ADVANCING DEMOCRATIC & PARTICIPATORY GOVERNANCE IN AFRICA

UNDERSTANDING THE WORK OF
THE AFRICAN UNION COMMISSION
DEPARTMENT OF POLITICAL AFFAIRS
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ORIGINS AND MANDATE

The Department of Political Affairs (DPA) of the African Union Commission (AUC) was established through the Executive Council Decision EX.CL/ Dec.34(III) and AU Assembly Decision Assembly/AU/Dec.32 which were both adopted during the AU Summit held in Maputo, Mozambique in July 2003. From inception, the strategic significance of the DPA as enshrined in the above decisions is unambiguous. The principal mandate of the DPA is to “contribute to the emergence of a political environment within and among African countries, as well as the international level, that is conducive to bringing about sustainable development and accelerating economic integration.” To that effect, the Department of Political Affairs plays a prominent role in promoting, facilitating, coordinating and encouraging democratic principles and the rule of law, respect of human rights, the participation of civil society in the development process of the continent, and the achievement of durable solutions for addressing humanitarian crises.

Advancing Democratic and Participatory Governance in Africa

To realize its objectives, DPA is structured into two main Divisions. These are (a) Democracy, Governance, Human Rights and Elections (DGHR) Division; and (b) Humanitarian Affairs, Refugees and Internally Displaced Persons (HARDP) Division. Over and above these two divisions, DPA also hosts the Secretariat of the African Governance Architecture (AGA).

Within the context of the AUC Strategic Plan (2014-2017), DPA is mandated to deliver on Outcome 4 on “peace and stability, good governance, democracy and human rights as foundations for development and stable societies.” In promoting the fourth Pillar of the AUC on Shared Values, DPA is primarily tasked to contribute to the achievement of democratic and participatory governance, human and people’s rights and political stability all of which are critical pre-conditions for continental unity, integration and sustainable human development. In the end, all the efforts of the DPA are meant to contribute to the realization of Aspiration 3 of Agenda 2063 - The Africa We Want, namely “An Africa of good governance, democracy, respect for human rights, justice and the rule of law”.

In line with Agenda 2063’s vision of ensuring Africa becomes a dynamic force in the global arena, DPA serves as the Secretariat for the Committee of 10 Heads of State and Government on UN Security Council Reform as well as the Secretariat for the Ministerial Committee on African Candidatures within the International System.
VISION
An integrated, peaceful and democratically governed Africa driven by its citizens and playing a pivotal role in global political and humanitarian diplomacy.

MISSION
An efficient and effective vehicle for the AUC in the promotion of Pan-African unity, political integration and durable solutions to humanitarian crises through AU Shared Values.

STRATEGIC OBJECTIVES
- Advocate for and assist in ensuring that all African countries comply with Shared Values instruments and in particular respect, promote and protect human rights;
- Facilitate inter-African cooperation in political affairs;
- Consolidate and encourage adoption of agreements and institutions and set up new democratic institutions;
- Encourage the emergence and consolidation of sustained popular participation throughout the continent;
- Strengthen and consolidate existing institutions in the political field;
- Develop common political positions and mobilize international support for the African political agenda;
- Encourage transparency and accountability in public affairs in political, economic, social and cultural areas, with greater involvement of the civil society and the private sector;
- Devise ways and means of finding durable solutions for problems of refugees and addressing the causes and symptoms of humanitarian crises; and
DGHRE seeks to enhance democratic governance among AU Member States and the effective realization of human and peoples’ rights on the Continent. Through various specialized units and programmes, the Division coordinates initiatives on governance and democracy assessments, electoral support and observations, improvement of public service delivery, local governance, anti-corruption and promotion and protection of human and peoples’ rights.

The Division’s specific areas of focus align with the four Units:

1. **DEMOCRACY AND ELECTORAL ASSISTANCE UNIT (DEAU)**

Firstly, DPA contributes to institutional capacity development for Election Management Bodies (EMBs) at Member States level, regional level through regional networks of EMBs, continental level through the resuscitation of the African Association of Electoral Authorities (AAEA), and global level through international EMB partnerships. This enhances the effectiveness and efficiency of EMBs to deliver credible and transparent elections in AU Member States.

Secondly, DPA coordinates election observation by the African Union in all Member States holding parliamentary and Presidential elections, and in selected cases including referenda. The AU observation methodology is five-pronged including (a) pre-election assessment missions, (b) high-level political missions, (c) long-term observer missions, (d) short-term observer missions, and (e) post-election follow-up missions and/or post-election reviews. These initiatives promote the integrity of elections and credibility of their outcomes.

Thirdly, DPA has a programme focusing on preventing, managing and resolving election-related conflicts and disputes in Africa through, inter alia, implementation of the Electoral Risk Management Tool and strengthening national mechanisms for constructive electoral dispute resolution. Electoral violence still remains a major challenge in Africa. While its root causes come from both electoral cycles and structural socio-economic and political factors, its consequences include civil wars, economic decay and destruction of the socio-cultural fabric of society.

Lastly, DPA is developing a new programme on institutional strengthening for political parties. This programme aims to transcend elections and expand DPA’s work to building and strengthening democratic institutions. This new area of work focuses on (a) intra-party democracy, (b) inter-party relations including dialogue, (c) gender equality and youth empowerment, (d) promoting regional and continental networks of parties for lessons-learning and experience sharing and developing guidelines for political party work in democratic settings. In addition, the Unit is in the process of elaborating a civil society and media engagement programme towards the effective promotion of democratic elections in Africa.

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2. PUBLIC SERVICE, DECENTRALIZATION AND URBAN DEVELOPMENT UNIT

A. PUBLIC SERVICE AND ADMINISTRATION

Under this component, the Unit focuses on the popularization of the African Charter on the Values and Principles of Public Service and Administration, supporting ratification, harmonization and implementation efforts within AU Member States. The Unit also coordinates the work of the Sub-committee on Public Service and Administration for the African Union Specialised Technical Committee on Public Service, Local Government, Urban Development and Decentralization (AU-STC 8), for which it serves as a Secretariat, within the AUC structures in order to give impetus to public service and administration reform and modernization.

B. DECENTRALIZATION AND LOCAL GOVERNANCE

This component seeks to develop a common understanding of the important role of local governance in democratic and development processes, and to put in place harmonized measures to support means of overcoming related challenges within the Continent. Through the Sub-committee on Decentralization and Local Governance of AU-STC 8, the Unit seeks to establish a collective understanding of the policy and other efforts that are appropriate and necessary at the continental, regional and national levels on promoting effective local governance, build an understanding of the range of initiatives and institutions active on local governance in Africa; establish synergies and networks between organizations active in similar areas; provide a platform for greater cooperation on decentralization and local governance; and begin to articulate a perspective for the public service and administration reform and modernization.

C. NATIONAL RESOURCE GOVERNANCE (NRG) AND ILlicit FINANCIAL FLOWS (IFFS)

The Report of the High Level Panel on Illicit Financial Flows from Africa defines IFFS as “money illegally earned, transferred or used.” This is money that is in violation of laws in its origin or during its movement or use. By some estimates, illicit financial flows from Africa could be as much as US$53 billion per year, or the same amount that Africa receives in official development assistance each year. Also, Africa’s large natural resource endowments include a third of the planet’s mineral reserves and a tenth of its oil. It produces two-thirds of the world’s diamonds. Oil, gas, and mining industries provide a significant source of wealth in many African economies and tax revenues for African governments. For many African countries, extractive industries provide the majority of the country’s exports. In order to ensure proper management of these resources, the AU Summit in 2015 requested the AU-STC 8 to consider measures to put in place harmonised tools that support means of overcoming related challenges. As a result, the Unit coordinates the workings of the Sub-Committee on Urban Development and Human Settlements of AU STC 8. The Sub-Committee is the main consultative body on the promotion of sustainable development of human settlements in Africa, as well as the continental vehicle for Governments to improve African cities, enabling them to realize their full potential as centres of economic growth, inclusive development and prosperity. It provides a continent-wide platform to share ideas, exchange good practices, and discuss effective strategies to achieve sustainable urbanization in Africa. The Unit is also mandated to coordinate the work of the Sub-committee on Decentralization and Local Governance of AU-STC 8, within the AUC structures in order to give impetus to public service and administration reform and modernization.

D. URBANIZATION AND HUMAN SETTLEMENT

The African Union recognizes that urbanization is a long-term phenomenon that will shape Africa’s development in the coming years and that the multiple pathways to structural transformation have always seen an increase in the degree of urbanization. Moreover, the AU recognizes that urbanization and human settlement impinge on many spatial interactions at the national level that can provide transformative growth opportunities for Africa, but it also poses serious challenges. As a result, the Unit coordinates the workings of the Sub-Committee on Urban Development and Human Settlements of AU STC 8. The Sub-Committee is the main consultative body on the promotion of sustainable development of human settlements in Africa, as well as the continental vehicle for Governments to improve African cities, enabling them to realize their full potential as centres of economic growth, inclusive development and prosperity. It provides a continent-wide platform to share ideas, exchange good practices, and discuss effective strategies to achieve sustainable urbanization in Africa. The Unit is also mandated to coordinate the work of the Sub-committee on Decentralization and Local Governance of AU-STC 8, within the AUC structures in order to give impetus to public service and administration reform and modernization.

E. ANTI-CORRUPTION

In the area of anti-corruption, the Unit is guided by the African Union Convention on Preventing and Combating Corruption. While the AU Advisory Board on Corruption leads the implementation of the Convention, the Unit is responsible for coordination and engagement with other AUC Departments, AU Organs and Institutions, and Member States’ national anti-corruption bodies on the fight against corruption. This is to ensure coherence and coordination of anti-corruption initiatives especially within the public service sector.
A. HUMAN RIGHTS PROMOTION AND PROTECTION

Through coordination and collaboration with AU Organs with human rights mandates, the Unit facilitates inter-organ linkages towards the promotion and protection of human rights on the Continent. Specifically, the Unit coordinates the deployment of human rights observers in various countries, particularly those emerging from protracted violent conflict as part of the peacebuilding process and with a view to avoid relapse into violent political instability. The Unit also engages in institutional capacity development for National Human Rights Institutions in close partnership with the Secretariat of the African Network of National Human Rights Institutions. Having successfully coordinated the development and implementation of the African Union Human Rights Strategy for Africa, the Department now coordinates the development and implementation of the African Union ten year Action Plan on the Human and Peoples’ Rights Decade in Africa (2017-2026).

3. HUMAN RIGHTS AND TRANSITIONAL JUSTICE UNIT

DPA, through the Human Rights and Transitional Justice Unit, serves as the central focal point for championing the promotion and protection of human and people’s rights as well as transitional justice in Africa. This is done through varied programmes and collaboration with all AU organs with the mandate on human rights. The work of the Unit is divided into two main areas namely (a) promotion and protection of human rights and (b) advancing transitional justice in Africa.

b. TRANSITIONAL JUSTICE

The Unit is mandated to coordinate AU interventions on Transitional Justice, particularly in countries emerging from conflicts. In this regard, the Unit is at the forefront of the development of a Transitional Justice Policy Framework for Africa that is aimed at guiding AU Member States in their efforts towards effective Transitional Justice mechanisms.

B. CONSTITUTIONALISM AND RULE OF LAW UNIT

In line with DPA’s mandate to ensure that AU Member States are governed by and adhere to the principles of Constitutionalism and Rule of Law for the purposes of enhancing democratic governance and development, the Constitutionalism and Rule of Law Unit works on two interrelated, albeit distinct, areas: A. CONSTITUTIONALISM

This component seeks to ensure that the actions of Member States are guided by their national constitutions and that they do not act outside of their constitutional frameworks. It further seeks to ensure that institutions of democracy are in place and strengthened, to ensure accountability and act as guarantors of the constitutional values. In this regard, the Unit focuses on (a) building capacity of AU Member States for constitution-building, (b) combating incidences of unconstitutional changes of government and (c) providing guidance for AU Member States in their efforts at amending their constitutions.

B. RULE OF LAW

The Unit works to inculcate a culture of rule of law through strengthening the Justice sector (judiciary, police, correctional service, prosecutors and traditional authorities), promoting AU normative frameworks, building capacity, strengthening judicial independence and promoting separation of powers to ensure that rule of law is upheld and disputes are resolved by an impartial and independent judiciary.
A. HUMANITARIAN EFFECTIVENESS

Following the adoption of the Common African Position on Humanitarian Effectiveness (CAP) by the AU Assembly of Heads of States, HARDP focuses on the implementation of CAP by coordinating the 10 year action plan and strategy. Moreover, the Division is endeavoring to create and operationalize continental coordination mechanisms of humanitarian actions to support efforts at national level which will provide the impetus for reshaping the way humanitarian action is conducted in Africa.

HARDP seeks to provide continental direction to the achievement of durable solutions for addressing humanitarian crises. This includes pursuing actions to alleviate the plight of refugees, returnees and internally displaced persons (IDPs), including meeting their immediate protection and assistance needs as a result of human induced and natural disasters.

The Division deals with issues of the respect of humanitarian principles and diplomacy for the creation of humanitarian spaces and security of humanitarian aid workers and their equipment. The Division also coordinates efforts towards the ratification, domestication and implementation of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) and the adoption of the draft protocol to the African Charter on Human and People’s Rights on the Specific Aspects of the Rights to a Nationality and Eradication of Statelessness in Africa.

HARDP also coordinates the activities of the Permanent Representatives Committee (PRC) Sub-Committee on Refugees, Returnees and Internally displaced Persons as well as the activities of the PRC Sub-Committee Special Emergency Assistance Fund for Drought and Famine in Africa (SEAF) which was established by the African Heads of State and Government in 1985 with the objective of providing emergency assistance to African countries affected by natural disasters.

B. DISASTER MANAGEMENT

The Programme seeks to guide the AU, RECs, Member States and other stakeholders in effectively responding to and managing the effects of natural and man-made disasters in Africa. It also coordinates efforts towards operationalizing the African Union Humanitarian Policy Framework (AUHPF) and Disaster Management Guidelines that enhance and facilitate continental wide coherent and consistent approaches to the management of disasters in Africa. Through concerted cooperation amongst regional, sub-regional, national and international efforts, it will also provide effective mechanisms to reduce the impacts of disasters and heightened preparedness, preparedness and response mechanisms to disaster emergencies.

In this regard, HARDP aims to deepen awareness of AUHPF and its operationalization to establish a strategic approach and guidelines for coordinating and supporting AU’s involvement in prevention, response and addressing root causes and durable solutions to humanitarian challenges on the continent.

C. FREE MOVEMENT OF PERSONS IN AFRICA

The focus of this area is to harmonize national and regional policies in the area of residence permits, visa regimes and mass deportations aimed at facilitating free movement of persons, a prerequisite to the process of Africa’s integration.

HARDP is working on developing the Protocol on Free Movement of Persons in Africa through a consultative process as per the decision of the 27th Ordinary Session of the Assembly in July 2016.

D. REFUGEES, RETURNEES, IDPS AND STATELESS PERSONS

HARDP regularly sensitizes Member States and the entire international community on issues pertaining to refugees, returnees, displaced and stateless persons with a view to mobilizing assistance to these communities and making an effective contribution towards a lasting solution. In doing so, it is envisaged that the development, harmonization and monitoring of legal instruments, frameworks and policies on protection and humanitarian assistance of civilians affected by both human induced and natural disasters. More specifically, it seeks to find innovative strategies and mechanisms to prevent the recurrence of forced displacement.

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AGA is inspired by the Constitutive Act of the AU that expresses the Union’s determination to ‘promote and protect human and people’s rights, consolidate democratic institutions and culture and ensure good governance and the rule of law’. This determination is buttressed by related objectives and principles contained in Article 4(g) and (h) and Article 4(m) of the Act on the promotion, protection and respect for human rights, democratic principles and institutions, and good governance. These ideals are further reinforced by norms, pronouncements, decisions and instruments adopted by the AU in particular the African Charter on Democracy, Elections and Governance (ACDEG).

THE AFRICAN GOVERNANCE ARCHITECTURE (AGA)

The mandate of AGA stems from the Decision of the 15th Ordinary Session of the Assembly of AU Heads of State and Government (AU/Dec.304 (XV) held in July 2010 which recalled the decision adopted by the 14th Ordinary Session of the Executive Council of the AU and endorsed by the 14th Ordinary Session of the Assembly of the AU to dedicate the theme of the 15th Ordinary Session of the African Assembly to the Shared Values of the AU, that was held in Addis Ababa in 2011 and provided a mandate for putting in place a ‘Pan-African Architecture on Governance’. In order to give effect to the Assembly decision on the Establishment of the Pan-African Governance Architecture, AUC established AGA as a ‘platform for dialogue between the various stakeholders’ who are mandated to promote and strengthen democratic governance in Africa, in addition to translating the objectives of the policy pronouncements in the AU Shared Values.

AGA is operationalized through its institutional mechanism – the African Governance Platform – that brings together all AU Organs and institutions as well as Regional Economic Communities with a mandate to promote democracy, governance and human rights. The initiatives of the African Governance Platform are coordinated through Clusters and a Secretariat. The AGA Secretariat, based at the DPA serves as the coordinating arm or catalyst for the achievement of the goals of AGA through the provision of a framework for interaction, active engagement, synthesis and convergence among the Members of the African Governance Platform. Some of the AGA flagship programmes include citizens’ engagement in democratic governance processes; realized through the development and implementation of AGA Youth, Women and Civil Society Engagement Strategies. Other initiatives include knowledge management and Annual High Level Dialogues on democratic governance trends, challenges and prospects; operationalization of the state reporting mechanism under ACDEG; and enhancing AGA-APSA synergy.
The Resource Centre is a facility that offers technical support to the various programmes and activities of DPA. The Center provides the Staff of the AU, members of the Diplomatic Corp, including AU Member States Representatives in Addis, academia and researchers as well as the general public with a variety of up-to-date publications, books, journals and other reference materials on democracy, governance and human rights among other thematic areas. In addition, the Centre offers internet and printing services for users.