



AFRICAN UNION POLICY ON CONDUCT AND DISCIPLINE FOR PEACE SUPPORT OPERATIONS

Abbreviations and Acronyms

ACIRC	African Capacity for Immediate Response to Crisis
AHRM	Administration and Human Resources Management
ASF	African Standby Force
AU	African Union
AUC	African Union Commission
AUPOL	African Union Police
C&D	Conduct and Discipline
CC	Contingent Commander
CDU	Conduct and Discipline Unit
CoC	Code of Conduct
FC	Force Commander
FPU	Formed Police Unit
HoM	Head of Mission
IEC	Information Education Communication
IHL	International Humanitarian Law
IHRL	International Human Rights Law
MoU	Memorandum of Understanding
NGO	Non-Governmental Organization
PC	Police Commissioner
PCC	Police Contributing Country
PSC	Peace and Security Council
PSD	Peace and Security Department
PSOD	Peace Support Operations Division
PSOs	Peace Support Operations
IRL	International Refugee Law
SEA	Sexual Exploitation and Abuse
SOFA	Status of Force Agreement
SOMA	Status of Mission Agreement
SOP	Standard Operating Procedures
SRCC	Special Representative of the Chairperson of the Commission
TCC	Troop Contributing Country
UN	United Nations

Definitions

For the purpose of the present Policy, the following definitions shall apply:

1. **“Board of Inquiry”** refers to the management tool used to assist the HoM in discharging his/her responsibilities in establishing facts or investigating allegations of misconduct by mission personnel. It is not a judicial body and it does not consider questions of compensation or legal liability.
2. **“Chairperson”** means the Head of the African Union Commission (AUC).
3. **“Civilian Personnel”** comprises of all individuals in the service of the PSO, regardless of their contractual arrangement, who are not members of the police or military component and includes staff members of the African Union Commission when deployed to the mission area.
4. **“Complainants”** are persons who bring an allegation of misconduct committed by mission personnel or other AU staff to the attention of the AU in accordance with established procedures, but whose claims have not yet been established by the relevant administrative, investigative and judicial processes. A Complainant may be a victim, witness or any other person who is aware of the misconduct.
5. **“Constitutive Act”** means the Treaty establishing the African Union (AU).
6. **“Consultant”** means any person/firm recruited/appointed for the purpose of providing services on a pre-determined timeframe and upon specific terms and conditions of service for a period not exceeding three months.
7. **“Contractor”** means a natural person, business or corporation which provides goods or services to another entity under terms specified in a binding legal agreement.
8. **“Dismissal”** means a separation of a staff member from the service of the Union as a result of serious or gross misconduct.
9. **“Harassment”** means all forms of harassment covered by the AUC Harassment Policy (2016).
10. **“Injury”** refers to any harm caused to any person or institution, in body, mind, reputation or property.
11. **“Military Personnel”** means all members of the military component, including Military contingent members, Military Staff Officers, Individual Military Personnel and other members of armed forces deployed to the PSO.
12. **“Misconduct”** is any act, omission or negligence, including criminal acts, that is a violation of:
 - i. the core AU principles and norms as elaborated upon in its Constitutive Act, Protocols, Policies, and Directives as may be applicable in the Mission Area;

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- ii. mission specific directives, Standard Operating Procedures (SOPs), Rules of Engagement (ROEs), Directives on the Use of Force or applicable rules, Regulations or Administrative issuances;
 - iii. Status of Forces Agreement/Status of Mission Agreement (SOFA/SOMA);
 - iv. relevant and applicable local laws that are not contrary to human rights norms and standards; and
 - v. international humanitarian law, international and regional human rights law and international refugee law.
13. **“Mission Area”** means the designated area of a PSO as described in the PSC mandate.
14. **“Mission Personnel”** consists of all individuals in the military, police and civilian components in a PSO.
15. **“Police Personnel”** means all members of Formed Police Units and Individual Police Officers in a PSO.
16. **“Remedy”** means a redress or relief provided to a victim or his/her next-of-kin who has sustained bodily or mental harm caused by acts or omissions attributable to members of mission personnel or AU staff. In the context of this Policy, a remedy includes legal remedies, reparations, compensation, restitution, damages or equitable relief.
17. **“Seconded staff”** means any person from a Member State or any organization transferred to the Union to hold a temporary assignment with an Organ of the Union upon agreed terms and conditions by all the parties concerned.
18. **“Sexual exploitation and abuse”** is defined as follows:
- a. **“Sexual abuse”** refers to any action or behavior of a sexual nature that coerces, threatens or forces a person to engage in a sexual activity (penetrative and non-penetrative), that they would not otherwise have engaged in, and often without being able to give their consent. Sexual abuse includes the actual or threatened physical intrusion of a sexual nature, and occurs under coercive conditions, which are often reflective of unequal power relations and harmful behavior.
 - b. **“Sexual exploitation”** is defined as the inducement, incitement, coercion and/or compelling of another person to undertake a sexual activity through abuse of a position of vulnerability, differential power, dependency or trust. Sexual exploitation includes, but is not limited to, actual or attempted exploiting of material, monetary, social, psychological and political advantages to induce a person to engage in a sexual activity. An act of sexual exploitation occurs when the particular person would have had no substantial option, and no reasonable choice but to succumb to pressure to engage in a sexual activity. Sexual exploitation is harmful and exploitative behavior which occurs in the context of hierarchical interactions and relationships.
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19. **“Sexual violence”** includes acts of sexual nature against one or more persons or that cause such person or persons to engage in an act of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, or by taking of advantage of coercion environment or such person’s or persons’ incapacity to give genuine consent. Forms of sexual violence include rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual aggression of comparable gravity.
 20. **“Staff Member”** as defined in AU Staff Regulations and Rules (2010), means any person employed by the AUC as continuing regular, fixed-term or short-term personnel on the basis of a daily wage or monthly salary.
 21. **“Victim”** is a person whose allegations have been substantiated and confirmed through the necessary and clearly outlined AU administrative, investigative and/or judicial procedures.
 22. **“Whistleblower”** is any person who exposes any kind of information or activity that is deemed illegal, unethical, and/or evidence of past, current or prospective PSO misconduct or any other violation or act which jeopardizes the integrity and mandate of the PSO. It includes any individual(s) who may be applicants, current or former Staff Members of the AU Commission (irrespective of employment status and duration), personnel who are engaged in activities relevant to the PSOs or individuals who are adversely affected by the activities of the PSOs irrespective of their affiliation with the PSOs.

References

1. OAU General Convention on Privileges and Immunities, 1965
2. African Charter on Human and People's Rights, 1981
3. AU Charter on the Rights and Welfare of the Child, 1999
4. Constitutive Act of the AU, 2000
5. Protocol Relating to the Establishment of the Peace and Security Council (PSC) of the African Union, 2002
6. Protocol to the African Charter on Human and People's Rights on the Rights in Africa, 2003
7. United Nations Secretary-General Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13)
8. AU Staff Regulations and Rules, 2010
9. PSC Communiqué PSC/PR/COMM.(CDLXI), 461st meeting of 14 October 2014
10. AUC Standard Operating Procedures for the Conduct of Investigations, 2015
11. AUC Harassment Policy, 2016
12. Code of Ethics and Conduct, 2016
13. PSC Communiqué PSC/PR/COMM. (DCLXXXIX), 689th meeting of 30 May 2017

1. Background and Rationale

1.1 Since the establishment of the African Union (AU) in 2000 and its Peace and Security Council (PSC) in 2002, the AU has played an increased and expanded role in addressing peace and security issues on the continent. Pursuant to this, it has developed the AU Peace and Security Architecture (APSA) and deployed missions in Darfur, Burundi, Mali, the Central African Republic and Somalia, to cite a few. The AU is also increasingly seen as a key strategic partner of the United Nations (UN) and has demonstrated its capacity and comparative advantage to rapidly intervene in crisis situations through the deployment of multidimensional Peace Support Operations (PSOs) composed of military, police and civilian components.

1.2 PSOs have grown in number and complexity over time in order to face new and emerging security threats and challenges. At the same time, scrutiny over the conduct of mission personnel has increased, ranging from the conduct of military operations, often offensive ones, and the related issue of protection of civilians and respect of international law, to more “individual” conduct, including the issue of sexual exploitation and abuse (SEA).

1.3 In this regard, the AU has taken a number of measures to ensure observance of the highest standards of conduct in its PSOs, including through entering into Memoranda of Understanding (MoUs) with Troop and Police Contributing Countries (T/PCCs); signing Status of Force Agreements (SOFA) or Status of Mission Agreements (SOMA) with host nations; developing Codes of Conduct for its personnel and making specific provisions in Mission Directives and Standard Operating Procedures (SOP) on conduct and discipline.

1.4 The AU Commission strives to ensure that all personnel serving in AU mandated or authorized PSOs uphold the highest standards of conduct, behaviour, integrity and accountability in the implementation of their mandate. The Commission takes all allegations of violations of applicable International Human Rights Law (IHRL), International Humanitarian Law (IHL) as well as any act of abuse and misconduct extremely seriously, and has a zero tolerance stance towards sexual exploitation and abuse (SEA). Such acts are contrary to the objectives and principles of the AU Constitutive Act and other instruments of the AU.

1.5 The AU Peace and Security Council (PSC) has on numerous occasions reaffirmed its zero tolerance as articulated in its Communiqués of its 461st and 689th meetings. These Communiqués recognize conduct and discipline of mission personnel as a key element to the success of AU PSOs and assert that these commitments are at the heart of the high

normative standards that the AU strives to promote to ensure the continued legitimacy, credibility and effectiveness of its mandated and authorized PSOs.

1.6 Conduct and discipline of mission personnel is, therefore, key to success of any AU PSOs. As a result, the AU has embarked on a process of developing policies and guidelines as well as establishing systems, structures, and mechanisms to ensure that its PSOs are managed in accordance with internationally accepted norms and standards, including by implementing the provisions relating to protection of civilians and responsibility to protect frameworks.

1.7 The Policy on Conduct and Discipline is dedicated to the specificity and challenges experienced by AU PSOs, with the aim to clarify what constitutes misconduct in PSOs and what procedures to follow at PSO level for each category of mission personnel in the field.

1.8 The AUC is responsible to ensure discipline of AU staff members, while discipline of military and police personnel shall be addressed by the T/PCCs. Therefore, this Policy does not intend to replace national Codes of Conducts applicable to T/PCCs serving in AU PSOs. It should be seen as the minimum standard of conduct that the AU requires from its mission personnel.

1.9 AU Member States retain exclusive criminal jurisdiction and remain responsible for conducting criminal proceedings against their nationals.

1.10 This Policy should be read in conjunction with the 2018 Draft AU Policy on Prevention and Response to SEA in PSOs and Draft Guidelines on Protection of Whistleblowers.

2. Purpose

2.1 This Policy clarifies and describes the minimum standards of conduct expected of all mission personnel serving in AU PSOs regardless of their status and position in the mission.

2.2 This Policy also prescribes the minimum standard of conduct expected of personnel in the mission area that provide service(s) on behalf of or in the name of the AU (e.g. contractors and consultants).

2.3 It explains the roles, responsibilities and accountabilities of mission personnel in upholding standards of conduct and the process to be adopted in addressing misconduct for the various categories of personnel.

3. Scope of application

3.1 This Policy shall apply to all AU PSOs and their mission personnel for all cases of misconduct committed in and outside of the mission area of a PSO whether the individual was on official duty at the time of the offence or not.

3.2 PSOs, mandated and authorized by the AU PSC, are expected to apply and integrate these standards of conduct into their mission documents and processes.

4. Expected standards of conduct

4.1 All mission personnel, regardless of their position or level, are responsible for upholding the highest standards of integrity, which includes respect for AU principles, values and norms as set out in this Policy, in the Constitutive Act, in International Humanitarian and Human Rights Law, as well as in the Code of Ethics and Conduct and other AU issuances, including mission specific documents.

4.2 Whilst different frameworks and policies might be applicable to different categories of personnel in a mission area, the standards of conduct and integrity required are similar since all are derived from principles, values and norms contained in the Constitutive Act of the African Union.

4.3 All mission personnel in the service of the PSO are expected to conduct themselves in a professional, dignified, and disciplined manner at all times, bearing in mind that they are the main interface between the AU and the local population and represent the AU, their respective countries and other institutions to which they may be affiliated.

4.4 Mission personnel shall respect international and local laws, as well as customs and practices where compatible with provisions of human rights law and related international standards. They shall treat the inhabitants of the host country with respect, courtesy and consideration and act with impartiality, integrity and tact.

4.5 Mission personnel must function in a manner that preserves the image, credibility, impartiality and integrity of the AU. Misconduct, and even perceptions of impropriety, are unacceptable and have a detrimental effect on the relationship of mission personnel with the local population and could cause difficulty in fulfilling the mandate entrusted to the mission.

4.6 Mission personnel must refrain from any action or activity incompatible with the mandate of the PSO, and other applicable legal provisions, norms and standards.

4.7 Violations of IHL and IHRL by mission personnel constitute serious misconduct and are grounds for disciplinary sanctions and criminal prosecution.

4.8 Rules of Engagement, Directives on the Use of Force, Detention SOPs and other mission specific documents generally reflect IHL and IHRL obligations, and are rules that the uniformed personnel and other personnel carrying arms must follow. Violations of those rules will constitute serious misconduct and should be prosecuted by P/TCCs.

4.9 Civilian personnel equally have the responsibility to respect IHL and IHRL provisions, applicable principles and standards. Serious misconduct by civilian personnel may lead to a criminal proceeding in their country of origin, as well as the country where a PSO is deployed.

5. Actions or omissions constitutive of misconduct in AU PSOs

5.1 Violations of the expected standards of conduct, whether by action or omission, constitute misconduct, and are divided into two categories depending on the gravity of the act, namely, minor misconduct and serious misconduct. Both minor and serious misconduct may call either for criminal prosecution, disciplinary sanctions, or both, depending on the gravity of the act.

Minor Misconduct

5.2 Minor misconduct is any act, omission or negligence that does not result in, or is not likely to result in, major damage or injury to an individual or the mission. Examples of minor misconduct include, but are not limited to:

- a. Neglect in performance of duty;
- b. Intoxication while on duty or in public not resulting in any damages or injuries;
- c. Negligent driving not resulting in any damages or injuries;

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- d. Minor traffic offences, such as speeding, and driving without proper documentation;
 - e. Taking, communicating, possessing and photocopying official documents and information in all forms that pass through in the course of duty without authorization;
 - f. Tardiness to report to duty;
 - g. Disorderly behaviour within the premises of a PSO;
 - h. Basic misuse of mission equipment;
 - i. Basic mismanagement.

Serious Misconduct

5.3 Serious misconduct is any act, omission or negligence that results, or is likely to result, in serious damage or injury to, an individual or the mission and/or deliberate act or omission that might impact the performance of the mission tasks.

5.4 Serious misconduct includes, but is not limited to the following:

- a. Violations of IHL and IHRL;
- b. Sexual exploitation and abuse (SEA);
- c. Child sexual abuse
- d. Threatening life, physical assault or murder;
- e. Abuse or torture of detained persons or civilians;
- f. Harassment, including sexual and other forms of harassment listed in the AUC Harassment Policy;
- g. Unlawful discharge of firearms;
- h. Breach of confidentiality;
- i. Abuse of African Union privileges and immunities;
- j. Driving while intoxicated or other grossly negligent driving;
- k. Repeatedly being intoxicated while on duty or in public;
- l. Repeatedly being absent from duty without permission;
- m. Use, possession or distribution of illegal narcotics and illegal drugs;
- n. Embezzlement or other financial malfeasance;
- o. Wilful disobedience of a lawful order, including wilful infractions of regulations, rules and administrative issuances;
- p. Entitlement fraud and procurement violations;
- q. Taking or giving bribes or any illegal gratification;
- r. Discrimination, retribution and/or retaliation against whistleblowers;
- s. Malicious reporting of misconduct;
- t. Unlawful acts including, but not limited to, acts or attempted acts of aiding or abetting acts of corruption, abuse of authority, including bribery, theft, fraud,

forgery, illicit trafficking in drug and narcotics, humans or weapons, money laundering, smuggling, illegal mineral trade and similar.

6. AU's strategy on conduct and discipline

6.1 AU's approach to conduct and discipline in PSOs is ensured through prevention, enforcement and remedial action.

6.2 **Prevention** is aimed at ensuring that misconduct does not occur in the first place. It includes activities such as screening of personnel before deployment; raising awareness, including through public communication (before, during and after deployment); training (pre-deployment, induction and in-mission training) and outreach; contextualising measures according to the particularities of the context in which PSO is deployed, as well as ensuring the welfare and recreation of personnel while in mission; and undertaking risk assessment and monitoring generally.

6.3 **Enforcement** encompasses activities associated with actions to be taken in response to instances of alleged misconduct reported in a PSO. The steps include: establishment of mission structures, systems and processes; reception of allegation; assessment of the allegation; notification and referral for investigation; investigation; review of investigation results; actions following investigation (administrative/disciplinary process); and holding the individual accountable for misconduct (sanction): as well as ensuring oversight by the structures at the Strategic Headquarters throughout the process. Prompt and consistent enforcement is essential to the goal of ensuring that the AU's standards of conduct are respected.

6.4 **Remedial action** applies to all instances of misconduct, including violations of IHRL, IHL and SEA. Remedial actions include actions of protection of victims and witnesses, and are guided by the principle of "do no harm" and confidentiality in handling misconduct. It also includes actions to repair a damaged reputation.

7. Prevention Efforts

7.1 In collaboration with AU PSOs, the AUC shall prevent individuals with misconduct records from being hired or rehired, in compliance with applicable laws and to the best of the AU's abilities. This could include engaging with AU Member States to ensure vetting and screening as well as background and criminal reference checks of all mission personnel, as appropriate. The AUC shall ensure that these requirements are included in

guidelines and other issuances directing P/TCCs on preparing of capabilities including personnel prior to any deployment.

7.2 All mission personnel are obliged to create and maintain an environment that prevents any misconduct. The leadership, including the Mission Leadership, Contingent Commanders, Battalion Commanders, Formed Police Unit Commanders, Unit Commanders, Managers and Supervisors at all levels, have a particular responsibility to support, implement and develop systems that prevent misconduct, based on the overall leadership of the HoM and guidance from the AUC.

7.3 PSOs shall be required to put in place concerted training sessions on the expected standards of conduct for all categories of personnel throughout the life of the mission. Information Education Communication (IEC) materials such as videos, brochures, posters, pamphlets, and similar will be developed, as appropriate.

7.4 PSOs shall incorporate provisions of this Policy in all induction material and other relevant codes of behaviour for mission personnel.

8. Enforcement

8.1 Reporting misconduct

8.1.1 The PSO, in particular the Head of Mission (HoM) and the Conduct and Discipline Unit (CDU) / focal point, shall take all reports of possible misconduct seriously and must provide a confidential mechanism for individuals who wish to report misconduct. All PSOs shall be required to establish multiple and accessible means for reporting misconduct for all categories of personnel to ensure that individuals from both within the mission and outside the mission report misconduct without fear of retaliation.

8.1.2 Misconduct can be reported, but is not limited to, the following senior mission leadership and units/offices depending on the mission set-up and the context in which a PSO is deployed:

- a. HoM;
- b. Deputy Head of Mission;
- c. Force Commander;
- d. Police Commissioner;
- e. Head of Mission Support;
- f. Conduct and Discipline Unit (CDU) or Conduct and Discipline focal point;

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- g. Representatives of personnel in the mission, including networks within the PSOs;
 - h. Chiefs of Staff of the various Components;
 - i. Contingent Commanders;
 - j. Offices or Units of Protection, Gender, Human Rights, Child Protection and Civil Affairs;
 - k. Office of Administration and Human Resources Management;
 - l. Security Unit or Office;
 - m. Supervisors: first or second supervisor of individuals who have committed the alleged violation;
 - n. Medical Units;
 - o. Police Offices in the PSOs;
 - p. Designated Offices and/or officials in the regions;
 - q. Designated NGOs, Community Organizations and host government offices; and
 - r. Any other office that the HoM designates as appropriate for receiving complaints from personnel.

8.1.3 Mission personnel may also report misconduct directly to the AUC, should they have a reasonable fear of retaliation and/or considers that the matter against the mission personnel cannot be addressed impartially within the mission area due to seniority of the individual or other cogent factors, and that the actions of the mission personnel amounts to serious misconduct. They may report the matter directly to the appropriate structures at the Strategic Headquarters, such as the PSOD, the Office of Ethics, the Director of Administration and Human Resources Management (AHRM), the Commissioner for Peace and Security or the Chairperson of the AUC, providing as much information and evidence on the matter as possible.

8.1.4 The HoM is required to take appropriate action and measures to ensure that individuals are not retaliated against. Such measures may include ensuring confidentiality of reports, regular engagement and continuous monitoring of the circumstances of the individual making the complaint, and, if the circumstances warrant, relocating the individual to a different office.

8.2 Procedure for handling misconduct

8.2.1 Different robust procedures are envisaged in addressing the specific allegation(s) depending on whether the misconduct is qualified as minor or as serious, and depending on the category of the personnel.

8.2.2 AU staff members are governed by the standards of conduct set out in the AU Staff Regulations and Rules, and other administrative issuances. Staff members are bound to respect those standards of conduct through the signing of their offer of appointment and related employment contract with the African Union.

8.2.3 Individual Police and Military officers are deployed with the legal status of experts on mission based on a legal agreement concluded between the AUC and the sending Member State. They shall also individually sign an undertaking upon commencement of service with the AU, through which they agree to be bound by the provisions on conduct and discipline standards contained in this undertaking.

8.2.4 The conduct and discipline of members of military contingents is governed by the Memorandum of Understanding (MOU) concluded between the Troop Contributing Country and the AU and/or AU and the RECs/RMs for the deployment of military contingents. Through this MOU, Member States agree that, while their military personnel remain subject to the exclusive jurisdiction of respective Troop Contributing Countries, they will comply with AU standards of conduct and such other documents adopted by the AU that regulate the conduct of this category of personnel.

8.2.5 The conduct and discipline of members of Formed Police Units (FPUs) is governed by the Memorandum of Understanding concluded between Police Contributing Countries and the AU and/or the AU and RECs/RMs for the deployment of Formed Police Units. Member States agree through this MOU, that while their police personnel remain subject to the exclusive jurisdiction of respective Police Contributing Countries, they will comply with AU standards of conduct and such other documents adopted by the AU that regulate the conduct of this category of personnel.

8.2.6 For individual consultants and contractors, agreements signed between them and the AU contain provisions on the obligation to respect the AU standards of conduct.

8.2.7 The HoM is required to share all information concerning all cases of misconduct that s/he is informed about with the AUC. S/he will be supported in this responsibility by the CDU/focal point. If a CDU/focal point does not exist, the HoM will designate an official in his/her Office to ensure that all cases are forwarded to AUC through PSOD.

8.2.8 In all instances, the Deputy SRCC as Head of Civilian Component, the Head of Mission Support, the Head of Finance, the Police Commissioner and the Force Commander shall inform the HoM of all instances of misconduct in writing. The Conduct and Discipline Unit or focal point shall maintain records and/data base on misconduct. In so

doing, they may seek the assistance of other units of the Mission with the capacity to maintain and analyse such data, such as the Civilian Casualty Tracking Analysis Cell.

8.3 Immunities of mission personnel

8.3.1 The Special Representative of the Chairperson, or Head of Mission, and other high ranking members as may be agreed between the AU and the Host State, shall have the status of Officials specified in Article VI of the OAU General Convention on Privileges and Immunities (hereafter referred as the General Convention), therein referred to as those accorded diplomatic envoys by international law.

8.3.2 Other mission personnel, and as specified in the SOMA with the Host State, shall have the status of experts on mission specified in Article VII of the General Convention, which provides for their functional immunity.

9. Handling misconduct for civilian personnel

9.1 The civilian personnel must comply with the rules set out in this Policy, as well as international law, the law of the Host State (to the extent that it is compatible with international human rights law norms and standards), the domestic law of their country of origin, as well as various mission documents.

9.2 Privileges and immunity of civilian personnel may be waived by the Chairperson if this is in the interest of justice, and this shall be discussed between the HoM, Chairperson and the Host State.

9.3 The status of civilian personnel in AU PSOs shall be governed by the AU Staff Regulations and Rules (2010) for AU staff members and/or terms of their contracts for other civilian personnel, the Administrative Guidelines on the Recruitment, Selection, Deployment and Management of Civilian Personnel in Field Operations (2016) as well as by the Status of Mission Agreement (SOMA) concluded between the AUC and the Host State.

9.4 The overall responsibility for ensuring discipline of civilian personnel rests with the HoM, with delegated authority given by the Chairperson of the AUC.

9.5 All cases of minor misconduct committed by civilian personnel shall be handled administratively in the PSO by the HoM or his/her designee.

9.6 In situations of serious misconduct, in particular violations of IHRL and IHL where applicable, the HoM will inform the AUC, through PSOD, of the matter for a follow-up with the national authorities of the country of origin of the individual, in order to encourage the

criminal proceedings and/or other remedial action required, especially in regard to assistance to victims.

Procedures for addressing misconduct of AU staff members in a PSO

9.7 The Disciplinary Board established in accordance with the AU Staff Regulations and Rules shall advise the Chairperson or the competent authority of any other organ on disciplinary measures if any to be instituted against a staff member over acts of misconduct violating the provisions of the Constitutive Act, Code of Conduct and Ethics, Staff Regulations and Rules, Financial Rules, and any other regulations or rules of the AUC, including this Policy, in accordance with Rules 57-59 of the AU Staff Rules.

9.8 Accordingly, the following procedure shall be followed with respect to misconduct by AU staff members in PSOs:

- a. Except in situations of staff grievances arising out of their inter-personal relationships and the application of conditions of employment other than matters arising out of disciplinary action (Rule 63 of the Staff Rules), a complaint of a Staff Member's breach of the AU standards of conduct shall be forwarded to the Head of AHRM with a copy being sent to the CDU/Conduct and Discipline focal point. Upon receipt of such a complaint, the Head of ARHM in consultation with CDU/Conduct and discipline focal point shall immediately notify the HoM of such a complaint. The regulations in the Staff Rule 59 regarding disciplinary procedures shall be strictly adhered to and are adapted to the specific context of PSOs in paragraphs (b) to (h).
- b. The HoM shall weigh the matter and determine the appropriate action to take with guidance from the Office of Human Resources Management, CDU/focal point, the Legal Unit/Officer and any other Office or Unit that may be relevant to the matter at hand. S/he may also request for additional information, comments from the staff member and/or meet with the staff member as s/he determines, as part of the fact-finding process to establish the *prima facie* case (initial examination to establish that sufficient corroborating evidence appears to exist to support a case).
- c. The fact-finding process shall start within seven (7) days after receiving the complaint and shall be conducted in accordance with the AU Staff Rules and Regulations (Article 59 on disciplinary procedures). Once the fact-finding process is completed, the HoM shall request the concerned staff member(s) to comment on the facts concerning him or her.
- d. Should the fact-finding process not establish a *prima facie* case, the HoM will inform the staff member(s) of the outcome and close the file. Should the fact-finding reveal that no misconduct occurred but that administrative measures are required, and in

the best interest of the Mission, s/he should implement such administrative actions, as appropriate.

- e. In the event that the fact-finding process establishes a *prima facie* case, the HoM shall submit the entire file, including the comments from the staff members, with conclusions and recommendations, to the Director of AHRM for appropriate action in accordance with the Staff Regulations and Rules. Alternatively, s/he may determine to conduct a BOI investigation into the matter, depending on the matter at hand and if considered that this would serve the interest of the mission best, especially in cases of serious misconduct. The BOI report will be forwarded to the Director of AHRM for appropriate action within 30 days of receipt of complaint/allegation.
- f. The HoM will follow-up with the Director of AHRM in consultation with PSOD and inform the staff member of the progress of the case, as appropriate.
- g. In the event that the case is against a member of the leadership of the mission, or for some other cogent reason it is evident to the HoM that an impartial BOI investigation cannot be carried out in the mission, the HoM may report the matter to the Director of AHRM, the Commissioner for Peace and Security or the Chairperson of the AUC, as appropriate. S/he may request for a panel or investigators from the strategic headquarters to go to the Mission to carry out the investigation into the matter. The external panel or investigators will share their report with the Director of AHRM who will then take appropriate action and inform the HoM as appropriate.
- h. In case the staff member is involved in a criminal act or is being investigated in the context of a criminal investigation, Rule 60 of AU Staff Regulations regarding criminal proceedings instituted against a staff member shall apply. The HoM shall inform the Director of AHRM through PSOD as soon as his/her attention is brought to such a situation. The Director of AHRM will then take appropriate action.

Procedures for addressing misconduct of other categories of civilian personnel

9.9 The procedure for handling misconduct of all other civilian personnel including seconded staff, partners, technical experts, interns, volunteers, individuals on special assignment and contractors and consultants shall be regulated by the terms of their contract and/or undertaking.

10. Handling misconduct of military personnel

10.1 The military personnel must comply with the rules set out in this Policy, as well as international law, the law of the Host State (to the extent that it is compatible with international human rights law norms and standards), the domestic law of their country of origin, as well as the mission documents such as the ROEs and relevant SOPs.

10.2 The status of contingent military personnel deployed by the TCCs is governed exclusively by the MoU concluded between the AU and the TCCs and/or MoU concluded between the AU and the RECs/RMs, and by the SOFA/SOMA, which confer the TCCs with exclusive jurisdiction over criminal matters involving their personnel. Therefore, the procedure for handling misconduct for military contingent members shall run *in pari pasu* (hand-in-hand).

10.3 The status of Individual Military Officers who have been sent to a PSO by an AU Member State will be governed by a legal agreement concluded between the AU and the AU Member State in question and the SOMA/SOFA. Individual military officers shall also individually sign an undertaking upon commencement of service with the AU, through which they agree to be bound by the provisions contained in this Policy.

10.4 The overall responsibility for the adherence to and enforcement of AU standards of conduct of the military personnel rests with the Force Commander (FC) or his designee. However, military personnel remain members of the national contingent and are therefore subject to Codes of Conduct of their respective national military authority in addition to the provisions of this Policy.

10.5 The AU and the TCCs vest the Commander of the National Contingent with the functional responsibility for the discipline and good order of all contingent members while assigned to the AU PSO.

10.6 Upon receipt of a report of misconduct, the Contingent Commander is required to notify the FC and the CDU/focal point promptly of the allegation that has been brought to his/her attention.

10.7 The Contingent Commander is required to commence investigations into the matter within 7 days of receipt of the complaint and inform the HoM, through the FC.

10.8 In the event where the Contingent Commander fails to commence an investigation into a matter after notification within 7 days, in particular if serious misconduct has been committed, the Contingent Commander must notify the FC within 24 hours of the end of the

7 days. In the event that this is not done, the Contingent Commander will be deemed unwilling to conduct such investigation.

10.9 If the Contingent Commander is unable to conduct an investigation for any reason, h/she must notify the FC within the 7 day period.

10.10 The Contingent Commander is required to inform the HoM through the FC of the outcome(s) of the investigation and or the disciplinary action that have been taken in all cases of misconduct within 30 days of receipt of a complaint/allegation.

10.11 In all cases where the PSO or AU have credible information that a contingent member has committed a misconduct, the PSO and/or AU shall notify the Contingent Commander within 7 days. In the event that the allegation(s) is/are against the Contingent Commander, the HoM shall inform the AUC through appropriate channels and the latter shall advise the TCC concerned for appropriate action to be taken.

10.12 The FC may also recommend to the HoM for the institution of a BOI if the interest of the mission would be best served in such a way, and for any acts of serious misconduct or acts that have the potential to damage the image, credibility or integrity of the AU. In such instances, the HoM will institute the BOI, including civilian personnel, such as, human rights monitors, the AU security officer, gender officer, and child protection adviser depending on the matter at hand. Where and when possible and appropriate, such BOI(s) shall be conducted jointly with the contingent. Once the investigation or BOI is completed, the FC or HoM, as the case may be, will inform the Contingent Commander and the AUC of the outcomes, as appropriate, so that disciplinary action is taken.

10.13 All cases of minor misconduct will be handled administratively by the Force Commander or Contingent Commanders.

10.14 Following receipt of the recommendations of the BOI and the final decision of the HoM, as referred to above, the FC or another supervisor responsible for the maintenance of discipline shall take appropriate administrative and/or disciplinary action. Such actions may be one or more of the following:

- a. Removal from position of command;
- b. Redeployment to another position/area after retraining, if necessary;
- c. Removal of benefits and concessions provided to mission personnel;
- d. Suspension of leave/compensatory time off;
- e. Full or partial recovery from Mission Subsistence Allowance, in cases of financial loss to the Organization;

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- f. Recommendation for repatriation;
 - g. Written censure or reprimand, including a possible recommendation for non-eligibility for future assignment with the AUC.

10.15 Following notification by HoM of the outcomes of the BoI, the AUC will engage with the national authorities of the TCC on the disciplinary action taken, outcomes of criminal proceedings and/or other remedial action required, especially in regards to assistance to victims.

10.16 If the AU is made aware that no action is taken by the TCC, the AUC shall bring the matter to the attention of the Peace and Security Council for consideration of future possible action to be taken.

11. Handling misconduct of police personnel

11.1 The police personnel must comply with the rules set out in this Policy, as well as international law, the law of the Host State (to the extent that it is compatible with international human rights law norms and standards), the domestic law of their country of origin, as well as the mission documents such as the Directives on the Use of Force and relevant SOPs.

11.2 The status of the Formed Police Units (FPU) personnel deployed by the PCCs is governed exclusively by the MoU concluded between the AU and the PCC and/or MoU concluded between the AU and the RECs/RMs, and by the SOFA/SOMA, which confer the PCCs with exclusive jurisdiction over criminal matters involving their personnel. Therefore, the procedure for handling misconduct for members of Formed Police Units (FPUs) shall run *in pari pasu* (hand-in hand).

11.3 The status of Individual Police Officers (IPOs) who have been sent to a PSO by an AU Member State will be governed by a legal agreement concluded between the AU and the AU Member State in question and the SOMA/SOFA. IPOs shall also individually sign an undertaking upon commencement of service with the AU, through which they agree to be bound by the provisions contained in this Policy.

11.4 The overall responsibility for the adherence to and enforcement of AU standards of conduct of the police personnel rests with the Police Commissioner or his/her designee. However, police personnel remain subject to their national Codes of Conduct in addition to the provisions of this Policy.

11.5 The AU and the PCCs vest the Commander of the FPU with the functional responsibility for the discipline and good order of all unit members while assigned to the AU PSO.

11.6 Upon receipt of a report of misconduct, the Unit Commander is required to notify the PC and the CDU/focal point promptly of the allegation that has been brought to his/her attention.

11.7 The Unit Commander is required to commence investigations into the matter within 7 days of receipt of the complaint and inform the HoM, through the PC.

11.8 In the event where the Unit Commander fails to commence an investigation into a matter after notification within 7 days, in particular if serious misconduct has been committed, the Unit Commander must notify the PC within 24 hours of the end of the 7 days. In the event that this is not done, the Unit Commander will be deemed unwilling to conduct such investigation.

11.9 If the Unit Commander is unable to conduct an investigation for any reason, h/she must notify the PC within the 7 day period.

11.10 The Unit Commander is required to inform the HoM through the PC of the outcome(s) of the investigation and or the disciplinary action that have been taken in all cases of misconduct within 30 days of receipt of a complaint/allegation.

11.11 In all cases where the PSO or AU have credible information that a contingent member has committed a misconduct, the PSO and/or AU shall notify the Unit Commander within 7 days. In the event that the allegation(s) is/are against the Unit Commander, the HoM shall inform the AUC through appropriate channels and the latter shall advise the PCC concerned for appropriate action to be taken.

11.12 The PC may also recommend to the HoM for the institution of a BOI if the interest of the mission would be best served in such a way, and for any acts of serious misconduct or acts that have the potential to damage the image, credibility or integrity of the AU. In such instances, the HoM will institute the BOI, including civilian personnel, such as, human rights monitors, the AU security officer, gender officer, and child protection adviser depending on the matter at hand. Where and when possible and appropriate, such BOI(s) shall be conducted jointly with the contingent. Once the investigation or BOI is completed, the PC or HoM, as the case may be, will inform the Unit Commander and the AUC of the outcomes, as appropriate, so that disciplinary action is taken.

11.13 All cases of minor misconduct will be handled administratively by the Police Commissioner or Unit Commanders.

11.14 Following receipt of the recommendations of the BOI and the final decision of the HoM, as referred to above, the PC or another supervisor responsible for the maintenance of discipline shall take appropriate administrative and/or disciplinary action. Such actions may be one or more of the following:

- a. Removal from position of command;
- b. Redeployment to another position/area after retraining, if necessary;
- c. Removal of benefits and concessions provided to mission personnel;
- d. Suspension of leave/compensatory time off;
- e. Full or partial recovery from Mission Subsistence Allowance, in cases of financial loss to the Organization;
- f. Recommendation for repatriation;
- g. Written censure or reprimand, including a possible recommendation for non-eligibility for future assignment with the AUC.

11.15 Following notification by HoM of the outcomes of the BoI, the AUC will engage with the national authorities of the PCC on the disciplinary action taken, outcomes of criminal proceedings and/or other remedial action required, especially in regards to assistance to victims.

11.16 If the AU is made aware that no action is taken by the PCC, the AUC shall bring the matter to the attention of the Peace and Security Council for consideration of future possible action to be taken.

12. Individual, Managers and Commanders accountability

12.1 All personnel serving in AU PSOs are required to make themselves familiar with the AU values, norms and standards of conduct, including by attending training sessions, and are obliged to uphold these standards at all times, at the workplace and outside of the workplace, on duty and off-duty, including when on leave. Any breach of the expected standard, where appropriate, may be referred for investigation and possible prosecution before Member States' national and/or military courts when such violations constitute crimes under national laws.

12.2 Managers and commanders are responsible for taking steps to prevent and address misconduct on the part of their subordinates. They are expected to ensure that personnel under their command or supervision are aware of the AU standards of conduct, including

through organization of training sessions and by promoting compliance with the AU standards of conduct.

12.3 Commanders are responsible for preventing violations of the law and for taking necessary disciplinary action where violations are identified. The fact that a commander did not order, authorize or knowingly acquiesce in a violation of the law by a subordinate will not relieve him/her of responsibility if s/he knew, or owing to the circumstances at the time, should have known, that forces/units under his/her command were committing or about to commit misconduct/crimes, and s/he failed to take all necessary and reasonable measures within his/her power to prevent or suppress their commission, or to submit the matter to the competent authorities for investigation or prosecution.

12.4 Managers and commanders will also be held accountable in terms of performance regarding the exercise of their conduct and discipline functions. For Heads of Mission, this is achieved through provisions included in their contracts and/or letters of appointment. For all other managers and commanders, performance in the exercise of the conduct and discipline functions shall be evaluated through the performance appraisal mechanisms applicable to the manager or commander.

13. Actions to safeguard the image and reputation of the PSO and the AU

13.1 For allegations of serious misconduct that have implications for the reputation and image of the AU and the Mission, the HoM will work closely with the relevant offices of the mission, including but not limited to the Spokesperson, Communications, Outreach and Public Relations, Legal, Political and Civil Affairs, Women and Gender Offices, and in close consultation with AU PSOD, to protect and safeguard the reputation of the Mission and the AU generally. This may be especially necessary where allegations have generated public and media interest.

13.2 In general, the HoM should avoid creating an absence of visible accountability, as this could give rise to a perception that the AU does not take the matter seriously. Instead, s/he should be cooperative, transparent, and demonstrate accountability, seriousness and full engagement in the matter.

13.3 Consequently, the HoM, public information and communication personnel as well as the other components mentioned above, are to work together to achieve the following key objectives:

- a. Communicate that the AU and the PSO are fully engaged and committed to addressing allegations of misconduct and will promptly investigate or are

investigating, as the case may be, and intend to take or ensure that appropriate action is taken against those found guilty;

- b. Communicate transparency on the part of the mission through engaging with the complainants and their families on what action is being taken by the mission, without compromising any investigation that is being undertaken;
- c. Dispel rumours and damaging gossip with facts, so that the media and the local population sees the mission as credible and trustworthy by, *inter alia*, making information available through a number of easily accessible channels with due regard to protecting the integrity of the investigation, the due process rights of the alleged perpetrators and the safety and welfare of the alleged victims; and
- d. Encourage accurate reporting of incidents by the media by providing clear information and details, without compromising or prejudicing the investigation or divulging the identity of parties pre-maturely.

14. Assistance for victims of misconduct

14.1 When misconduct results in injury and/or damage, a comprehensive, timely and responsive assistance and/or redress shall be provided to complainants, victims as well as their families, as appropriate.

14.2 The AU will ensure that victims receive the support and attention they deserve, from the moment an allegation is received until there is an outcome. Such assistance can be, for example, medical care, psychosocial support, legal assistance, and immediate material needs such as food, medical care, clothing, and safe shelter.

14.3 The HoM shall establish a mechanism for victim assistance, or to work with the existing system if it already exists, to facilitate support and assist victims of misconduct, particularly in cases of violations of IHL, IHRL and SEA. In this regard, s/he is to be supported by the CDU/focal point, and/or the gender, civil affairs, political or human rights offices or units that have strong ties with the local community and NGOs in the mission area, especially those engaged in women and children issues. Such a mechanism shall consider various ways and means for assisting victims.

14.4 In reviewing cases and requests for assistance, the established mechanism shall consult with NGOs, community leaders, community based organizations and any other individuals in order to make informed and prudent decisions.

14.5 Complainants and/or victims should receive basic and individually tailored assistance and support in accordance with their individual needs directly arising from the alleged misconduct. This assistance and support can comprise logistical support (travel,

accommodation, & interpretation), medical care, legal services, psycho-social support, immediate material care, such as food, medicines, clothing, emergency and safe shelter, as necessary. This can also include a referral to another organization, NGO or other body that is capable to provide adequate assistance to the victim, when available.

14.6 The mechanism for assistance is to consider all cases that require assistance as a result of an act of misconduct and to recommend specific types of assistance for each case. In so doing, this mechanism is to be guided by the following principles:

- a. Victims, especially victims of SEA, are generally vulnerable, disadvantaged, with minimal or no education and resources and are often ostracized and shunned by their communities.
- b. Assistance is voluntary; hence the victim cannot be forced or coerced to accept assistance. It is a good practice to obtain the victims' consent in verifiable form that s/he accepts the assistance being provided.
- c. The major consideration in the provision of assistance is the best interests of the victims and the resources available and accessible to the PSO. Hence, any assistance provided should not harm the victim. Assistance and support should be provided in a manner that does not increase the trauma suffered by the victim, cause further stigmatization or exclude or discriminate against other victims.
- d. The circumstances of each case will vary and assistance should be accorded accordingly; however, an effort should be made to minimize disparities amongst similar or comparable cases.
- e. Assistance should complement rather than duplicate existing support to victims of abuse and violence and, to the greatest extent possible, should be integrated into existing programmes. Consequently, the mission could consider entering into arrangements with NGOs to provide services directly to the victims and in turn either reimburse the NGOs directly or provide support to the NGOs.
- f. If children are born as a result of misconduct by mission personnel, assistance to be provided should be in the best interests of the child.
- g. The duration of the provision of assistance and support should be set in accordance with individual needs directly arising from misconduct;
- h. Assistance provided to victims should be separated from the allegation and investigation processes. At no time should assistance be made contingent on the victims' cooperation in an investigation process;
- i. The provision of any assistance and support by the PSO is not necessarily an acknowledgment of the validity of the claims or an indication of acceptance of the legal responsibility of the alleged perpetrator, PSO or AUC.

14.7 The PSO should consider appointing a Victim Advocate/Facilitator for all cases of serious misconduct, in particular in cases of violation of IHL, IHRL and SEA. In order to bring forward a complaint and request of assistance, complainant might need help from somebody they have confidence in and who can present their interests and serve as a facilitator and “voice” in the process. Consequently, the Victim Advocate/Facilitator need not be a Mission Personnel but could be from the community or from various NGOs. The critical consideration being that the victim has confidence in the Victim Advocate/Facilitator.

14.8 The PSO shall develop a system for tracking and following up on all cases of assistance. The matter will be considered closed once the victim has been fully assisted and can meet the needs arising from the misconduct independently.

14.9 The PSO shall securely keep proper records of its deliberations and prepare an annual report of all victims assisted that includes all key relevant information, including the type of assistance provided, the cost of the assistance provided, and the present circumstances of the victims to the best of the Committee's knowledge. It shall also indicate whether the matter is closed or ongoing and highlight any aspects requiring additional follow-up with national authorities. This report shall be forwarded to the AUC through PSOD for review, consideration and further action, as appropriate.

15. Roles in implementing the Policy

15.1 Below is an outline of the key roles and responsibilities of the main actors for implementing this Policy.

15.2 PSC

- a. Engage in, and provide overall guidance through review and endorsement of conduct and discipline related policies and guidelines, including on SEA, protection of whistleblowers, victim assistance and compensation and welfare and recreation, amongst others;
- b. Oversee implementation of a rigorous and effective conduct and discipline regime through monitoring and making necessary recommendations, as appropriate;
- c. Engage relevant AU policy organs and direct the AUC to submit regular reports on conduct and discipline in AU PSOs;
- d. Engage with AU PSOs more closely through use of different tools, such as video conferences, scheduled visits to PSO, and solidarity missions.

15.3 AU Member States sending personnel (military, police, civilian) to PSOs

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- a. Vest contingent and unit commanders with the necessary authority to conduct investigations, refer cases to the relevant national authorities, inform the Head of Mission of all instances of misconduct, and take disciplinary action, where appropriate;
 - b. Ensure that contingent and unit commanders comply and ensure compliance with relevant international and domestic laws, including domestic laws of the host state, as well as AU standards of conduct;
 - c. Uphold the principle of command responsibility for all commanders;
 - d. Provide information to the AUC, through the PSOD, of all disciplinary matters and actions taken against serious violations and misconduct, including on the outcome of investigations and prosecutorial action on a regular basis;
 - e. Ensure that all personnel to be deployed to an AU PSO, including Police and Military personnel, are trained on conduct and discipline prior to deployment. This includes reviewing the preparation procedures for deployment to ensure that the same incorporates conduct and discipline, human rights, gender issues, including SGBV;
 - f. Consider and integrate conduct and discipline related training into the national curricula of training institutions, especially but not limited to civilian and child protection, SGBV, human rights and gender topics;
 - g. Conduct various hearings, including court martials in accordance with national laws and procedures as soon as reports of misconduct are made, preferably in the mission area;
 - h. Ensure that individuals accused of serious violations are prosecuted in their countries of origin and keep the AUC informed of the outcomes of any proceedings;
 - i. Establish a mechanism to verify that prior offenders are not deployed or redeployed to PSOs;
 - j. Cooperate with the AUC in conducting background checks of civilian personnel to be deployed to AU PSOs;
 - k. Cooperate and assist PSOs with sensitization of the local population on the expected standards of behaviour of AU mission personnel;
 - l. Work in partnership with AU PSOs to sensitize AU mission personnel on local laws, culture, customs and traditions;
 - m. Assist and/or facilitate awareness raising campaigns, including establishing and publicizing accessible means and avenues for reporting allegations with AU PSOs on investigations, as appropriate;
 - n. Designate a liaison or focal point on conduct and discipline matters;
 - o. Facilitate victim support and redress efforts.

15.4 AUC

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- a. Lead and coordinate implementation of the framework and the strategy on conduct and discipline matters;
 - b. Develop a workplan for implementation of this policy with clear indicators and results expected;
 - c. Establish an adequate capacity on conduct and discipline, both at the AUC HQ level and in AU PSOs to monitor and respond to cases of misconduct;
 - d. Review and coordinate efforts to strengthen provisions in the Memoranda of Understanding (MoU) with T/PCCs, as well as other legal frameworks with AU Member States on Conduct and Discipline, including SEA;
 - e. Engage with AU Member States, and in particular T/PCCs, to reinforce and monitor implementation of activities and promote a collaborative approach;
 - f. Sensitize, build capacity, and clarify expectations on conduct and discipline for the leadership of various T/PCCs;
 - g. Develop and maintain a secure misconduct tracking and analysis database (MTAD) and accountability system using developments in ICT for all AU PSOs;
 - h. Establish a mechanism to verify that prior offenders are not deployed or redeployed to AU PSOs, in cooperation with the T/PCCs;
 - i. Follow up with national authorities on actions taken with respect to conduct and discipline in relation to prevention, investigation, prosecution, discipline, redress, punishment, victim assistance and accountability;
 - j. Work with T/PCCs to sensitize and build capacity on conduct and discipline, using various avenues, including appropriate ICT;
 - k. Strengthen mechanisms for ensuring civilian accountability for misconduct;
 - l. Develop a checklist for T/PCCs on all the above priorities that are relevant and that include activities to be carried out, indicators and a monitoring and review mechanism;
 - m. Develop a communication strategy for managing relationships with external parties, including partners, stakeholders, and media, etc;
 - n. Develop various strategic communication tools for instilling and reinforcing a sense of African solidarity, development of a sense of camaraderie, shared purpose and self-discipline;
 - o. Provide regular reports on conduct and discipline on PSOs to AU PSC.

15.5 AU PSOs

- a. Lead and manage efforts on conduct and discipline at the Mission level;
- b. Prioritize and foster commitment and adherence to standards of conduct and discipline through various communications and actions;
- c. Establish conduct and discipline focal points, officers or unit for addressing conduct and discipline matters, as appropriate;

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- d. Establish accessible and relevant entry points for the host population to engage on conduct and discipline, including making reports in a confidential and safe environment;
 - e. Develop and implement a workplan on conduct and discipline that is appropriate to the PSO that is comprehensive, inclusive, engages all personnel and that is tailored to suit the circumstances and realities of the PSO;
 - f. Operationalize and implement policies, guidelines, SOPs and directives on conduct and discipline;
 - g. Create and maintain secure, up to date records on conduct and discipline cases and ensure that the same is updated on MTDS;
 - h. Prepare and share regularly, and at a minimum, monthly reports on conduct and discipline activities generally and on specific cases with AUC.

16. Entry into Force

16.1 This Policy takes effect from 29 November 2018 as approved by the PSC during its 813th Meeting held in Addis Ababa, Ethiopia on 29 November 2018, and as endorsed by the 32nd Assembly of the Union, as part of the Assembly Decision Assembly/AU/Decl.5(XXXII).

16.2 This Policy can be amended and revised periodically, as and when necessary.