

A HUMAN RIGHTS-FOCUSED U.S. ENGAGEMENT WITH THE AFRICAN UNION

A HUMAN RIGHTS & MULTILATERALISM POLICY PAPER

*The African Union Headquarters in
Addis Ababa, Ethiopia. Photo by
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**POLICY
BRIEFING**

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1. SUMMARY OF THE SERIES OF HUMAN RIGHTS AND MULTILATERALISM POLICY PAPERS

The United States’ long-standing mixed record on human rights has in recent years greatly diminished its power to advance human rights in multilateral spaces. Further, in the face of challenges related to public health, conflict, the climate crisis, and rising economic inequality, among others, the way states engage in multilateralism¹ is shifting, along with the role the United States plays in multilateral forums. Current geopolitical crises, such as the conflicts in Ukraine and the Occupied Palestinian Territories and Israel, have tested multilateralism—and the U.S. role in it—and, in some cases, highlighted its shortcomings.² Many countries in the Global South,³ for example, have criticized the United States and the West⁴ for a perceived double standard in how and when they have chosen to direct their resources and attention. In particular, the prominent position that the United States occupies in multilateral spaces due to its resources and power, including but not limited to the United Nations, has been increasingly called into question, as have its attempts to influence global affairs.

The U.S. government’s role and ability to advocate for human rights on the international stage is weakening. The United States has always had a complicated and inconsistent record on human rights, while it has failed to grapple with and transform political, social, economic, and criminal justice systems with roots in structural racism and its role in perpetuating harm and violence against Black, brown and Indigenous communities, including outside its borders. At the same time, international human rights frameworks are also experiencing disruption. The ability of the United Nations to marshal authority and continue to guarantee and advance progress on human rights is very much in doubt.

¹ In this context, “multilateralism” is understood as a form of cooperation between at least three states, based on shared norms and objectives. Multilateralism is thus important for advancing human rights because the system for the promotion and protection of human rights is grounded in an international legal framework. Moreover, threats to human rights are often global in nature and therefore require a concerted international response. See United Nations, “International Day of Multilateralism and Diplomacy for Peace, 24 April,” undated, [un.org/en/observances/multilateralism-for-peace-day](https://www.un.org/en/observances/multilateralism-for-peace-day); Cornell Law School Legal Information Institute, “multilateral,” July 2023, [law.cornell.edu/wex/multilateral](https://www.law.cornell.edu/wex/multilateral/); International Justice Resource Center, “Overview of the Human Rights Framework,” undated, [ijrcenter.org/ihr-reading-room/overview-of-the-human-rights-framework](https://www.ijrcenter.org/ihr-reading-room/overview-of-the-human-rights-framework).

² See, for example, Monica Herz and Giancarlo Summa, “The UN and the multilateral system are in crisis – what the Global South must do,” *The Conversation*, 28 September 2023, theconversation.com/the-un-and-the-multilateral-system-are-in-crisis-what-the-global-south-must-do-214515; Oliver Stuenkel, “Why the Global South is accusing America of Hypocrisy,” *Foreign Policy*, 2 November 2023, foreignpolicy.com/2023/11/02/israel-palestine-hamas-gaza-war-russia-ukraine-occupation-west-hypocrisy/.

³ The term “Global South” is an imprecise term, but it is often used to refer to low/lower middle-income countries and their social, economic, and political features, in comparison to higher-income countries. Many, but not all, countries that are considered part of the Global South are located in the southern hemisphere; the “Global North” likewise refers to higher-income countries that are generally, but not exclusively, located in the northern hemisphere. The terms are therefore not entirely tied to geography. See, United Nations Department of Economic and Social Affairs, “What is ‘South-South cooperation’ and why does it matter,” 20 March 2019, [un.org/development/desa/en/news/intergovernmental-coordination/south-south-cooperation-2019.html](https://www.un.org/development/desa/en/news/intergovernmental-coordination/south-south-cooperation-2019.html).

⁴ In general, “the West” refers to countries in North America and Europe, especially those that have historically held greater amounts of wealth and influence in international affairs.

Amnesty International USA recognizes that a meaningful power shift is needed to address systemic human rights failures in the current geopolitical environment, where the United States plays an outsized role. However, the United States should not isolate itself or withdraw from its international commitments. Rather, it has an obligation to continue to engage on human rights, bolster multilateral systems that advance human rights—even when not party to them—and guard against the degradation of existing international human rights mechanisms.

Multilateral systems are likely to face significant challenges in the coming months and years, and these difficulties must be met with solutions that are both creative and inclusive. The recent BRICS expansion has been seen by some as further indication of dissatisfaction with the current global political and economic systems and a call for a more inclusive approach to multilateralism that recognizes the value and leadership of countries in the Global South.⁵ At the same time, regional multilateral institutions have proven to be important power centers for brokering peace and stability. For example, the African Union is implementing “African solutions to African problems,”⁶ when so often the region’s autonomy has been sidelined in the context of “great power” competition. The United States must find a way to adapt to this changing multilateral landscape.

This series of policy papers on multilateralism and human rights includes analysis and recommendations to reimagine what the United States’ role could be in the multilateral system if it centers the advancement of human rights in its foreign policy.

2. INTRODUCTION

In the face of challenges related to public health, conflict, the climate crisis, and rising economic inequality, among others, the way states engage in multilateralism⁷ is shifting, along with the role the United States plays in multilateral forums. Where human rights fit into these crises and this shift continues to be a question. Current geopolitical crises, such as Russia’s full-scale invasion of Ukraine and the conflict in the Occupied Palestinian Territories and Israel, have tested multilateralism and, in some cases, highlighted its shortcomings.⁸ Many countries in the Global South,⁹ for example, have criticized the United States and the West¹⁰ for a perceived double standard in how and when they have chosen to direct their resources and attention. Moreover, the recent BRICS expansion has been seen by some as further indication of dissatisfaction with the current global political and economic systems and a call for a more inclusive approach to multilateralism that recognizes the value and leadership of countries in the Global

⁵ See, for example, Council on Foreign Relations Council of Councils, “The BRICs summit 2023: Seeking an alternate world order?,” 31 August 2023, [cfr.org/councilofcouncils/global-memos/brics-summit-2023-seeking-alternate-world-order](https://www.cfr.org/councilofcouncils/global-memos/brics-summit-2023-seeking-alternate-world-order); Leslie Vinjamuri, “Why multilateralism still matters: The right way to win over the Global South,” *Foreign Affairs*, 2 October 2023, [foreignaffairs.com/world/why-multilateralism-still-matters?check_logged_in=1](https://www.foreignaffairs.com/world/why-multilateralism-still-matters?check_logged_in=1).

⁶ The phrase was originally coined by the political economist George Ayittey. See Institute for Security Studies, “African solutions to African problems,” 18 September 2008, issafrica.org/iss-today/african-solutions-to-african-problems.

⁷ In this context, “multilateralism” is understood as a form of cooperation between at least three states, based on shared norms and objectives. Multilateralism is thus important for advancing human rights because the system for the promotion and protection of human rights is grounded in an international legal framework. Moreover, threats to human rights are often global in nature and therefore require a concerted international response. See United Nations, “International Day of Multilateralism and Diplomacy for Peace, 24 April,” undated, [un.org/en/observances/multilateralism-for-peace-day](https://www.un.org/en/observances/multilateralism-for-peace-day); Cornell Law School Legal Information Institute, “multilateral,” July 2023, [law.cornell.edu/wex/multilateral/](https://www.law.cornell.edu/wex/multilateral/); International Justice Resource Center, “Overview of the Human Rights Framework,” undated, [ijrcenter.org/ihr-reading-room/overview-of-the-human-rights-framework](https://www.ijrcenter.org/ihr-reading-room/overview-of-the-human-rights-framework).

⁸ See, for example, Monica Herz and Giancarlo Summa, “The UN and the multilateral system are in crisis – what the Global South must do,” *The Conversation*, 28 September 2023, [theconversation.com/the-un-and-the-multilateral-system-are-in-crisis-what-the-global-south-must-do-214515](https://www.theconversation.com/the-un-and-the-multilateral-system-are-in-crisis-what-the-global-south-must-do-214515); Oliver Stuenkel, “Why the Global South is accusing America of Hypocrisy,” *Foreign Policy*, 2 November 2023, [foreignpolicy.com/2023/11/02/israel-palestine-hamas-gaza-war-russia-ukraine-occupation-west-hypocrisy/](https://www.foreignpolicy.com/2023/11/02/israel-palestine-hamas-gaza-war-russia-ukraine-occupation-west-hypocrisy/).

⁹ The term “Global South” is an imprecise term, but it is often used to refer to low/lower middle-income countries and their social, economic, and political features, in comparison to higher-income countries. Many, but not all, countries that are considered part of the Global South are located in the southern hemisphere; the “Global North” likewise refers to higher-income countries that are generally, but not exclusively, located in the northern hemisphere. The terms are therefore not entirely tied to geography. See, United Nations Department of Economic and Social Affairs, “What is ‘South-South cooperation’ and why does it matter,” 20 March 2019, [un.org/development/desa/en/news/intergovernmental-coordination/south-south-cooperation-2019.html](https://www.un.org/development/desa/en/news/intergovernmental-coordination/south-south-cooperation-2019.html).

¹⁰ In general, “the West” refers to countries in North America and Europe, especially those that have historically held greater amounts of wealth and influence in international affairs.

South.¹¹ In particular, the prominent position that the United States occupies in multilateral spaces due to its resources and power, including but not limited to the United Nations, has been increasingly called into question, as have its attempts to influence global affairs.

One such area in which the United States' influence and credibility is changing is in Africa. There are mixed views on the nature of these changes, with some arguing that U.S.-Africa policy is inadequate or not welcome,¹² while others contend that the policy is moving in a positive direction, even if there are areas for improvement.¹³ In 2022, the Biden administration introduced the U.S. Strategy Toward Sub-Saharan Africa¹⁴ and held the U.S.-Africa Leaders Summit,¹⁵ both of which were supposed to signal a renewed commitment to fostering a strong partnership between the United States and the region. However, as has been argued,¹⁶ the Biden administration's Africa policy has not adequately prioritized human rights, which if left unaddressed, will ultimately limit the effectiveness of the partnership. In short, U.S.-Africa policy must evolve, and it must do so in a way that centers on supporting African agency and more robust multilateral relationships focused on human rights.

In this context, a central question is how – given changes in multilateral institutions in general and U.S. involvement in Africa in particular – the United States will engage with regional opportunities for more inclusive multilateralism moving forward. This policy paper therefore argues that U.S. foreign policymakers must update their analysis and strategy for engaging with multilateral institutions on human rights in Africa, starting with the African Union. This engagement with the AU should focus on bolstering the AU's work, particularly its efforts to advance human rights in the region.

After providing a brief overview of the underlying consultations and policy analysis, the paper will discuss the AU's work – particularly on human rights – and U.S. engagement with the AU. Following this, the paper will share key findings and present a set of recommendations to the U.S. government. These recommendations will address how the United States can take steps to bolster the AU's work, in terms of both overarching shifts in how the U.S. government approaches the AU, as well as the incremental changes that would serve the larger objectives of an updated U.S.-AU policy, with a focus on human rights. The paper concludes that engaging with the AU as a partner on human rights issues will allow the United States to better navigate the changing landscape of multilateral institutions because it recognizes the need and opportunity for African institutions to play a leading role in addressing challenges in the region.

3. METHODOLOGY

The analysis presented here is based on a combination of consultations with human rights and African Union experts based in the East Africa region, as well as analysis of civil society reports, U.S. government policy documents, AU materials, and media reports.

¹¹ See, for example, Council on Foreign Relations Council of Councils, "The BRICs summit 2023: Seeking an alternate world order?," 31 August 2023, [cfr.org/councilofcouncils/global-memos/brics-summit-2023-seeking-alternate-world-order](https://www.cfr.org/councilofcouncils/global-memos/brics-summit-2023-seeking-alternate-world-order); Leslie Vinjamuri, "Why multilateralism still matters: The right way to win over the Global South," *Foreign Affairs*, 2 October 2023, [foreignaffairs.com/world/why-multilateralism-still-matters?check_logged_in=1](https://www.foreignaffairs.com/world/why-multilateralism-still-matters?check_logged_in=1).

¹² See, for example, Carine Kaneza Nantulya and Nicole Widdersheim, "For Biden's Africa strategy to succeed, prioritize human rights," *Just Security*, 16 November 2022, [justsecurity.org/84144/for-bidens-africa-strategy-to-succeed-prioritize-human-rights](https://www.justsecurity.org/84144/for-bidens-africa-strategy-to-succeed-prioritize-human-rights/); Al Jazeera, "Why is the US role in Africa shrinking?," 13 October 2022, [aljazeera.com/program/the-bottom-line/2022/10/13/why-is-the-us-role-in-africa-shrinking](https://www.aljazeera.com/program/the-bottom-line/2022/10/13/why-is-the-us-role-in-africa-shrinking).

¹³ See, for example, Aubrey Hruby, "The US has gotten the day to day right in Africa policy. Time to think bigger.," *Atlantic Council*, 13 March 2022, <https://www.atlanticcouncil.org/blogs/africasource/the-us-has-gotten-the-day-to-day-right-in-africa-policy-time-to-think-bigger/>; Joseph Sany, "The new U.S. Africa strategy is a moment we must seize," *United States Institute of Peace*, 11 August 2022, [usip.org/publications/2022/08/new-us-africa-strategy-moment-we-must-seize](https://www.usip.org/publications/2022/08/new-us-africa-strategy-moment-we-must-seize).

¹⁴ White House, "U.S. Strategy toward Sub-Saharan Africa," August 2022, [whitehouse.gov/wp-content/uploads/2022/08/U.S.-Strategy-Toward-Sub-Saharan-Africa-FINAL.pdf](https://www.whitehouse.gov/wp-content/uploads/2022/08/U.S.-Strategy-Toward-Sub-Saharan-Africa-FINAL.pdf).

¹⁵ U.S. Department of State, "U.S.-Africa Leaders Summit," undated, [state.gov/africasummit](https://www.state.gov/africasummit).

¹⁶ Maria Kisumbi and Kate Hixon, "Biden's Africa agenda is still ignoring human rights," *World Politics Review*, 18 December 2023, [worldpoliticsreview.com/us-africa-relations-human-rights/](https://www.worldpoliticsreview.com/us-africa-relations-human-rights/).

4. BACKGROUND

This section provides context on the African Union and its role in addressing human rights issues in the region, as well as existing U.S. foreign policy in sub-Saharan Africa and engagement with the African Union.

The African Union, for its part, coordinates among African countries on a range of political, economic, social, and cultural issues, including the advancement of human rights.¹⁷ Indeed, one of the stated objectives of the African Union is “to promote and protect human and peoples’ rights in accordance with the African Charter on Human and Peoples’ Rights and other relevant human rights instruments.”¹⁸ The Charter and other instruments form the basis of the regional human rights system, and various AU organs are involved in the organization’s efforts to promote respect for human rights.¹⁹ Other AU objectives relate to encouraging international cooperation and promoting peace on the continent. AU principles include “respect for democratic principles, human rights, the rule of law and good governance,”²⁰ among others related to promoting social justice and gender equality. Finally, Agenda 2063, the strategic framework for the continent, includes respect for human rights as a core aspiration for the region.²¹ Thus, the advancement of human rights has been integrated into the framework of the African Union and many aspects of its efforts throughout the continent.

However, the African Union’s work has not been without criticism, including on human rights issues. One analysis of the organization’s shortcomings is that the AU has generally been reluctant to act on questions of justice and accountability for human rights abuses.²² Although AU interests may occasionally align with these goals and some accountability mechanisms have been established, the organization has acted slowly in the implementation of such measures. Another set of critiques maintains that the African Union in general and the Peace and Security Council (PSC) in particular have not been effective in preventing or resolving conflicts in the region, which often create and perpetuate human rights abuses.²³

Regarding existing U.S. foreign policy in Africa and engagement with the African Union, the U.S. Strategy Toward Sub-Saharan Africa²⁴ is one important element. The document outlines key strategic objectives in the region and the U.S. approach to achieving these goals. U.S. objectives in Africa include: 1) “foster[ing] openness and open societies”; 2) “deliver[ing] democratic and security dividends”; 3) “advanc[ing] pandemic recovery and economic opportunity”; and 4) “support[ing] conservation, climate adaptation, and a just energy transition.”²⁵ The means by which the United States hopes to meet these objectives include modernizing public diplomacy, supporting sustainable development, investment in defense tools, increasing U.S. investment and trade, promoting the digital transformation, and investing in urban renewal and infrastructure, among other strategies.²⁶

As far as its engagement with the African Union, the United States has had a diplomatic mission to the organization (USAU) since 2006; the goal of its establishment was to deepen the engagement between

¹⁷ African Union, “AU in the nutshell,” undated, au.int/en/au-nutshell.

¹⁸ Constitutive Act of the African Union, adopted on 11 July 2001 Article 3(h).

¹⁹ See, for example, African Union, “Democracy, law & human rights,” undated, au.int/en/democracy-law-human-rights

²⁰ Constitutive Act of the African Union, adopted on 11 July 2001 Article 4(m).

²¹ African Union (AU) Commission, *Agenda 2063: The Africa We Want*, September 2015, au.int/sites/default/files/documents/36204-doc-agenda2063_popular_version_en.pdf.

²² See Institute for Security Studies, *The African Union at 20, 2023*, issafrica.s3.amazonaws.com/site/uploads/AU-20-book-rev.pdf, pp. 137-141; see also Amnesty International, “Letter to AU Commission Chairperson on South Sudan from civil society organizations. (Index: AFR 65/5780/2021),” 9 June 2021, [amnesty.org/en/documents/afr65/5780/2021/en](https://www.amnesty.org/en/documents/afr65/5780/2021/en).

²³ See, for example, Institute for Security Studies PSC Report, “AU must take the lead on the DRC conflict,” 17 April 2023, issafrica.org/pscreport/psc-insights/au-must-take-the-lead-on-the-drc-conflict; Tafi Mhaka, “Why is the African Union absent in Sudan,” Al Jazeera, 24 May 2023, [aljazeera.com/opinions/2023/5/24/why-is-the-african-union-absent-in-sudan](https://www.aljazeera.com/opinions/2023/5/24/why-is-the-african-union-absent-in-sudan).

²⁴ Although the African Union represents the entire continent, the US-Africa policy mentioned here does not include North Africa.

²⁵ See White House, “U.S. Strategy toward Sub-Saharan Africa,” August 2022, [whitehouse.gov/wp-content/uploads/2022/08/U.S.-Strategy-Toward-Sub-Saharan-Africa-FINAL.pdf](https://www.whitehouse.gov/wp-content/uploads/2022/08/U.S.-Strategy-Toward-Sub-Saharan-Africa-FINAL.pdf), p. 4.

²⁶ White House, “U.S. Strategy toward Sub-Saharan Africa,” August 2022, [whitehouse.gov/wp-content/uploads/2022/08/U.S.-Strategy-Toward-Sub-Saharan-Africa-FINAL.pdf](https://www.whitehouse.gov/wp-content/uploads/2022/08/U.S.-Strategy-Toward-Sub-Saharan-Africa-FINAL.pdf), pp. 13-15.

the U.S. and AU.²⁷ USAU staff include representatives from the Departments of State and Defense, as well as USAID.²⁸ Peace and security is one of the key areas in which the mission coordinates with the AU.²⁹

5. FINDINGS

5.1 EXPERTS INDICATE THAT THE UNITED STATES CAN AND SHOULD ACT RESPONSIBLY IN THE REGION BY SUPPORTING AFRICAN EFFORTS TO ADVANCE HUMAN RIGHTS.

Consultations with human rights and African Union experts based in the East Africa region indicate that the United States can and should act responsibly in the region by supporting African efforts to advance human rights. To be clear, there is criticism of the United States and its credibility in leading calls for justice and accountability in Africa because of the extent to which the United States is seen as hypocritical in how it has chosen to direct its advocacy and resources in other settings. However, there were some indications that the United States could be helpful in urging governments to implement measures for justice and accountability. These efforts would be especially important because, as noted, African countries and the African Union have often been willing to establish mechanisms but have been slow in implementing them.³⁰

5.2 IT IS POSSIBLE THAT THE UNITED STATES CAN SUPPORT CONFLICT RESOLUTION THROUGH CONSTRUCTIVE DIPLOMATIC EFFORTS.

Moreover, these conversations indicated that U.S. efforts could be productive in the area of conflict resolution. The assessment was that in general, the AU Peace and Security Architecture has not been effective in preventing or resolving conflicts for various reasons. Some positive examples given were the establishment of a factfinding commission in South Sudan³¹ and the decision to send troops into Burundi to address violence,³² but it was noted that these kinds of developments are not common. In terms of U.S. interaction with the AU Peace and Security Council (PSC), the individuals consulted noted that there are typically two levels of engagement with the Peace and Security Architecture: substantive engagement and financial support. They explained that USAU has been active in engaging with the PSC, citing U.S. engagement early in the Sudan conflict with the Expanded Mechanism on the Sudan Crisis.³³ However, the U.S.-led Jeddah process³⁴ to resolve the conflict in Sudan was cited as one example where the United States had an opportunity to support an inclusive, African-led response to the crisis, but chose not to –

²⁷ U.S. Mission to The African Union, “Policy & History,” undated, <https://www.usau.usmission.gov/our-relationship/policy-history/>.

²⁸ U.S. Mission to The African Union, “Policy & History,” undated, <https://www.usau.usmission.gov/our-relationship/policy-history/>.

²⁹ U.S. Mission to The African Union, “Policy & History,” undated, <https://www.usau.usmission.gov/our-relationship/policy-history/>; U.S. Mission to the African Union, “Factsheet: U.S. Partnership with the African Union,” undated, <https://www.usau.usmission.gov/factsheet-u-s-partnership-with-the-african-union/>.

³⁰ The experts highlighted delays in the implementation of legally binding commitments to create the Hybrid Court for South Sudan since 2015, despite AU support. See Amnesty International, African Union’s abandoned commitment to justice in Africa: The case of the hybrid court for South Sudan (Index: AFR 65/6196/2022), 23 November 2022, [amnesty.org/en/documents/af65/6196/2022/en](https://www.amnesty.org/en/documents/af65/6196/2022/en), p. 7.

³¹ See African Union (AU) Commission, *AU Commission of Inquiry on South Sudan*, 15 October 2014, peaceau.org/uploads/aucomiss.final.report.pdf.

³² See African Union Peace and Security Council, *Communiqué*, 17 December 2015, peaceau.org/uploads/psc-565-comm-burundi-17-12-2015.pdf; The initial decision to deploy troops was seen as a significant step, but ultimately the AU did not move forward with the deployment. A previous AU peacekeeping mission in Burundi had some limited successes, but that mission was established before the AU PSC became fully operational. See Liesl Louw-Vaudran, “Burundi a big step forward for the AU,” Institute for Security Studies, 8 January 2016, issafrica.org/iss-today/burundi-a-big-step-forward-for-the-au; Stephanie Wolters, “Are African heads of state dropping the ball in Burundi?,” Institute for Security Studies, 2 February 2016, issafrica.org/iss-today/are-african-heads-of-state-dropping-the-ball-in-burundi; Festus Agoagye, *The African Mission in Burundi: Lessons learned from the first African Union Peacekeeping Operation*, Institute for Security Studies, 26 August 2004, reliefweb.int/report/burundi/african-mission-burundi-lessons-learned-first-african-union-peacekeeping-operation.

³³ African Union, “Third meeting of the expanded mechanism on the Sudan crisis to discuss the implementation of the African Union roadmap for the resolution of the conflict in Sudan,” 31 May 2023, au.int/en/newsevents/20230531/third-meeting-expanded-mechanism-sudan-crisis-discuss-implementation-african#:~:text=The%20Expanded%20Mechanism%20on%20the%20Sudan%20Crisis%20was%20established%20at,resolution%20of%20the%20conflict%20to.

³⁴ See U.S. Department of State, “Joint Statement on Commitments from Jeddah talks between Sudanese armed forces and rapid support forces,” 7 November 2023, state.gov/joint-statement-on-commitments-from-jeddah-talks-between-sudanese-armed-forces-and-rapid-support-forces/.

the U.S. and Saudi Arabia set up the process mostly without involving the AU – which ultimately undermined the AU’s legitimacy as a key actor for both addressing the immediate term needs to end the conflict and longer-term solutions. Thus, the United States appears to be engaged with the AU on the topic of conflict resolution in the region, but in practice, these efforts have varied in terms of how the U.S. appears to factor in the AU in its strategy and approach.

5.3 THERE IS UNDERSTANDABLE CRITICISM OF PAST U.S. ENGAGEMENT AND SKEPTICISM OF A CHANGED APPROACH.

Those interviewed noted that some in the region are skeptical about the extent to which the United States could credibly play a role in efforts to ensure justice and accountability for human rights abuses, given the current geopolitical situation and frustrations with U.S. hegemony, described above. Indeed, there is frustration that African countries have had to adhere to certain standards to receive U.S. assistance, but the United States has not applied those same standards to its relationships with other countries, such as Israel.

6. RECOMMENDATIONS

Recognizing that progress on many issues in the region is dependent on the resolution of existing conflicts and accountability for human rights abuses built on sustainable solutions for the region, the United States should reorient its engagement with the African Union and build a consistent and credible partnership with the institution. Bolstering the AU’s efforts at conflict resolution and stability in the region requires both longer-term objectives and immediate tactical policy shifts.

To accomplish a human rights foreign policy in its AU engagements, the U.S. should:

- Make human rights the guiding principle for U.S. engagement with the AU
- Articulate concrete steps it is taking to prioritize human rights in its AU engagements; and,
- Vocally encourage African partners to lead the way in finding solutions to human rights challenges on the continent, with the AU as the first stop in the process of formulating those solutions.

For example, the U.S. should coordinate with the AU on human rights-focused responses to situations where coups have taken place, as such responses would help bolster the AU’s authority in fragile contexts.

The human rights focus in U.S.-AU engagement should go beyond mere rhetoric³⁵ and include bolstering mechanisms within the AU that could advance human rights solutions. The U.S. policy approach should recognize both the value and limitations of the institution – and resolve to work with and through these realities. Therefore, the U.S. should:

- Work with AU actors to assess human rights needs and identify how to effectively address gaps through technical assistance responsive to these needs – whether this involves trainings and workshops for AU staff on particular issues or finding ways to facilitate civil society engagement with AU mechanisms;
- Help strengthen existing AU human rights mechanisms, including the African Commission on Human and Peoples’ Rights (ACHPR), which has undertaken important work on human rights issues but faces challenges in the implementation of its decisions;³⁶

35 See Kate Hixon and Kehinde A. Togun, “Don’t Let Ethiopia Avoid Accountability,” *Foreign Policy*, 10 July 2023, foreignpolicy.com/2023/07/10/ethiopia-tigray-agoa-biden-abiy-sanctions-human-rights/.

36 See, for example, Human Rights Watch, “African Rights Commission’s work more important than ever,” 2 November 2022, [hrw.org/news/2022/11/02/african-rights-commissions-work-more-important-ever](https://www.hrw.org/news/2022/11/02/african-rights-commissions-work-more-important-ever).

- Urge African partners to comply with the judgments of the African Court on Human and Peoples' Rights (ACTHPR) and for those that have withdrawn their declarations allowing individuals and NGOs to directly file cases with the Court, to reconsider that decision.³⁷
- Encourage African partners to comply with and support the work of other human rights-focused legal organs of the AU, including the African Committee of Experts on the Rights and Welfare of the Child (ACERWC).³⁸
- Support AU member states seeking to move forward with the proposed African Court of Justice and Human Rights³⁹ and, once established, support the Court's efforts to ensure accountability for international crimes;
- Invest in supporting the African Peace and Security Architecture;⁴⁰ and
- Ensure transparency regarding all resources and technical capacity provided to AU partners, including how resources are being used throughout the process.

In practice, establishing an equal partnership with the AU will require several incremental changes to be undertaken by the U.S. State Department. To signal to the African Union that the U.S. government takes seriously its commitments to being a partner, the U.S. should:

- Ensure the expertise of USAU is incorporated in U.S. policy approaches to African countries, including its assessment of opportunities for collaboration with the AU.
- Integrate coordination with AU human rights mechanisms and human rights considerations as a priority in work on conflict resolution in Africa.
- Work with the AU to make progress in addressing human rights abuses during and after conflicts – especially by promoting accountability for abuses – in an effort to promote sustainable solutions in affected areas.

The U.S. should also ensure its engagement strategy with the AU includes robust engagement with African civil society working to advance human rights, peace, and stability in the region. Those in and in association with the communities affected by human rights violations are well-placed to provide recommendations regarding their needs, including how multilateral institutions, such as the AU, and members of the international community, like the U.S., can respond. Finding a way to formally and regularly consult with these groups, including about how the U.S. should engage and support the AU, would be helpful in both determining appropriate rights-based policy actions and in demonstrating to many who are skeptical of U.S. actions in Africa that the United States is committed to acting responsibly in the region, including working through the regional body tasked with upholding human rights.

7. CONCLUSION

The AU has faced challenges and criticism for how it has handled matters related to human rights. Some of these challenges are related to structural and political factors within the organization, but many

³⁷ See African Court on Human and Peoples' Rights, Activity Report of the African Court on Human and Peoples' Rights (AFCHPR) - 1 January - 31 December 2023, 26 April 2024, african-court.org/wpafc/activity-report-of-the-african-court-on-human-and-peoples-rights-afchpr-1-january-31-december-2023/; Amnesty International, The State of African Regional Human Rights Bodies and Mechanisms 2019-2020 (Index: AFR 01/3089/2020), 21 October 2020, [amnesty.org/en/documents/afr01/3089/2020/en/](https://www.amnesty.org/en/documents/afr01/3089/2020/en/).

³⁸ African Committee of Experts on the Rights and Welfare of the Child, "Overview," acerwc.africa/en/page/african-committee-experts-rights-and-welfare-child.

³⁹ See Allan Ngari and Zenaida Machado, "Angola becomes first country to join African Criminal Court," Human Rights Watch, 14 June 2024, [hrw.org/news/2024/06/14/angola-becomes-first-country-join-african-criminal-court#:~:text=Angola%20has%20officially%20become%20the,before%20it%20enters%20into%20force](https://www.hrw.org/news/2024/06/14/angola-becomes-first-country-join-african-criminal-court#:~:text=Angola%20has%20officially%20become%20the,before%20it%20enters%20into%20force).

⁴⁰ See, for example, Andrea Prasow and Carine Kaneza Nantulya, "Getting US-Africa relations back on track with a focus on human rights," Just Security, 2 April 2021, [justsecurity.org/75607/getting-us-africa-relations-back-on-track-with-a-focus-on-human-rights/](https://www.justsecurity.org/75607/getting-us-africa-relations-back-on-track-with-a-focus-on-human-rights/).

challenges could be addressed through increased capacity-building and technical assistance and by being recognized as a primary player in the region. Instead of circumventing the AU because of its perceived problems, the U.S. government should commit to working with it to improve those difficulties. Overlooking the African Union or failing to seriously engage with it risks weakening it, creates backlash from the institution, and jeopardizes the ability of the AU to serve its important intended role to address human rights in the region. Instead, engaging with the AU as a partner and taking steps to make it more effective would allow the United States to act in a responsible and sustainable way that supports African institutions in exercising their leadership. Ultimately, a successful U.S.-AU strategy would facilitate cooperation on other stated priorities of the current U.S.-Africa policy, such as the climate crisis—facilitating “African solutions” to both “African problems” and global ones.

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Contact


gr@aiusa.org


facebook.com/
AmnestyUSA


@AmnestyUSA


amnestyusa.org



Amnesty International USA
Washington National Office
1150 18th Street, NW
Suite 550
Washington, DC 20036

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