of the nature of such arrangements and shall not interfere with or apply censorship to the mail of AMICA or its members.

## **Article IX. Travel and Transport**

16. AMICA, its members as well as contractors, together with their property, equipment, provisions, supplies, materials and other goods, including spare parts, as well as vehicles, vessels and aircraft, including the vehicles, vessels and aircraft of contractors used exclusively in the performance of their services for AMICA, shall enjoy full and unrestricted freedom of movement without delay throughout Carana by the most direct route possible, without the need for travel permits or prior authorization or notification, except in the case of movement by air, which will comply with the customary procedural requirements for flight planning and operations within the airspace of Carana as promulgated and specifically notified to AMICA by the Civil Aviation Authority of Carana. This freedom shall, with respect to large movements of personnel, stores, vehicles, ships or aircraft on roads, through seaports and airports used for general traffic within the territory, is coordinated with the Government. The Government undertakes to supply AMICA, where necessary, with maps and other information, including locations of mine fields and other dangers and impediments, which may be useful in facilitating its movements and ensuring the safety and security of its members.

17. Vehicles shall not be subject to registration or licensing by the Government provided that all such vehicles shall carry the third party insurance required by relevant legislation. AMICA shall provide to the Government, from time to time, updated lists of AMICA vehicles.

18. AMICA and its members as well as contractors, together with their vehicles, vessels and aircraft, including vehicles, vessels and aircraft of contractors used exclusively in the performance of their services for AMICA, may use roads, bridges, canals and other waters, port facilities, airfields and airspace without the payment of dues, tolls or charges, including wharfage and compulsory pilotage charges. However, AMICA will not claim exemption from charges, which are in fact charges for services rendered, it being understood that such charges for services rendered will be charged at the most favourable rates.

## **Article X: Privileges and Immunities of AMICA**

19. AMICA, a subsidiary body of the AU, shall enjoy the status, privileges and immunities as provided for in paragraph 2 of the present Agreement. The Government recognizes the right of AMICA as well as contractors, in particular:

a). To import, by the most convenient and direct route by sea, land or air, free of duty or other prohibitions and restrictions, equipment, provisions, supplies, fuel and other goods, including spare parts and means of transport, which are for the exclusive and official use of AMICA for resale in the commissaries provided for here25151€ ter. For this purpose, the Government agrees expeditiously to establish, at the request of AMICA, temporary customs clearance facilities for AMICA, at locations in Carana convenient for AMICA not previously designated as official ports of entry for Carana;

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

- b). To establish, maintain and operate commissaries at its headquarters, camps and posts for the benefit of the members of AMICA, but not of locally recruited personnel. Such commissaries may provide goods of a consumable nature and other articles to be specified in advance. The HoM shall take all necessary measures to prevent abuse of such commissaries and the sale or resale of such goods to persons other than members of AMICA and he or she shall give sympathetic consideration to observations or requests of the Government concerning the operation of the commissaries;
- c). To clear customs and excise warehouse, free of duty or other restrictions and prohibitions, equipment, provisions, supplies, fuel and other goods, including spare parts and means of transport, which are for the exclusive and official use of AMICA or for resale in the commissaries provided for above;
- d). To re-export or otherwise dispose of such property and equipment, including spare parts and means of transport as far as they are still usable, and all unconsumed provisions, supplies, fuel and other goods so imported or cleared customs and excise warehouse, which are not transferred, or otherwise disposed of on terms and conditions to be agreed upon, to the competent local authorities of Carana or to an entity nominated by them; and,
- e). The restrictions referred to in this paragraph and similar paragraphs in this Agreement are without prejudice to laws and regulations which apply in this respect. To the end that such importation, clearances, transfer or exportation may be effected with the least possible delay, a mutually satisfactory procedure, including documentation, shall be agreed between AMICA and the Government at the earliest possible date.

## **Article XI: Facilities for AMICA and its Contractors**

20. Premises required for conducting the operational and administrative activities of AMICA and for accommodating its members:

- a). The Government shall provide, where available, without cost to AMICA and in agreement with the Head of Mission, such areas for headquarters, camps or other premises as may be necessary for the conduct of the operational and administrative activities of AMICA, including the establishment of the necessary facilities for maintaining communications in accordance with Article VIII above.
- b). Without prejudice to the fact that all such premises are within the territory of Carana, they shall be inviolable and shall be at the exclusive control and authority of the Mandating Authority. The Government shall guarantee unimpeded access to such AMICA premises. Where AMICA troops are co-located with military personnel of Carana, a permanent, direct and immediate access by AMICA to those premises shall be guaranteed.
- c). The Government undertakes to assist AMICA as far as possible in obtaining and making available, where applicable, water, electricity and other facilities free of charge, or, where this is not possible, at the most favourable rate, and in the case of interruption or threatened interruption of service, to give as far as is within its powers the same priority to the needs of AMICA as to essential government services. Where such utilities or facilities are not provided free of charge, payment shall be made by AMICA on terms to be agreed with the competent authority. AMICA shall be responsible for the maintenance and upkeep of facilities so provided.
- d). AMICA shall have the right, where necessary, to generate electricity for its use and to transmit and distribute such electricity within its premises.
- e). AMICA alone may consent to the entry of any government officials or of any other person not member of AMICA to such premises.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## **Article XII: Provisions, Supplies and Services, and Sanitary Arrangements**

21. The Government:

a). agrees to grant expeditiously, upon presentation by AMICA or by contractors of a bill of lading, airway bill, cargo manifest or parking list, all necessary authorizations, permits and licenses required for the importation and re-exportation of equipment, provisions, supplies, fuel, materials and other goods, including spare parts and means of transport exclusively used in support of AMICA, including in respect of importation and re-exportation by contractors, free of any restrictions and without the payments of monetary contributions or duties, fees, charges or taxes including value-added tax. The Government likewise agrees to grant promptly all necessary authorization, permits and licenses required for the purchase or export of such goods, including in respect of purchase or export by contractors, free of any restrictions and without the payment of monetary contributions, duties, fees, charges or taxes.

b). undertakes to assist AMICA as far as possible in obtaining equipment, provisions, supplies, fuel, materials and other goods and services from local sources required for its subsistence and operations.

c). shall, in respect of equipment, provisions, supplies, materials and other goods and services purchased locally by AMICA or by contractors for the official and exclusive use of the Mission, make appropriate administrative arrangements for the remission or return of any excise or tax payable as part of the price. The Government shall exempt the AMICA from general sales taxes in respect of all local purchases for official use. In making purchases on the local market, AMICA shall, on the basis of observations made and information provided by the Government in that respect, avoid any adverse effect on the local economy. In accordance with the Financial Regulations and Rules of the AU, AMICA shall, when purchasing goods and services, endeavour to give due consideration to local contractors.

d). agrees, for the proper performances of the services provided by contractors, other than Carana nationals in support of AMICA, to provide contractors with facilities concerning their entry into and departure from Carana, without delay or hindrance, and for their residence in Carana, as well as their repatriation in time of crisis. For this purpose, the Government shall promptly issue to contractors, free of charge and without any restrictions and within 48 hours of applications, all necessary visas, licenses, permits and registration. Contractors other than Carana nationals resident in Carana, shall be accorded exemption from taxes and monetary contributions in Carana on services, equipment, provisions, supplies, fuel, materials and other goods, including spare parts and means of transport, provided by AMICA, including corporate, income, social security and other similar taxes arising directly from or related directly to the provision of such devices or goods.

e). shall cooperate with AMICA (and *vice versa*) in respect to sanitary services and shall extend to each other, the fullest cooperation in matters concerning health, particularly with respect to the control of communicable diseases, specially HIV/AIDS, in accordance with international conventions.

## **CHAPTER IV - RECRUITMENT OF LOCAL PERSONNEL**

### **Article XIII: Recruitment of Local Personnel**

22. AMICA may recruit locally, such personnel, as it requires for the performance of its duties. Upon the request of AMICA, the Government undertakes, in accordance with relevant laws and regulations, to facilitate the recruitment of qualified local staff by AMICA and to accelerate the process of such recruitment.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## **CHAPTER V - CURRENCY**

### **Article XIV: Currency**

23. The Government undertakes to make available to AMICA, against reimbursement in mutually acceptable currency, local currency required for the use of AMICA, including the pay of its members, at the prevailing rate. The transaction shall be done through a mutually agreed bank.

## **CHAPTER VI - STATUS OF THE MEMBERS OF AMICA**

### **Article XV: Privileges and Immunities**

24. The HoM, AMICA senior staff and such other high-ranking members of AMICA as may be agreed upon with the Government shall have the status specified in Sections 19 and 27 of the Convention, provided that the privileges and immunities therein referred to shall be those accorded to diplomatic envoys by international law.

25. Officials of the African Union who may be assigned to the mission remain officials of the African Union, and entitled to all the privileges and immunities pertaining thereto.

26. Military and police personnel and civilians, other than AMICA officials whose names are for the purpose notified to the Government by the Head of Mission, shall be considered as experts on short term mission within the meaning of Article VI of the Convention.

27. Military and police personnel and civilians assigned to AMICA, other than Carana nationals, shall have the privileges and immunities specifically provided for in the present Agreement.

28. Unless otherwise specified in the present Agreement, locally recruited personnel of AMICA shall enjoy the immunities concerning official acts and exemption from taxation and national service obligations provided for in Sections 18 (a), (b) and (c) of the Convention.

29. Members of AMICA shall be exempt from taxation on the salary and emoluments received from AMICA or from a participating State and any income received from outside Carana. They shall be exempt from all other direct taxes, except municipal rates for services enjoyed, and from all registration fees and charges.

30. Members of AMICA shall have the right to import free of duty, their personal effects in connection with their arrival in Carana. They shall, subject to the laws and regulations of Carana governing customs and foreign exchange with respect to personal property not required by them by reason of their presence in Carana with AMICA. Special facilities will be granted by the Government for the speedy processing of entry and exit formalities for all members of AMICA, including the military component, upon prior written notification.

31. On departure from Carana, members of AMICA may, notwithstanding the above-mentioned exchange regulations, take with them such funds as the Head of Mission certifies were received in pay and emoluments from AMICA or from a participating State and are a reasonable residue thereof. Special arrangements shall be made for the implementation of the present provisions in the interests of Carana and the members of AMICA.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

32. The HoM shall cooperate with the Government and shall render all assistance within his power in ensuring the observance of the customs and fiscal laws and regulations of Carana by the members of AMICA, in accordance with the present Agreement.

## **Article XVI: Entry, Residence and Departure**

33. The HoM and members of AMICA, whenever so required by the Head of Mission, have the right to enter, reside in and depart from Carana.

34. The Government undertakes to facilitate the entry and departure from Carana of the HoM and members of AMICA and shall be kept informed of such movement. For that purpose, the HoM and members of AMICA be exempted from passport and visa regulations, immigration inspections and restrictions as well as payment of any fees or charges on entering into Carana.

35. They shall also be exempted from any regulations governing the residence of aliens in Carana, including registration, but shall not be considered as acquiring any right to permanent residence to domicile in Carana.

36. For the purpose of such entry or departure, members of AMICA only are required to have:

a. An individual or collective movement order issued by or under the authority of the HoM or any appropriate authority or a participating State; and

b. A personal identity card issued in accordance with paragraph 37 of the present Agreement, except for the first entry, where the national passport or personal identity card issued by the AU or appropriate authorities of a participating state shall be accepted in lieu of the said identity card.

## **Article XVII: Identification**

37. The HoM shall issue to each member of AMICA, before or as soon as possible after such member's first entry into Carana, as well as to all locally recruited personnel and contractors, a numbered identity card, showing the bearer's name and photograph. Except as provided for in paragraph 21.d. of the present Agreement, such identity card shall be the only document required of a member of AMICA. Contractors and locally recruited staff shall be issued with appropriate AMICA identity cards.

38. Members of AMICA, as well as locally recruited personnel and contractors shall be required to present, but not to surrender, their AMICA identity cards upon demand of an appropriate official of the Government.

## **Article XVIII: Uniforms and Arms**

39. Members of AMICA, such as but not limited to, military and police members shall wear, while performing official duties, the national uniform of their respective States with standard AU/AMICA accoutrements.

40. The HoM may authorize the wearing of civilian clothes at other times.

41. Military and special categories of civilian members of AMICA and AMICA Security Officers and AU close protection officers designated by the HoM may possess and carry arms while on duty in accordance with their orders. Those carrying weapons while on duty, other than those undertaking close protection duties, must be in uniform at that time.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## **Article XIX: Permits and Licenses**

42. The Government agrees to accept as valid, without tax or fee, a permit or license issued by the HoM for the operation by any member of AMICA, including locally recruited personnel, of any AMICA vehicles and for the practice of any profession or occupation in connection with the functioning of AMICA, provided that no permit to drive a vehicle shall be issued to any person who is not already in possession of an appropriate and valid driving license.

43. The Government agrees to accept as valid, and where necessary to validate, free of charge and without any restrictions, licenses and certificates already issued by appropriate authorities in other States in respect of aircraft and vessels, including those operated by contractors exclusively for AMICA.

44. Without prejudice to the foregoing, the Government further agrees to grant expeditiously, free of charge and without any restrictions, within the Mission area, necessary authorizations, licenses and certificates, where required, for the acquisition, use, operation and maintenance of aircraft and vessels.

## **Article XX: Military, Police, Arrest and Transfer of Custody, and Mutual Assistance**

45. Without prejudice to the provisions of paragraph 42, the Government further agrees to accept as valid, without tax or fee, a permit or license issued by the HoM to a member of AMICA for the carrying or use of firearms or ammunition in connection with the functioning of AMICA.

46. The HoM shall take all appropriate measures to ensure the maintenance of discipline and good order among members of AMICA, as well as locally recruited personnel. To this end personnel designated by the HoM shall police the premises of AMICA and such areas where its members are deployed. Elsewhere, such personnel shall be employed only subject to arrangements with the Government and in liaison with it, so far as such employment is necessary to maintain discipline and order among members of AMICA.

47. The Military Police of AMICA shall have the power of arrest over the military members of AMICA. The Police of AMICA shall have the power of arrest over the other police members of AMICA. In such cases, the HoM shall refer Carana military and police members of AMICA to their respective authorities. Military and police personnel placed under arrest outside their own contingent areas shall be transferred to their contingent Commanders for appropriate disciplinary action. The personnel mentioned in paragraph 46 above may take into custody any other person on the premises of AMICA. Such other person shall be delivered immediately to the nearest appropriate official of Carana for the purpose of dealing with any offence or disturbance on such premises.

48. Subject to the provisions of paragraphs 47 and 48, officials of the Government may take into custody any member of AMICA:

a). When so requested by the HoM; or,

b). When such a member of AMICA is apprehended at the time he committed the infraction or was attempting to commit the infraction. Such a person shall be delivered immediately, together with any weapons or other items seized, to the nearest appropriate representative of AMICA, where after the provisions of paragraph 48 shall apply *mutatis mutandis*.

49. When a person is taken into custody under paragraph 47 or paragraph 48 (b), AMICA or the Government, as the case may be, may make a preliminary interrogation but may not delay the transfer into custody. Following such transfer, the person concerned shall be made available upon request to the arresting authority for further questioning.

# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

50. AMICA and the Government shall assist each other in carrying out all necessary investigations into offences in respect of which either or both have an interest, in the production of witnesses and in the collection and production of evidence, including the seizure of and, if appropriate, the handing over of items connected with an offence. The handing over of any such items may be made subject to their return within the terms specified by the authority delivering them. Each shall notify the other of the disposition of any case in the outcome of which the other may have an interest or in which there has been a transfer of custody under the provisions of paragraphs 48 to 50.

## **Article XXI. Safety and Security**

51. The Parties agree to the following:

a). The Government shall take all appropriate measures within its capabilities to ensure the safety and security and freedom of movement of AMICA, its members and associated personnel and their property and assets. It shall take all appropriate steps, within its capabilities, to protect members of AMICA and its associated personnel and their equipments and premises from attack or any action that prevents them from discharging their mandate. This is without prejudice to the fact that all premises of AMICA are inviolable and subject to the exclusive control and authority of the AU.

b). If members of AMICA or its associated personnel are captured, detained or taken hostage in the course of the performance of their duties and their identification has been established, they shall not be subject to interrogation and they shall be promptly released and returned to the AU or other appropriate authorities. Pending their release, such personnel shall be treated in accordance with universally recognized standards of human rights and the principles and spirit of the Geneva Convention of 1949.

c). The Government shall ensure that the following are established as crimes under its national law and make them punishable by appropriate penalties, taking into account their grave nature:

(i) A murder, kidnapping, or other attack upon the person or liberty of any member of AMICA or its associated personnel.

(ii) A violent attack upon the official premises, the private accommodation or the means of transportation of any member of AMICA or its associated personnel likely to endanger his or her personal liberty.

(iii) A threat to commit any such attack with the objective of compelling a physical or juridical person to do or refrain from doing any act.

(iv) An attempt to commit any such attack.

(v) An act constituting participation as an accomplice in any such attack, or in an attempt to commit such attack, or in organizing or ordering others to commit such attack.

d. The Government shall establish its jurisdiction over the crimes set out in paragraph 51.c. above:

(i) When the crime was committed on the territory of Carana.

(ii) When the alleged offender is a Carana national.

(iii) When the alleged offender, other than a member of AMICA, is present in the territory of Carana, unless it has extradited such a person to the state on whose territory the crime was committed, or to the state of his or her nationality, or to the state of his or her habitual residence if he or she is a stateless person, or to the state of the nationality of the victim.



# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

e. The Government shall ensure the prosecution, without exception and without delay, of persons accused of acts described in paragraph 52.c. above, who are present in the territory of Carana (if the Government does not extradite them), as well as those persons that are subject to its criminal jurisdiction who are accused of other acts in relation to AMICA or its members or associated persons which, if committed in relation to the forces of the Government or against the local civilian population, would have rendered such acts liable to prosecution.

52. Upon the request of the HoM, the Government shall provide such security as necessary to protect AMICA, its members and associated personnel and their equipment during the exercise of their functions.

## **Article XXII: Jurisdiction**

53. All members of AMICA, including locally recruited personnel, shall be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity. Such immunity shall continue even after they cease to be members of or employed by AMICA and after the expiration of the other provisions of the Agreement.

54. Should the Government consider that any member of AMICA has committed a criminal offence, it shall promptly inform the HoM and present to him any evidence available to it. Subject to the provisions of paragraph 53:

a). If the accused person is a civilian member of AMICA, the HoM shall conduct any necessary supplementary inquiry and then agree with the Government whether or not criminal proceedings should be instituted. Failing such agreement the question shall be resolved as provided in paragraph 59 of the present Agreement;

b). Military and police members of AMICA shall be subject to the exclusive jurisdiction of their respective participating States in respect of any criminal offences which may be committed by them in Carana.

55. If any civil proceeding is instituted against a member of AMICA before any court of Carana, the HoM shall be notified immediately, and he shall certify to the court whether or not the proceeding is related to the official duties of such member:

a). If the HoM certifies that the proceeding is related to official duties, such proceeding shall be discontinued and the provisions of paragraph 54 of the present Agreement shall apply;

b). If the HoM certifies that the proceeding is not related to official duties, the proceeding may continue. If the HoM certifies that a member of AMICA is unable because of official duties or authorized absence to protect his interests in the proceeding, the court shall at the defendant's request suspend the proceeding until the elimination of the disability, but for no more than ninety days. Property of a member of AMICA that is certified by the HoM to be needed by the defendant for the fulfillment of his official duties shall be free from seizure for the satisfaction of a judgment, decision or order. The personal liberty of a member of AMICA shall not be restricted in a civil proceeding, whether to enforce a judgment, decision or order, to compel an oath or for any other reason.

## **Article XXIII: Deceased Members**

56. The HoM shall have the right to take charge of and dispose of the body of a member of AMICA who dies in Carana, as well as that member's personal property located within Carana, in conformity with the practice of the AU relating to the matter.



# AFRICAN UNION MANDATING PROCESS FOR PEACE SUPPORT OPERATIONS

---

## CHAPTER V - LIMITATION OF LIABILITY OF AMICA

### Article XXIV: Limitations of Liability of AMICA.

57. Third party claims for property loss or damage and for personal injury, illness or death arising from or directly attributed to it, except for those arising from operational necessity, and which cannot be settled through the internal procedures of AMICA, shall be settled by the AU in the manner provided for in Article XIII of the present Agreement, provided that the claim is submitted within six months following the occurrence of the loss, damage or injury, or if the claimant did not know or could not have reasonably known of such loss or injury, within six months from the time he/she had discovered the loss or injury, but in any event not later than one year after the termination of the mandate of the operation.

## CHAPTER VI - SETTLEMENT OF DISPUTES

### Article XXV: Settlement of Disputes

58. Except as provided in paragraph 56, any dispute or claim of a private law character, not resulting from the operational necessity of AMICA to which AMICA or any member thereof is a party and over which the courts of Carana do not have jurisdiction because of any provision of the present Agreement, shall be settled by a Standing Claims Commission to be established for that purpose. One member of the Commission shall be appointed by the AU, one member by the Government and a Chairman jointly by the AU and the Government. If no agreement as to the Chairman is reached within thirty days of the appointment of the first member of the Commission, the two Parties will refer themselves to an agreed third party to appoint the Chairperson. Any vacancy on the Commission shall be filled by the same method prescribed for the original appointment, provided that any two members shall constitute a quorum for all purposes (except for a period of thirty days after the creation of a vacancy) and all decisions shall require the approval of any two members. The awards of the Commission shall be final. The awards of the Commission shall be notified to the parties and, if against a member of AMICA, the HoM shall use his best endeavours to ensure compliance.

59. Disputes concerning the terms of employment and conditions of service of locally recruited personnel shall be settled by the administrative procedures to be established by the HoM.

60. All other disputes between AMICA and the Government concerning the interpretation or application of the present Agreement shall, unless otherwise agreed by the parties, be submitted to a tribunal of three arbitrators. The provisions relating to the establishment and procedures of the claims commission shall apply, *mutatis mutandis*, to the establishment and procedures of the tribunal. The decisions of the tribunal shall be final and binding on both parties.

61. All differences between AMICA and the Government arising out of the interpretation or application of the present arrangements which involve a question of principle concerning the Convention shall be dealt with in accordance with the procedure of Section 30 of the Convention.

Done in ADDIS ABABA this .....day of ..... November 2009

.....  
For the Government of Carana

.....  
For the African Union