



AFRICAN UNION

Policy on Post-Conflict Reconstruction and Development (PCRD)



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AFRICAN UNION

POLICY ON POST-CONFLICT
RECONSTRUCTION AND DEVELOPMENT

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LIST OF ACRONYMS

AfDB: [] []	[]	African Development Bank
ACHPR: [] [] [] []	[] [] [] []	African Commission on Human and Peoples' Rights
AU: [] []	[]	African Union
CADSP: [] [] [] []	[] [] [] []	Common African Defence and Security Policy
CSO: [] []	[]	Civil Society Organization
DAG: [] []	[]	Donor Assistance Group
DDRR: [] [] [] []	[] [] [] []	Disarmament, Demobilization, Rehabilitation and Reintegration
ECOSOCC: [] []	[] []	Economic, Social and Cultural Council
HIPC: [] [] [] []	[] [] [] []	Heavily-Indebted Poor Countries
HIV/AIDS: [] [] [] []	[] [] [] []	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
IDPs: [] []	[] []	Internally Displaced Persons
IMF: [] []	[] []	International Monetary Fund
MDGs: [] []	[] []	Millennium Development Goals
NEPAD: [] []	[] []	New Partnership for Africa's Development
NGOs: [] [] [] []	[] [] [] []	Non-Governmental Organizations
PBC: [] [] [] []	[] [] [] []	Peacebuilding Commission
PCRD: [] [] [] [] [] []	[] [] [] [] [] []	Post-Conflict Reconstruction and Development
PSC: [] [] [] []	[] [] [] []	Peace and Security Council

- RECs: [] [] [] [] [] Regional Economic Communities
- SALWs: [] [] Small Arms and Light Weapons
- UN: [] [] [] [] United Nations
- WTO: [] [] [] [] World Trade Organization

FOREWORD BY

ALPHA OUMAR KONARE

CHAIRPERSON OF THE COMMISSION

Africa has made significant progress during the past decade to address the many conflicts and crises facing the continent. Notwithstanding this progress, however, enormous challenges are yet to be met if the countries and communities concerned are to reap the benefits of the peace and stability brought about by the resolution of conflicts. The recovery, reconstruction and development challenges involved are complex and, as such, require determination, long-term commitment, the mobilization of massive resources, as well as cooperation and close coordination at all levels.

Beyond meeting the immediate humanitarian needs of affected populations, recovery and reconstruction efforts in post-conflict societies must address the demobilization, disarmament and re-integration of former combatants; the return and reintegration of displaced populations, grass-roots level reconciliation; as well as lay the foundations for good governance in both the political and socio-economic spheres. These tasks should also be undertaken in tandem with Africa's efforts toward regional integration and socio-economic regeneration.

The impact of conflicts has been devastating. Millions have died, or become refugees or internally displaced persons (IDPs). Despite the magnitude and complexity of the challenges at hand, however, the affected African countries, the Regional Economic Communities (RECs) and the AU Commission, with the support of a host of Africa's partners, continue to make tremendous effort and register remarkable progress. Angola, Sierra Leone, Liberia, Cote d'Ivoire, Sudan, the Democratic Republic of Congo (DRC), Burundi, the Central African Republic (CAR) and the Comoros have all made strides in their recovery and reconstruction efforts. Undoubtedly though, the achievements made to-date need to be consolidated further.

The development of the AU Policy on Post Conflict Reconstruction and Development (PCRD) and the decision by the Executive Council to establish the necessary mechanisms and processes for its implementation are further witness to the resolve and commitment of the AU to comprehensively and decisively address the recovery and reconstruction needs of countries and communities emerging from conflict.

The Policy is a comprehensive document that provides a broad template for the planning and implementation of integrated strategies and programmes. I believe that the Policy will be a crucial guide for the development of further tools at regional and national levels and, with the establishment of the AU oversight and coordination mechanisms and mobilization of the necessary resources, will facilitate the efforts of post-conflict societies to move from recovery and reconstruction to long-term development. In order to achieve its stated goals, the Policy needs to be implemented effectively and speedily, including through the mobilization of the necessary human, financial, material and institutional resources, at the national, regional and continental levels. It is my conviction that the AU and its Member States will, once again, rise up to the challenge and stand with our brothers and sisters in post-conflict societies. It is also my sincere belief that Africa's partners will stand with us in achieving these goals.

Africa is now better positioned to reverse the history of conflicts, heal its wounds and pave the way for sustainable peace and socio-economic development.

PREFACE BY

SAID DJINNIT

COMMISSIONER FOR PEACE AND SECURITY

By the turn of the 21st century, Africa had made remarkable progress in resolving many complex and old conflicts across the continent. Despite this progress, however, millions of people continued to be adversely affected by the consequences of conflict. It was also obvious that the peace achieved was fragile and could not be sustained in the long term so long as the underlying causes and the needs of the affected populations were not effectively addressed.

At this juncture, the Commission felt it was high time that the African Union (AU), consistent with the relevant provisions of the Constitutive Act and the Protocol Relating to the Establishment of the Peace and Security Council (PSC), as well as the Commission's Strategic Plan, focused attention on post-conflict reconstruction and development in countries emerging from conflict. Hence, the Commission took steps aimed at articulating an AU response to the challenges at hand and at making it possible to coordinate the multifaceted efforts that were required to address the needs of countries and communities emerging from conflict.

It is against this background that, at its 7th Ordinary Session held in Sirte, Libya, from 28 June to 2 July 2005, the Executive Council adopted decision Ex.CL/Dec.225 (VII) on the Report of the Chairperson of the Commission on conflict situations in Africa. In that decision, the Executive Council, inter alia, welcomed the significant progress made in the resolution of the crisis and conflict situations on the continent; and stressed the need for peace agreements to be effectively complemented by sustained efforts towards post-conflict reconstruction and peace-building, with a view to addressing the root causes underlying their outbreak. In this respect, the Executive Council urged the Commission to develop an AU policy on post-conflict reconstruction based on the relevant provisions of the PSC Protocol and the experience gained up to that point on the continent.

It was in pursuit of this mandate that the 4th Brainstorming Retreat of members of the PSC and other Member States represented in Addis Ababa was convened in Durban, South Africa, from 4 to 5 September 2005. A draft Framework on Post-Conflict Reconstruction and Development (PCRD) in Africa was presented at the meeting, whose deliberations focused on ways

to strengthen it. □

□ Subsequently, the 39th meeting of the PSC, held on 30 September 2005, endorsed the outcome of the Brainstorming Retreat as laying the foundation for the development of a PCRD Framework. □ The PSC welcomed the initiative by the Commission to convene a meeting of technical experts, to be followed by a meeting of experts from Member States, with a view to further enriching the draft Framework. □

□ As a follow-up to this decision, the Commission convened the technical experts meeting on PCRD in Addis Ababa from 7 to 8 February 2006. □ It should also be added that the draft PCRD Framework was discussed during an AU/Civil Society Organizations (CSOs) meeting, held in Abuja, from 5 to 7 April 2006, and at a validation meeting within the Commission, on 31 May 2006.

□ The meeting of governmental experts was convened in Addis Ababa from 8 to 9 June 2006. □ It reviewed the draft PCRD Framework, which was then submitted to the 9th Ordinary Session of the Executive Council, in Banjul, The Gambia, from 28 to 29 June 2006. □ The meeting found that the draft policy document was generally good, and made some observations designed to improve it. □

□ Three issues are fairly evident in respect to the AU post-conflict reconstruction agenda. The first is that the AU has always been seized with the issues of peace and stability, and, consequently, with issues espoused in the PCRD Policy from its very onset as the Organization of African Unity (OAU). □ Secondly, the PCRD process has been consultative and involved a wide range of actors from Member States to RECs, CSOs and international partners. □ Thirdly, the PCRD Policy is a comprehensive document that strives to effectively address the root causes of conflict and provide broad benchmarks and indicators of progress for activities undertaken to bring about sustainable peace and stability to countries emerging from conflicts. □

□ The PCRD Policy is, therefore, a document that ought to be closely studied by all RECs, Member States, CSOs, and all other institutions and individuals who want to play a role in the reconstruction and development of post-conflict societies. □ In this regard, it is crucial that all these actors contribute to the dissemination of the Policy and its implementation.

SECTION I: INTRODUCTION, OBJECTIVES, RATIONALE, DEFINITIONS AND PRINCIPLES UNDERPINNING PCRD ACTIONS IN AFRICA

Introduction

1 This African Union (AU) policy on Post-Conflict Reconstruction and Development (PCRD) is intended to serve as a guide for the development of comprehensive policies and strategies that elaborate measures that seek to consolidate peace, promote sustainable development and pave the way for growth and regeneration in countries and regions emerging from conflict. Given the peculiarities of each conflict situation, this policy is conceived as a flexible template that can be adapted to, and assist, affected regions and countries, in their endeavours towards reconstruction, security and growth.

2 The imperative for this Policy derives from the reality of Africa making greater progress in resolving conflicts on the continent. The AU and the Regional Economic Communities (RECs) have put enormous efforts in the facilitation of negotiations for peaceful resolution of existing conflicts and the effective implementation of peace agreements. As a result of these activities, there has been a steady decline in the number of active conflicts on the continent and an increasing demand for the consolidation of peace, reconstruction and development.

3 However, experience has indicated that in the early phases of the transition from conflict to peace, peace processes remain fragile and the risk of resumption of violence high. This is because countries emerging from conflict are characterised by weakened or non-existent capacity at all levels, destroyed institutions and, the absence of a democratic culture, good governance, rule of law and respect for human rights, as well as underlying poverty. Furthermore, responses to post-conflict situations have, in the past, remained fragmented and largely ineffectual. This policy framework goes beyond such limited interventions, noting that post-conflict reconstruction and development activities do not stop with stabilisation but seek to achieve long-term sustainable development as underpinned by the African vision of regeneration and growth.

4 For these reasons, the African Union is focusing more attention on measures that consolidate peace and pave the way for growth

and regeneration. These AU efforts are informed by past practices of the Organization for African Unity (OAU) in reconstruction efforts, and all relevant OAU/AU mandates and decisions, including: Article 5(2) of the Constitutive Act, on the basis of which the Peace and Security Council (PSC) was established; and the OAU/AU decision to establish a ministerial committee for the reconstruction of the Sudan.

5 More specific is the mandate proffered by the Protocol Relating to the Establishment of the PSC, which was created to, inter alia, promote and implement peace-building and post-conflict reconstruction activities and to consolidate peace and prevent the resurgence of violence (Articles 3a, 6). Thus, peace-building, post-conflict reconstruction, humanitarian action and disaster management constitute core activities of the PSC. In view of this, the PSC Protocol delineates a number of post-conflict reconstruction activities that require action, including the restoration of the rule of law, establishment and development of democratic institutions and, the preparation, organisation and supervision of elections in the concerned Member States (Article 14(1)). This mandate is extended in countries affected by violent conflict to include the consolidation of the peace agreements that have been negotiated, establishing conditions of political, social and economic reconstruction of the society and government institutions, implementation of disarmament, demobilisation and reintegration programmes, including those of child soldiers; resettlement and reintegration of refugees and internally displaced persons; and assistance to vulnerable persons, including children, the elderly, women and other traumatised groups in society; (Article 14(3)). The Protocol also emphasises the link between prevention of conflict and consolidation of peace and mandates the PSC to take all measures that are required in order to prevent resumption of a conflict for which a settlement has already been reached.

6 Based on these experiences and mandates, the Executive Council Decision EX.CL/191(VII) in Sirte, Libya, of July 2005, mandated the Commission to develop an Africa Union (AU) policy on post-conflict reconstruction based on the relevant provisions of the PSC Protocol and the experience gained thus far on the continent.

7 In fulfilment of this mandate, the AU Commission crafted a draft policy framework, which was subjected to a number of consultations for its review and improvement. These included the

4th Brainstorming Retreat of the PSC and other Member States of the Permanent Representatives Committee, on 4-5 September 2005, in Durban, South Africa, whose recommendations were endorsed by the Peace and Security Council on 30 September 2005; a Technical Experts Meeting on PCRDR on 7-8 February, 2006 in Addis Ababa, Ethiopia; an AU-CSO meeting on the draft policy framework on PCRDR, on 5-7 April 2006 in Abuja, Nigeria; a Validation Meeting within the AU Commission on 31 May 2006 in Addis Ababa, Ethiopia; and a Governmental Experts Meeting on 8-9 June 2006 in Addis Ababa, Ethiopia. This Policy is the result of the above-mentioned consultative process.

Objectives

8 The objective of this Policy is to improve timeliness, effectiveness and coordination of activities in post-conflict countries and to lay the foundation for social justice and sustainable peace, in line with Africa's vision of renewal and growth. The policy is, therefore, conceived as a tool to:

- a) consolidate peace and prevent relapse of violence;
- b) help address the root causes of conflict;
- c) encourage and fast-track planning and implementation of reconstruction activities; and
- d) enhance complementarities and coordination between and among diverse actors engaged in PCRDR processes.

9 It is imperative that PCRDR processes be viewed and used as an opportunity for the reconstitution and social, political, economic and physical transformation of the affected state and society; that the promotion of human security be at the basis of all PCRDR activities; and that this policy be pursued within the global context of the search for peace and security, and hence complement existing international initiatives.

Rationale

10 This PCRDR policy is a strategic and normative framework that elaborates in a comprehensive manner the entire spectrum

of activity areas that are crucial for the consolidation of peace. It also provides guidelines to translate comprehensive strategies for PCRD into specific actions that empower affected countries to take the lead in the reconstruction and development of their societies.

11 The policy draws on lessons learned from past African reconstruction efforts, which indicate weaknesses from the conceptual to the strategic and operational levels. Most reconstruction models have been borrowed from outside Africa and have lacked comprehensiveness, favouring some aspects of PCRD to the exclusion of others, sometimes risking the resumption of conflict. Taking this into account, there is a critical need for PCRD processes to translate the commitment to peace into tangible benefits. This is dependent on the formulation of comprehensive integrated strategies and approaches that require substantial institutional and human capacities in the implementation of PCRD.

12 This policy will reduce pressure on affected countries by providing a consistent and coherent strategy that will fast-track the planning and implementation of quick-impact programmes, consolidate peace in the emergency/transition phase, and hence increase the chances of successful long-term sustainable development.

13 Finally, this policy will provide parameters to improve coherence and coordination of all action, between state and non-state actors operating at local, national, regional or/and international levels, during all phases of PCRD.

Definitions

14 For the purposes of this policy, the following definitions have been adopted:

a. **Post-Conflict Reconstruction and Development (PCRD):** a comprehensive set of measures that seek to: address the needs of countries emerging from conflict, including the needs of affected populations; prevent escalation of disputes; avoid relapse into violence; address the root causes of conflict; and consolidate sustainable peace. PCRD is conceived within the African vision of renewal and sustainable development and while its activities are integrated, and many must be pursued simultaneously, they are

envisaged in the emergency (short-term), transition (medium-term) and development (long-term) phases. The scope of these activities encompasses six indicative elements, namely: security; humanitarian/emergency assistance; political governance and transition; socio-economic reconstruction and development; human rights, justice and reconciliation; and women and gender.

b. Scope of PCRDR: PCRDR commences when the African Union mechanisms, in line with the Constitutive Act, determine that a situation warrants attention, or when parties to the conflict have demonstrated political willingness to resolve differences through political negotiation, or have ceased hostilities and/or have signed a peace agreement. The end state of PCRDR is one where peace, law and order prevail; the humanitarian situation has stabilised and populations are able to meet their basic needs; frameworks to protect and assist vulnerable groups are in place; political mechanisms and institutions have been established to prevent and manage conflict through peaceful means and to institutionalise equitable participation in political and socio-economic life; policies and programmes to promote broad-based sustainable development are being implemented; access to justice ensured and human rights are guaranteed.

c. Human Security: In line with the Common African Defence and Security Policy, human security is a multi-dimensional notion of security that goes beyond the traditional notion of state security. It encompasses the right to participate fully in the process of governance, the right to equal development as well as the right to have access to resources and the basic necessities of life, the right to protection against poverty, the right to access basic social services such as education and health, the right to protection against marginalisation on the basis of gender, protection against natural disasters, as well as ecological and environmental degradation. The aim of a human security framework is to safeguard the security of individuals, families, communities, and the state/national life, in the economic, political and social dimensions.

d. Socio-economic development: In line with the AU vision, the 2004-2007 Strategic Framework of the African Union Commission, the NEPAD framework document [2001], and the Millennium Declaration [2000], socio-economic development is a multidimensional process that contributes to improved living conditions, improved ability to meet basic needs (such as health, education, and food), the reduction of

poverty and inequality, and enhanced capacity of human beings to realise their potential.

Principles

15 This policy is underpinned by five core principles, that constitute the basic minimum values and standards that inform action across all PCRD activities and programmes. These principles are derived from the rationale for the PCRD framework and will ensure that PCRD activities address the root causes of conflict, contribute to the creation of sustainable peace, social justice, renewal and participatory governance. The PCRD principles are African leadership, national and local ownership, inclusiveness, equity and non-discrimination, cooperation and cohesion, and capacity building for sustainability.

16 African Leadership: This principle is critical to ensure that the priorities, implementation and oversight remain the responsibility of African governments and that partners in reconstruction undertake to respect this leadership:

a. Because PCRD is first and foremost a political rather than a technical process, the AU provides strategic leadership and oversight of PCRD on the continent, and in the continent's relations with others, including setting the terms of engagement of all actors involved in PCRD efforts on the continent.

b. The African Union remains seized with the reconstruction agenda, defining its parameters and leveraging the different processes relating to PCRD, including resource mobilisation and division of roles.

c. Member States provide support and solidarity to countries in transition and post-conflict situations.

d. Traditional conflict resolution mechanisms and African institutions, such as the Panel of the Wise, provide support and solidarity to countries in transition and post-conflict situations.

17 National and Local Ownership: This principle is critical to ensure that PCRD activities are aligned to local needs and

aspirations, enhance a common understanding of a shared vision, maximise support for PCRDR through the engagement/re-engagement of the population in their governance and guarantee sustainability of recovery efforts.

a. PCRDR has, as a central concern, the rebuilding of legitimate state authority and the enhancement of national ownership of the process, creating a new consensus in governance.

b. National leadership applies to all aspects of PCRDR from assessment, implementation to monitoring and evaluation.

c. Partnerships, particularly at the national level, between beneficiaries and the government, state and non-state actors, are critical to successful PCRDR.

18 Inclusion, Equity and Non-Discrimination: This principle is fundamental in addressing exclusion and inequitable distribution of power and wealth, which have traditionally been amongst the root causes of conflict. In this regard:

a. An organic link between those managing PCRDR and the general populace is an imperative.

b. A fair and equitable distribution of power and wealth is key to the prevention of escalation of unresolved or new grievances.

c. PCRDR activities promote the participation, and address the needs, of marginalised and vulnerable groups such as women and girls; the elderly; disabled; and youth (especially child soldiers).

d. Promote the participation of the Diaspora to secure their input in all PCRDR processes.

19 Cooperation and Coherence: The complex challenges of PCRDR, the pressure to deliver peace dividends, and the presence of a myriad of actors require cooperation and coherence to ensure that actors and activities respond to the needs and priorities of the affected country and peoples. In this regard:

a. Cooperation and coherence clarifies, and defines roles and responsibilities in ways that guarantee national ownership, African leadership, legitimacy and accountability.

b. Coordination of factors and activities optimises the use of resources, increases effectiveness and efficiency, and improves timeliness of response.

c. Promotes transparency, mutual accountability, and shared objectives between the various local, national and international actors involved, which enhances trust.

d. Enhances synergy of action, integrated planning and operations.

e. Promote genuine partnerships and complementarity with the relevant international structures such as the UN Peacebuilding Commission.

20 Capacity Building for Sustainability: All PCRDR efforts have as their goal the attainment of sustainable peace and should, as a matter of priority, build and/or strengthen national and local capacities. Therefore:

a. All PCRDR activities need to have a capacity-building component that strengthens the capabilities of society to support and legitimise national processes.

b. PCRDR activities ought to utilise local expertise; and where it is weak, leverage relevant African capacity at the regional and continental levels, as well as from the Diaspora.

c. Provide guidance on modalities of international engagement in building local capacity.

SECTION II: INDICATIVE ELEMENTS OF THE PCRDR POLICY

21 This policy has six indicative elements that are both self-standing and cross cutting and that represent the pillars upon which all PCRDR efforts should be developed and sustained across the different phases of action, taking into account that the basic objective is to address and resolve the root causes of conflict. The indicative

elements are:

- a) security;
- b) humanitarian/emergency assistance;
- c) political governance and transition;
- d) socio-economic reconstruction and development;
- e) human rights, justice and reconciliation; and
- f) women and gender.

22 Each of these indicative elements highlights the political objectives that must be pursued and the baseline actions needed to support constructive and comprehensive processes across all phases of PCRDR.

Security

23 The objective of the security element of PCRDR is to create a secure and safe environment for the affected state and its population, through the re-establishment of the architecture of the state, including the elements of juridical statehood, defined as accountable state control over territory and the means of coercion, and to guarantee the safety of the population. All activities in the security cluster are based on the concept of human security as stipulated and defined in the Common African Defence and Security Policy.

24 Activities relating to security should promote consolidation of efficient, accountable and professional defence and security forces, operating under responsible civilian control and oversight. Therefore, the policy seeks to strengthen legal frameworks, improve operational capacity, engage broad consultations and participation of civil society in the security sector. It also encourages adoption of regional approaches to security, to avoid the danger of PCRDR in one country displacing conflict/insecurity to neighbouring countries, and to align the post-conflict country to existing regional and continental commitments and protocols.

25 To develop this element, the following objectives must be pursued by countries emerging from conflict:

a) Address the gap between emergency and development, as a basis for stabilising the affected country, through action in the following

□

areas:

- i. Provide security and protection for the civilian population;
- ii. Pursue integrated approaches to repatriation, resettlement, reintegration and rehabilitation of refugees, the internally displaced, ex-combatants and their families, paying particular attention to women victims of violence;
- iii. Plan and implement comprehensive and well-blended disarmament, demobilisation, rehabilitation and reintegration (DDRR) programmes, as a basis for consolidating safety and security;
- iv. Provide support to mine action programmes focusing on identification, marking and de-mining of areas infested with land mines, mine awareness education and adequate assistance to mine victims;
- v. Address other basic threats to security and safety such as unexploded remnants of war, and small arms, light weapons and ammunition, especially those in civilian possession;
- vi. Address specific security concerns of women and girls, including their demands for protection against those who may have committed acts of sexual and other violence against them, since the re-integration of perpetrators into society can threaten them; and
- vii. Ensure that the process of transformation of the security sector recognises and acknowledges the role of, and addresses the specific needs and challenges that confront, women and child soldiers.

b) Policy formulation relating to security:

- i. Adopt comprehensive national policies to address small arms proliferation, de-mining, and landmine victim assistance, respectively; and ensure the surrender and seizure of all illicit arms and explosive remnants of war;
- ii. Formulate policies that address the specific security

needs of vulnerable groups, including women, girls and child soldiers;

iii. Foster the inclusion of civil society organisations as partners in safety and security cluster activities; and

iv. Establish effective civilian control over armed forces, and national laws regulating conduct and activities of the armed forces.

c) Give priority to the (re)-establishment and strengthening of the capacity of security institutions, including defence, police, correctional services, border controls and customs:

i. Pursue the transformation of the organs of state, especially those relating to security and justice;

ii. Restore and strengthen institutions of public law and order, including the establishment of an efficient police force;

iii. Establish mechanisms for the democratic governance and accountability of the security sector, as a means of restoring public confidence;

iv. Facilitate security sector reform, including civil-military relations, right-sizing and professionalisation of the security sector as soon as demobilisation efforts are commenced; and

v. Create appropriate and effective oversight bodies for the security sector, including parliamentary committees, national ombudsperson, etc.

d) Build the human resource capacity of the security sector:

i. Facilitate the use of the emerging security sector in reconstruction programmes as a way to enhance the legitimacy of the security forces, build trust of the communities they are expected to serve and protect, and optimise the use of scarce resources;

ii. Build capacity to manage stockpiles of small arms and light

weapons (SALWs) in legal possession of civilian and state agents to prevent their diversion to illicit use;

iii. Build and enhance the capacity of civil society organisations to be partners in safety and security cluster activities; and

iv. Promote and prioritise the conversion of military capacity for peaceful uses as applicable, including the conversion of informal manufacturing structures (home-made weapons, ammunition and explosives) to peaceful development use.

26 Benchmarks and standards:

a. National implementation of the Common African Defence and Security Policy, including all common African positions such as the Windhoek Position on SALWs, as endorsed by the Executive Council Decision EX.CL/Dec.255(VIII) of 2006;

b. Right-sizing and professionalisation of the security forces;

c. Civil oversight of the security sector;

d. Engagement of security sector in the reconstruction of the country; and

e. Ratification of, accession to, domestication and implementation of, all African and international instruments relating to peace and security.

Humanitarian/Emergency Assistance

27 Humanitarian/Emergency assistance is a set of integrated and coordinated measures that seek to save and sustain lives, maintain basic human dignity, ensure the protection of civilians, support the return and reintegration of displaced populations and help resuscitate socio-economic activity, particularly in the immediate post-war situation when state capacity is most limited. Activities under this element stabilise and rehabilitate the society including the return, reintegration and rehabilitation of refugees, internally displaced persons (IDPs), ex-combatants and other war affected populations. Furthermore, the commencement of recovery creates huge expectations for peace dividends, which, if not met, could

seriously jeopardise the chances of progress towards peace and stability. These activities can also provide unique platforms to link the emergency/recovery, reconstruction and development phases. Thus, while focusing on urgent life-saving and life-sustaining assistance, humanitarian assistance must link with the subsequent phases of the post-conflict reconstruction and development process. This link is enhanced by the fast-tracking of key development measures during the recovery phase.

28 The end state of an emergency phase is marked by the following conditions: a significant improvement in the overall humanitarian situation as determined by various African and international standards; prevalence of general safety and security; protection and assistance to groups with special needs; improved access to basic needs among vulnerable groups, as defined under Article 14(3) of the PSC Protocol; the return and reintegration of refugees, IDPs and other displaced populations; as well as resumption of normal livelihood and socio-economic activities.

29 To develop this element, the following objectives must be pursued by countries emerging from conflict:

a) Create an enabling political and legal environment for humanitarian action, including making provision for:

- i. Secure access to civilian populations in need of emergency humanitarian assistance;
- ii. The right to return in safety and dignity; protection from attacks and non-discrimination;
- iii. The rights of returnees, including property rights;
- iv. The right to citizenship and identity/legal status, and family reunification; and
- v. Measures to ensure minimum security, such as amnesty laws;

b) Prioritise preparedness at the national, regional and international level, to enable the planning, launching and effective coordination of

emergency humanitarian operations:

i. Encourage partnership with national, regional, continental and international humanitarian and development actors that accelerates the transition from emergency to development;

ii. Commence development programmes at the early stages of the emergency phase; and

iii. Engage in activities that build and enhance African humanitarian capacity. Specifically emphasis should be placed on the reinforcement of the capacity of African humanitarian NGOs through capacity building, resource mobilization and other relevant activities, to enable them contribute meaningfully to humanitarian operations conducted in Africa.

c) Institutional measures for humanitarian assistance:

i. Rehabilitation of critical social services such as health, sanitation and education as well as administrative structures; and

ii. Institute coordination mechanisms that optimise efficiency and effectiveness of programmes.

d) Delivery of sufficient and appropriate life-saving and life-sustaining assistance:

i. Design and implement community-based quick impact projects to facilitate quick recovery and reconciliation, harness the productive capacity and skills of populations, help the creation of social safety nets, enhance food security and resuscitate livelihood systems and coping mechanisms of affected communities;

ii. Support the rehabilitation and/or reconstruction of vital infrastructure and physical facilities, including water and sanitation systems, hospitals/clinics, schools, police and other public administration centres, roads, bridges and other transportation and communication facilities;

iii. Develop programmes that address the specific needs of

women and girls;

iv. Target groups with special needs such as women, children, returnees, the elderly, the disabled and the sick as well as victims of sexual and gender-based violence for critical assistance;

v. Develop programmes for psycho-social support such as trauma counselling, legal support and family reunification;

vi. Develop strategies to prevent and manage preventable diseases such as malaria, tuberculosis and HIV/AIDS; and

vii. Provide training and skills development to facilitate the reintegration of affected populations such as unemployed youth, women, ex-combatants, refugees, IDPs (even while still in exile/displacement) and the disabled.

30 Benchmarks and standards for humanitarian/emergency activities are the following:

a. Protection of all populations from attacks, harassment, abuse, exploitation, discrimination and deprivation of their human rights;

b. Adequate and appropriate basic welfare services, including food, clean water, basic health, sanitation, education and shelter;

c. Re-unification of family members who were separated during conflict;

d. Mechanisms for registration and appropriate identification/documentation of affected populations for themselves, their children, spouses, property, land and other possessions which might have been lost during the conflict;

e. Exercise of the right to return to their places of origin and/or live in other areas of their choice;

f. Appropriate medical care, trauma and psycho-social counselling, assistance and legal redress for girls, women and

other vulnerable groups;

g. Re-establishment of reasonable means of livelihood including gainful employment;

h. Guaranteed participation of women's groups, civil society organisations and other representatives of affected groups in reconstruction processes, including peace processes;

i. Guaranteed access to civilian populations in need, for their protection and assistance;

j. Increased awareness of prevention of HIV/AIDS and other communicable diseases, and

k. Strengthening of the capacity of African humanitarian NGOs and other relevant African institutions.

Socio-Economic Reconstruction and Development

31 Socio-economic development is a multidimensional process that contributes to improved living conditions, improved ability to meet basic needs, such as health, education, and food, and the reduction of poverty and inequality. The long-term goal of PCRDR is to place the affected country on the path of sustainable socio-economic development and to improve human development indicators. The immediate objective is to accelerate socio-economic recovery by 'jumpstarting' livelihoods, creating enabling conditions for rehabilitation and development, and delivering peace dividends. To avoid stalled peace, the wide range of socio-economic activities should be pursued in an integrated approach that links relief, transition and development. Key to the pursuit of socio-economic reconstruction and development is the balance between growth and the provision of social goods/services, and the development of an appropriate technological base for sustainable recovery and reconstruction in the country emerging from conflict.

32 To develop this element, the following objectives must be pursued by countries emerging from conflict:

a) Address the gap between relief and development:

i. Target micro level activities with the greatest regenerative impact;

ii. Address threats to livelihoods and income generation, including unemployment and lack of access to credit;

iii. Re-establish and support agricultural production to guarantee food security, and address issues relating to ownership, access and use of such critical assets as land; and

iv. Promote the re-establishment of the market and trade at local, regional and international levels;

b) Formulate policies that address social inequity and target vulnerable groups, during the transition, reconstruction and development phases. These policies should:

i. Promote and protect socio-economic rights of the population, such as the right to food, shelter, water and development, as expressed in the African Charter on Human and Peoples' Rights, the Millennium Declaration, and the Common African Defence and Security Policy (para.6);

ii. Transform economies that emerged during the conflict into regulated systems that contribute to broad-based and pro-poor economic growth and to the benefit of reconstruction;

iii. Focus on micro level development, including the creation of social safety nets and the rebuilding of social capital;

iv. Address the challenge of preventable diseases such as malaria, tuberculosis and HIV/AIDS;

v. Develop socio-economic programmes that target the youth for rehabilitation, job creation and income generating activities, in ways that bolster their capacities to participate in the reconstruction of their country;

vi. Develop socio-economic programmes that target the disabled population, particularly victims of war, for rehabilitation, job creation and income generating activities;

- vii. Align national budget to local needs;
- viii. Promote policies and programmes for the sustainable protection of the environment; and
- ix. Address issues at the macro level, including investment, trade, inflation, fiscal and monetary issues.

c) Undertake comprehensive institution-building to enhance good economic governance. This would include the creation and/or strengthening of:

- i. Fiscal and financial management institutions, including revenue collection and banking systems;
- ii. Structures that ensure accountability and transparency, such as the office of the Auditor General, monitoring and evaluation mechanisms and anti-corruption structures;
- iii. Structures for oversight of the budget, borrowing and expenditure such as parliamentary committees and ombudsperson; and
- iv. Frameworks that promote equitable and sustainable access to, management and exploitation of, natural resources.

d) Build human resource capacity at local and national levels for policy development, needs assessment, planning, implementation, monitoring and evaluation of programmes and activities:

- i. Attract and retain relevant capacity for all aspects of socio-economic development, including from the Diaspora;
- ii. Build capacity for data collection and analysis, in support of the planning, implementation and monitoring of socio-economic development programmes;
- iii. Enhance capacity to participate in international processes, such as WTO negotiations;
- iv. Encourage partnering of local and international organisations engaged in socio-economic development activities, to promote

capacity building; and

v. Fast-track the training and generation of local capacity in all aspects of development.

e) Build a technology base to support reconstruction and development:

i. Develop strategies to support the development and transfer of technology, including its human, technical, institutional and informational dimensions;

ii. Undertake technology transfer and technological skills development in a relevant, people-driven, and sustainable manner; and

iii. Develop appropriate technologies for the rehabilitation and development of key social sectors such as housing, energy, water and sanitation, as well as for physical infrastructure.

f) Develop physical infrastructure, including transport, communication, energy, water, health and sanitation, as follows:

i. Prioritise the rehabilitation and reconstruction of physical infrastructure destroyed during the conflict; and

ii. Engage in the planning and execution of infrastructure development in line with the long-term needs of the country.

33 Benchmarks and standards for socio-economic reconstruction and development activities are the following:

a. Improved human development indicators and progress towards the attainment of the Millennium Development Goals and other indicators related to socio-economic development;

b. Improved and sustained economic growth, evidenced by a stable socio-economic environment, including macro-economic stability and micro-economic growth, reduced unemployment and reduced inflation;

c. Increased access of the population to social services such as housing, health, water, education, employment;

d. Fiscal and budgetary discipline in the management of public resources;

e. Sustainable management of the environment and natural resources and;

f. Ratification of, accession to, domestication and implementation of, African and international instruments relating to corruption and transparency, the management of the natural resources and the protection of the environment.

Political Governance and Transition

34 Political governance involves the exercise of power and its devolution from the national to the local level. It encompasses the promotion of good democratic governance and its core values, as called for in the preamble of the AU Constitutive Act. The core elements of good political governance include: political participation, transparency, accountability, separation of powers, creation of a (public) civil service, the rule of law and independent civil oversight, as provided for in the Declaration on Political, Economic and Corporate Governance (2002). Political governance in post-conflict situations needs to promote inclusive politics and pluralism in a manner that contributes positively to nation building. Therefore, the focus of activities in this indicative element is on transformation of leadership and society, through processes of developing a collective national vision that delivers cohesive and responsive systems of governance from the national to the grassroots levels. In so doing, the role and participation of women, including their access to power and decision-making, needs to be particularly emphasised and encouraged.

35 Successful PCRDR is dependent on good political governance. For this reason, good leadership in societies emerging from conflict is a critical driver in the creation of good governance structures, determination of strategies for the equitable distribution of power, consolidation of peace and facilitation of transition from the emergency to the development phases of its reconstruction.

36 To develop this element, the following objectives must be pursued by countries emerging from conflict:

a) Consensus building:

i. (Re)-establish consensus of governance through the development of consultative processes that guarantee broad-based representative participation and leadership, allow for collective determination of needs and priorities, and enhance ownership of the reconstruction and development process;

ii. Commence a fair and inclusive process, at national, provincial and community levels for all sectors of the society, to determine the national vision, the national identity and establish and reinforce a legitimate state; and;

iii. Establish a constitutional, democratic governance framework that guarantees periodic contestation for political office, based on the rule of law.

b) Policy development:

i. Establish rules and realistic timetables for the interim government and authorities;

ii. Adopt policies and legislation to address the challenges of corruption at the national, regional, continental and global levels;

iii. Create checks and balances within public governance structures, and ensure the separation of power between the executive, judiciary and the legislature;

iv. Initiate processes that fast-track comprehensive capacity building at the state and non-state levels, including encouraging the return of members of the Diaspora with skills relevant to the enhancement of good governance;

v. Integrate continental and regional frameworks of governance into PCRD strategies;

vi. Facilitate societal transformation in ways that reflect the

interests of women, address their needs and aspirations, and consolidate any opportunities that emerge as a result of the challenges of conflict, to improve their lives; and

vii. Secure civic space from negative influences.

c) Decentralisation of governance:

i. Facilitate the creation of mechanisms that decentralise and devolve power, decision-making, and the management of resources, to all levels of governance from the national to the community levels;

ii. Create mechanisms that allow and encourage inclusive broad-based participation of the population in their governance; and

iii. Promote the engagement of local civil society organisations in democratic governance processes at all levels.

d) Institutional development:

i. Promote the building of state capacity and the re-establishment of politics as a process to mediate differences and manage pluralism;

ii. Facilitate the establishment and/or restoration of inclusive democratic public institutions and civil authorities, as well as legislative oversight capacity;

iii. Create mechanisms to ensure accountable, efficient and effective public and civil service; and

iv. Ensure administrative justice.

e) Human resource capacity development:

i. Engage in rebuilding political process skills, such as mediation, negotiation and consensus building that are key to transformation of society, but which are often destroyed during conflict;

ii. Bolster the capacity of non-state actors to participate in good democratic governance; and

iii. Establish civic education and other public campaigns to raise awareness and understanding of the new political structure and vision, especially among the youth.

37 Benchmarks and standards:

a. Existence of opportunities and mechanisms that enhance popular participation in, and access to, the processes of constitution making, etc.;

b. Decentralisation of power, authority and resources;

c. Separation of power between the executive, judiciary and the legislature;

d. Increased government transparency and accountability, and public confidence in governance structures;

e. Existence of an enabling environment for meaningful popular participation in all forms and levels of governance;

f. Existence of institutions that promote democracy such as electoral commission, office of the ombudsperson, public protector's office, etc.;

g. Flourishing of functioning national civil society organisations, and support for community-based organisations;

h. Increased numbers of women in decision-making positions in public institutions as well as the private sector;

i. Periodic, competitive, peaceful, free and fair elections;

j. Existence of mechanisms to manage, prevent and resolve conflicts;

k. Existence of effective and independent media that is protected within the constitution;

l. Ratification of, accession to, domestication and implementation of, relevant African and international instruments for democracy and good governance, and relevant conventions relating to eradication of corruption and corrupt practices; and

m. Congruence of national constitution with the Constitutive Act of the African Union.

Human Rights, Justice and Reconciliation

38 This indicative element encompasses the protection of human and peoples' rights and the respect for their dignity, as defined in the African Charter of Human and Peoples' Rights and other relevant international instruments; the achievement of justice, in terms of fair application of the law and its accessibility to all; and reconciliation, understood as the healing of divided societies at the individual, community and national levels.

39 The pursuance of human rights, justice and reconciliation is critical because abuse of human and peoples' rights resulting from policies of marginalisation, identity-based discrimination, and perceptions of injustice can trigger or perpetuate conflicts. Furthermore, most conflicts are characterised by serious human rights abuses resulting in physical and psychological trauma, distrust of government authorities and inter-communal mistrust all of which require focused attention as part of the reconstitution of society. In addition, the post-war environment is usually fluid and marked by lawlessness and power imbalances that can perpetuate insecurity and impoverishment for some sections of the society. Such an environment can also encourage human rights abuses particularly in cases where ex-combatants, perpetrators of abuse and victims live together in a fragile and fearful situation. Finally, post-war situations are characterised by institutional breakdown and collapse of law and order and normative frameworks, which leaves people without any structures to mediate, resolve conflicts or deliver justice.

40 Each country and society emerging from conflict has to make critical decisions about the use of restorative and/or retributive justice. This choice has implications for the nature of the human rights, justice and reconciliation model a country adopts. This requires the determination of a context-based approach to issues

of human rights, justice and reconciliation, and the mobilisation of society's support for the model adopted.

41 To develop this element, the following objectives must be pursued by countries emerging from conflict:

a) Human and Peoples' Rights:

- i. Restore constitutional and legal rights to sections of society who might have lost them during the conflict, such as displaced persons;
- ii. Guarantee and protect socio-economic rights, including the right to development, as defined in the ACHPR and CADSP;
- iii. Prioritise access to education, a fundamental right, particularly in view of the overwhelming preponderance of the youth among combatants, and the increase in the number of street children following conflicts;
- iv. Guarantee and protect women's rights and participation in the political, social and economic spheres of life; and
- v. Promote institution-building of national structures mandated to promote and protect human rights, such as national commissions for the protection of human rights.

b) Justice:

- i. Ensure access of all sectors of society to justice;
- ii. Establish an efficient justice system that is accessible to all sectors of society, and functioning prisons, as well as appropriate rehabilitation programmes;
- iii. Ensure adherence to the principles of international humanitarian law, including with regard to prisoners of war and enforced disappearances;
- iv. Provide for the reform of the judiciary, guaranteeing its independence, professionalism and efficiency in the delivery of justice;

v. Make legal provisions for justice for victims of human rights violations, particularly those who suffered sexual violence during the conflict; and

vi. Create and bolster capacity of the judicial system, through education, training and the provision of financial and technical resources.

c) Reconciliation:

i. Total rejection of impunity, as expressed in Article 4(o) of the Constitutive Act;

ii. Encourage and facilitate peace-building and reconciliation activities from the national to the community levels;

iii. Guarantee opportunities for the use of traditional mechanisms of reconciliation and/or justice, to the extent that they are compatible with national laws, the ACHPR and other human rights instruments; and

iv. Promote institution-building in state and community-based institutions engaged in reconciliation.

d) Furthermore, there is need for policy development across the three elements, as follows:

i. Develop mechanisms for dealing with past and ongoing grievances;

ii. Provide for the enhancement of legislative mechanisms aimed at strengthening the rule of law, and incorporate human rights into all policy frameworks;

iii. Provide for remedies and reparations to victims of conflict;

iv. Develop strategies for the promotion of a culture of peace, including human rights, justice and reconciliation, through their inclusion in school curricula and other civic fora;

v. Create an enabling environment for the participation of civil

society organisations, including faith-based organisations and the media, in the promotion and protection of human rights, justice and reconciliation; and

vi. Provide for the use of AU and international structures to reinforce the protection of human rights, justice and reconciliation as needed.

42 Benchmarks and standards:

a. Equal protection for all under the law;

b. Existence and use of functioning judicial and reconciliation mechanisms among the various sectors of the community;

c. Tolerance across political, social and cultural divides in the country;

d. Operational, well supported and effective institutions that protect human rights such as a National Human Rights Commission and Office of the Public Protector, that provide oversight and contribute to public awareness of human rights principles and the country's international human rights obligations;

e. Overall enjoyment of rights in the country;

f. Public confidence in the judiciary;

g. Independence of the judiciary as indicated by the tenure of the judiciary and the availability of resources for its operations; and

h. Accession to, ratification, domestication and implementation of international instruments guaranteeing respect for all human rights (social, economic, civil, cultural and political rights); and fulfilment of human rights reporting obligations.

43 The situation of conflict often impacts negatively on gender roles and relations. In many cases, conflict disrupts traditional gender roles, contributes to the break-up of families and the social fabric of the community, increases vulnerability, particularly for those men and women that are victims of war, leads to the perpetration of violence and abuse against children, including young boys, who are subject to forced recruitment into armies or militia forces, labour, trafficking and sexual violence. It also increases the number of women-headed households, and leads to militarised societies. All of these circumstances require that PCRD activities be gender sensitive and based on informed gender analysis as well as provide for the needs of vulnerable groups.

44 Furthermore, special attention should be focused on women who, in addition to suffering from existing and underlying inequalities suffer disproportionately from the effects of violent conflict. Many are victims of gender-based violence, which includes rape, forced pregnancies, abduction into sexual slavery and trafficking. As armed combatants, women in fighting forces face a different set of challenges. Yet, despite their victimisation women sometimes seize new economic and political opportunities that emerge from the challenges of conflicts, breaking traditional gender stereotypes. Unfortunately, most reconstruction interventions have tended to ignore or marginalise women's issues. To address this gap, and accelerate the transformation of society, this PCRD policy mainstreams issues of women and gender through all the indicative elements, and addresses it as a stand alone element.

45 To develop this element, the following objectives must be pursued by countries emerging from conflict:

a) Policy-development:

- i. Employ gender-sensitive planning and budgeting to ensure that gender is mainstreamed;
- ii. Develop strategies to promote gender equality and women's and girls' empowerment in all aspects of life;
- iii. Create a legal framework that ensures full enjoyment

of family rights and equitable access to, and control over resources, including land, property and inheritance, which are key, especially for widows and women returnees;

iv. Make provision for the participation of women in conflict prevention, management and resolution;

v. Promote and guarantee women's representation in peace negotiations and their implementation;

vi. Building on the opportunity for reconstruction, address power relations in the private or domestic sphere, when dealing with questions of power- and wealth-sharing, to ensure that women participate in decision-making processes and have equitable access to productive resources;

vii. Foster and support civil society organisations, especially women's organisations, to champion the rights of vulnerable groups, particularly women and girls; and

viii. Ensure that health policies and institutions address the reproductive health needs of women and girls, including those with disabilities, in post-conflict reconstruction situations.

b) Institution and capacity building:

i. Create a gender focal point to ensure that gender is mainstreamed through all PCRDR activities;

ii. Focus on gender training and sensitisation, especially for forces engaged in peace support operations in post-conflict reconstruction situations;

iii. Transform public institutions to make them more responsive to women's needs;

iv. Create a focal point to address the needs of people with disabilities, particularly victims of war; and

v. Promote the empowerment of vulnerable groups including by ensuring access to education and training for women and girls.

46 Benchmarks and standards:

- a. Existence of a gender sensitive legal framework;
- b. Effective implementation of constitutional provisions and laws that promote and protect the rights of women and girls;
- c. Full and meaningful participation of women in all aspects of public life, particularly in the political and economic spheres;
- d. Full enjoyment of rights by people with disabilities;
- e. Security and justice systems that are responsive to gender-based violence and the specific needs of women and girls;
- f. Increased number of women in decision-making positions in public institutions and the private sector; and
- g. Ratification of, accession to, domestication and implementation of, the relevant AU instruments protecting the rights of women and girls, including the Solemn Declaration on Gender Equality in Africa, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, the African Charter on the Rights and Welfare of the Child, and other relevant international instruments such as the Convention to End all forms of Discrimination Against Women, the Convention on the Rights of the Child, and the UN General Assembly Resolution 1325 on Women, Peace and Security, amongst others.

SECTION III: RESOURCE MOBILISATION, ACTORS AND PROCESSES

47 Securing adequate resources and sustained support, creating mechanisms for the transparent allocation and accountable management of resources, and establishing processes and mechanisms for the implementation and monitoring of PCRD are important preconditions for the realisation of the goals of consolidating peace and long-term sustainable development.

48 The planning for resource mobilisation to engage in PCRD should commence even before hostilities have ceased or

peace agreements signed. Besides providing an opportunity to kick-start stabilisation activities as opportunities arise, this early action could create an incentive for, and encourage, the parties to reach an agreement and cease hostilities.

Resource Mobilisation

49 The magnitude and complexity of challenges of PCRD, weak capacity and shortage of resources limit the ability of local and national authorities and other actors to respond to the full spectrum of needs. This necessitates the mobilisation of financial, material, human and technical resources at the national, regional, continental and international levels. In order to effectively meet this challenge, countries emerging from conflict need to have a comprehensive resource mobilisation strategy.

50 To attain this objective, the following actions must be undertaken at different levels of action from the national to the international level:

a) At the national level, countries emerging from conflict should:

i. Mobilise national resources, by attracting investment and seeking the return of resources that may have been inappropriately moved out of the country, for reconstruction and development that benefits all sections of the society;

ii. Pursue strategies that enable them to access resources including financial assistance, training, provision of expertise, sharing of good practices, from the AU and its Member States;

iii. Seek unconventional sources of financial and other support for PCRD processes, e.g. through South-South Alliances;

iv. Use AU institutions and other pan-African partners, such as the ADB, to mobilise and leverage resources for PCRD;

v. Specify modalities for engagement of international actors in PCRD to ensure local capacity building and encourage use of local actors;

vi. Encourage the private sector to participate in PCRD and to build capacity and transfer skills, including through public-private partnerships, involvement of domestic enterprises, remittances and engagement of the Diaspora; and

vii. Prioritise the rehabilitation or creation of transparent financial systems and controls to manage resources effectively for post-conflict reconstruction and development, and inspire confidence on the part of the public.

b) At the regional level, actors should support PCRD in line with the designated role of the Regional Economic Communities (RECs) as the building blocs for Africa's Peace and Security, and development agenda, and the regional character and impact of most conflicts:

i. Provide technical support to post-conflict countries, including training and expertise;

ii. Encourage the sharing of best practices and lessons learned by other countries in the region which have experienced conflict;

iii. Encourage the involvement of regional financial mechanisms, including development banks, in PCRD processes; and

iv. Offer solidarity and partnership in the consolidation of peace in the region.

c) At continental level, the African Union, in pursuit of its strategic leadership, should create and/or improve existing mechanisms that:

i. Address issues relating to the quantity and quality of assistance, including aid, to ensure that support is determined by, and used in line with, the needs assessment of a country emerging from conflict;

ii. Ensure that aid to countries emerging from conflict is provided under the most favourable terms;

iii. Support negotiations with donors to simplify procedures and requirements for accessing funds, improve coordination, harmonisation and predictability of support, for PCRD including

through interaction with groups such as the Donor Coordination Review Forum, Donor Assistance Groups (DAG);

iv. Encourage donors to promptly translate their commitments and pledges into concrete support and fast-track the disbursement of resources to cover immediate humanitarian and recovery needs during the transition period;

v. Support affected countries to monitor the translation of donor pledges into concrete support;

vi. Provide technical support to post-conflict countries in developing their national PCRD plans and resource mobilisation strategies;

vii. Advocate debt cancellation for post-conflict countries that do not traditionally qualify under HIPC and other debt relief initiatives;

viii. Monitor debt cancellation for countries emerging from conflict, in line with its mandate for the socio-economic regeneration of the continent; and

ix. Provide 'seed money' to kick-start PCRD activities, while other sources of funding are being sought;

d) At the international level, actors need to:

i. Recognise and provide support to cater for the special needs of countries emerging from conflict, such as the lack of resources to finance the basic functioning of the state, including salaries and pensions for the civil service and security sector, as well as outstanding unpaid salaries and pensions, which have a critical impact on the stabilisation of the immediate post-conflict period situation;

ii. Improve coordination, harmonisation and flexibility of support to post-conflict countries, in line with the priorities determined in the national needs assessment;

iii. Ensure that all support to post-conflict countries builds capacity and utilises local actors at all levels; and

iv. Support PCRD through investment, improved resource flows including official development assistance, debt relief, particularly by conferring the status of heavily-indebted poor country (HIPC) on countries emerging from conflict, as well as improving trade conditions.

51 Benchmarks and Standards:

a. Inclusion of provisions for wealth-sharing and mobilisation of national resources in support of PCRD in peace agreements;

b. Strategies that optimise both internal and external resources, and capacities for the benefit of PCRD;

c. Systems in place for tracking of international commitments and pledges;

d. AU and REC mechanisms that support the resource mobilisation strategies, capacities for project/programme management, negotiation for favourable arrangements with donors, international financial institutions, international private enterprises and trade organisations, of countries emerging from conflict;

e. Reduction in debt burden for countries emerging from conflict;

f. Strengthened AU mechanism for coordination of support from AU member states as well as donor conferences for countries emerging from conflict;

g. Establishment of an African mechanism that will provide seed money to jump start PCRD activities;

h. Simplified and improved coordination and accelerated disbursement of support to countries emerging from conflict.

Actors, Governance Mechanisms and Processes

52 The implementation of PCRD is dependent on a range of state and non-state actors operating at the national, regional, continental and international levels. In recognition of the limited

capacity in countries emerging from conflict, actors at the continental level provide strategic leadership in PCRDR, regional actors augment this leadership while affected countries implement the various PCRDR activities within their capabilities. These continental, regional and national efforts are supported by international actors and civil society. In line with this framework of cooperation, complementarity and subsidiarity, the activities of the myriad actors engaged in PCRDR should be coordinated by the country emerging from conflict, supported by regional organisations, with strategic leadership from the AU, in line with the underlying principles of this policy.

53 Ensuring optimal performance of various actors undertaking PCRDR requires mechanisms and processes that ensure all activities are aligned with the needs and priorities of the country emerging from conflict, that they are pursued through the emergency, transition and development phases of reconstruction, and that they are comprehensive, ranging from needs assessment, implementation, monitoring, to impact assessment.

54 At the continental level, key actors are the AU organs, such as the AU Commission, the Peace and Security Council, the Pan-African Parliament and the African Commission and Court on Human and Peoples' Rights, among others, all its specialised institutions, and other Pan African institutions, including the African Development Bank.

a) At this level, the AU provides overall strategic political leadership in PCRDR and acts as a guarantor of PCRDR processes on the continent. In doing so, it shall:

- i. Avail this policy and template for adaptation by countries or regions emerging from conflict;
- ii. Encourage RECs, Member States and relevant AU offices and specialized institutions to adopt and implement the AU Policy for PCRDR;
- iii. Advocate and monitor international support to countries emerging from conflict;
- iv. Monitor progress in the implementation of PCRDR in affected countries and/or regions;

v. Leverage resources and support for the implementation of PCRDR;

vi. Create and manage a database of African experts on various aspects of PCRDR, to be deployed in, and backstop, affected countries, as required; and

vii. Utilise its specialised agencies to provide training that creates human resource capacity in affected countries.

b) The key mechanisms to ensure that Africa remains seized with the PCRDR of an affected country are the following:

i. A PSC Standing Committee on PCRDR to monitor the activities of all actors, provide support to affected countries, and to review the state of reconstruction on the continent on a regular basis;

ii. A ministerial committee on the reconstruction of each post conflict country;

iii. An AU Commission inter-departmental task force to effectively coordinate PCRDR activities of the Commission, AU liaison and regional offices, as well as specialised agencies of the AU; and

iv. A multi-dimensional AU Committee on PCRDR, to interact on a constant basis, with international actors including the UN Peace-building Commission, and ensure that Africa's vision and priorities are reflected in these structures.

55 At the regional level: The successful implementation of the PCRDR policy requires the active engagement of regional groupings and their institutions in order to take advantage of existing resources, mechanisms, processes and synergies. Owing to their proximity to and knowledge of countries emerging from conflict, RECs are well placed to serve as the regional focal point for PCRDR. Key actors at the regional level include RECs, and other regional entities. These actors are also the link between the national and continental levels.

a) Regional actors and processes will:

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i. Prioritise the adaptation of the AU policy on PCRD and develop guidelines for its implementation, at regional level;

ii. Coordinate the harmonisation of national policies and legislation on PCRD;

iii. Guide implementation of regional and cross-border and trans-national programmes relating to PCRD;

iv. Provide regular reporting on the state of PCRD activities within their regions to the PSC, as per Art. 16(3) of the PSC Protocol; and

v. Ensure harmonisation, coordination and exchange of information on PCRD with other RECs, called for in Art. 16(4) of the PSC Protocol.

b) To undertake these responsibilities, the following regional mechanisms are envisaged:

i. Regional guidelines for the implementation of PCRD; and

ii. A regional focal point to support PCRD processes.

56 At the national level: The success of PCRD will ultimately be determined by the political will, leadership and capacity of national and local actors in the country emerging from conflict. Notwithstanding the weak capacity, which often characterises post-conflict situations, national and local authorities and actors should take the lead in planning, implementation and monitoring all PCRD activities. National leadership of the process will ensure a broad-based sense of ownership and enhance the chances of sustainable PCRD.

a) Actors at the national level will:

i. Develop policies and strategies, and put in place mechanisms, structures and processes that ensure comprehensive, integrated and coherent PCRD programmes;

ii. Promulgate enabling legislation, simplify administrative processes and eliminate obstacles to the implementation of

PCRD activities;

iii. Provide leadership in the process of determining an inclusive national vision, and, as early as possible, clarifying the division of labour, roles and responsibilities of actors involved in PCRD;

iv. Lead, coordinate and monitor all PCRD activities; and

v. Seek, where needed, sub-regional, regional and international support for humanitarian assistance, recovery, rehabilitation and development, including capacity building.

b) To undertake these responsibilities, the following mechanisms are envisaged:

i. A national focal point on PCRD to coordinate actors and monitor implementation of PCRD, ensuring alignment with the country's needs and priorities;

ii. Inter-departmental/ministerial committees to implement multi-sectoral programmes and activities in a coordinated fashion; and

iii. Mechanisms that ensure the participation of all sectors of society including civil society organisations, women's organisations, and other national and local actors.

57 At the international level: While recognising that Africa takes the leadership and ownership of its reconstruction and development agenda, international multilateral organisations, to which AU Member States also belong, have a duty to support the successful implementation of PCRD in Africa. These organisations should, therefore, put at the disposal of the African Union, the RECs and Member States, their expertise, experience and resources in the area of PCRD. These multilateral organisations include the United Nations system, the World Bank, IMF, and other related institutions. The broader international community also includes multilateral and bi-lateral partners, with whom the AU and its Members already have relations.

a) Actors at this level will:

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i. Establish a relationship between the UN Peace-building Commission and the AU with regard to PCRDR programmes on the continent;

ii. Promote the twinning of non-African partner institutions with African institutions for effective capacity building of local actors; and

iii. Encourage participation of specialised technical agencies to support the reconstruction and development of post-conflict countries.

b) Mechanisms needed to fulfil the above objectives are:

i. Institutionalised partnership between the AU multi-dimensional committee on PCRDR and the United Nations Peace-building Commission, the Peace-building Support Office at the UN Secretariat and other concerned departments of the UN; and

ii. Strengthening of existing and creating new fora for dialogue between the AU and its development partners.

58 Civil Society: Art 20 of the PSC Protocol, which “encourages non-governmental organisations, community-based and other civil society organisations, particularly women’s organisations, to participate actively in the efforts aimed at promoting peace, security and stability in Africa”, provides a mandate for the engagement of non-state actors in PCRDR processes and activities. Civil society actors, as defined by the ECOSOCC statute, should therefore be involved in PCRDR activities at all levels, as a way of complementing the capacity of state actors.

a) Actors at this level will:

i. Generate information and analysis to input into PCRDR processes;

ii. Undertake, within their capability and expertise, PCRDR activities as defined within the national framework;

iii. Partner with national authorities in all aspects of PCRDR with

a view to building and enhancing capacity and accelerating realisation of PCRDR objectives;

iv. Engage in advocacy in support of the national PCRDR programme and activities;

v. Mobilise resources for PCRDR; and

vi. Raise awareness and popularise the contents of PCRDR policies and strategies.

59 Benchmarks and Standards:

i. The AU remains seized with and provides strategic leadership for each post-conflict situation;

ii. Regional operational guidelines on PCRDR;

iii. Functional regional focal point on PCRDR;

iv. Comprehensive national policy on, and functioning institutions to implement, PCRDR;

v. Enhanced international support for PCRDR through respect for African leadership, national ownership, greater coherence and synergy of activities, in line with the needs of the country emerging from conflict; and

vi. Active engagement of civil society actors in PCRDR processes.

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Annex 'A'

EX.CL/Dec.225(VII), 28 June-2 July 2005, Sirte, Libya

DECISION ON THE REPORT OF THE CHAIRPERSON OF THE COMMISSION ON CONFLICT SITUATIONS IN AFRICA

DOC. EX.CL/191(VII)

The Executive Council:

1. WELCOMES the significant progress made in the resolution of the crisis and conflict situations in the continent, notably in Burundi, the Central African Republic (CAR), the Comoros, the Democratic Republic of Congo (DRC), Cote d'Ivoire, Guinea Bissau, Liberia, Somalia and the Sudan;

2. STRESSES the need for continued efforts at all levels to consolidate these gains and to ensure their sustainability, as well as to overcome the difficulties being encountered in some of the conflict areas;

3. STRESSES to all parties to the crises and conflicts in the Continent that effective and sustainable solutions can only be achieved through negotiations, based on a spirit of justice, compromise and mutual accommodation and, SOLEMNLY APPEALS to the parties concerned to demonstrate a spirit of compromise and genuine commitment to peace, in order to bring to a definitive end the conflicts in which they are involved, including through the effective implementation of peace agreements once they have been concluded;

4. COMMENDS all those who contribute to the search for lasting solutions to the crises and conflicts raging in the Continent, including the Chairperson of the AU, the Chairperson of the Commission, individual leaders, the Regional Economic Communities (RECs) and the civil society organizations, and ENCOURAGES them to remain engaged in the efforts to promote lasting peace and stability in Africa;

5. FURTHER COMMENDS the Peace and Security Council (PSC) for its role and URGES it to vigorously continue to discharge its mandate, in particular, by actively engaging in the timely prevention of crises and conflicts in the Continent. Council STRESSES the need

for the effective operationalization of the various segments of the African peace and security architecture, including the Continental Early Warning System (CEWS), the Panel of the Wise and the African Standby Force (ASF) as well as the finalization of the Memorandum of Understanding (MoU) between the AU and the RECs, which will enhance the exchange of information and the coordination of activities between the AU and the RECs;

6. STRESSES the need for peace agreements to be effectively complemented by sustained efforts towards post-conflict reconstruction and peace-building, with a view to addressing the root causes underlying their outbreak. In this respect, Council URGES the Commission to develop an AU Policy on Post-Conflict Reconstruction, based on the relevant provisions of the PSC Protocol and the experience gained so far in the Continent;

7. COMMENDS Africa's bilateral and multilateral partners for their support and URGES them to continue to provide the necessary support to the efforts being deployed towards the promotion of peace and security on the Continent.

EX.CL/Dec.302(ix) 25 June 2 July 2006, Banjul, The Gambia

DECISION ON the AU Policy framework on Post-conflict reconstruction and development, DOC. Ex.cl/274 (IX)

The Executive Council:

1. RECALLS its decision EX.CL/Dec.225(VII) adopted at its 7th ordinary session held in Sirte, Libya, from 28 June to 2 July 2005, urging the Commission to develop an AU Policy Framework on Post-Conflict Reconstruction and Development (PCRD), based on the relevant provisions of the Protocol Establishing the Peace and Security Council (PSC) of the African Union and the experience gained so far in the continent;

2. NOTES the initiatives taken by the PSC and the Commission to develop such a Policy, including the 4th Brainstorming Retreat of the members of the PSC and other Permanent Representatives of Member States held in Durban, South Africa, from 4 to 5 September 2005, the technical experts meeting on PCRD held in Addis Ababa, Ethiopia, from 7 to 8 February 2006, and the AU/Civil Society Organizations (CSOs) meeting, held in Abuja, Nigeria, from 5 to 7 April 2006, as well as the validation meeting within the Commission, on 31 May 2006;

3. ENDORSES the Policy Framework on PCRD as reviewed by the meeting of Governmental Experts convened in Addis Ababa, from 8 to 9 June 2006, to review the document prior to its presentation to the 9th Ordinary Session of the Executive Council in Banjul, The Gambia, in July 2006, as a guideline for effective and comprehensive action to consolidate peace and promote sustainable development;

4. STRESSES that the objective of this Policy Framework is to improve timeliness, effectiveness and coordination of activities in post-conflict countries and to lay the foundation for social justice and sustainable peace, in line with Africa's vision of renaissance and growth. The policy is, therefore, conceived as a tool to: (a) consolidate peace and prevent relapse of violence; (b) help address the root causes of conflict; (c) encourage fast-track planning and implementation of reconstruction activities; and (d) enhance complementarities and

coordination between and among diverse actors engaged in PCRD processes;

5. REQUESTS the Commission, in collaboration with the Regional Economic Communities (RECs), relevant United Nations (UN) and other institutions and African Non-Governmental Organizations (NGOs), to take all the necessary steps for the effective implementation of the PCRD Policy Framework, including the development of operational guidelines for the adaptation of the Policy Framework at regional and national levels, the development of a database of African experts on PCRD, to be placed at the disposal of countries emerging from conflict, the mobilization of the resources required and the enhancement of African capacity, including the use of AU Volunteers (AUVs) and the strengthening of the capacity of relevant African NGOs to address post-conflict issues.

6. DECIDES that an African Union standing multidimensional Committee be established to provide political support and mobilize all the necessary and available resources for the implementation of the Policy Framework.

7. FURTHER DECIDES that this Standing Committee shall interface with the United Nations Peace Building Commission and shall be supported by the relevant units within the Commission through its Peace and Security Department.

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