

INFORMATION & COMMUNICATION DIRECTORATE

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The African Union Takes Significant Steps Towards Establishing a Common African Position on the Application of International Law in Cyberspace

The African Union Commission on International Law (AUCIL) has been tasked with preparing a draft AU statement on the application of international law in cyberspace, vide Communiqué PSC/PR/COMM.1120.1 (2022) adopted by the Peace and Security Council of the African Union (PSC) on 9 November 2022. The Communiqué also instructed the AUCIL and the African Union Commission (AUC) to provide technical assistance to Member States in the process of developing their national positions and a Common African Position (CAP) on this issue. The PSC has highlighted the importance of establishing a unified African stance on the application of international law in cyberspace.

The African Union (AU) recognizes the ever-changing nature of the digital realm and its impact on peace, security, and development. As a result, the AU emphasizes the need for Africa to actively participate in the process of defining the rules of international law in order to increase Africa's voice, influence in shaping global norms and frameworks governing cyberspace and safeguard its interests.

The AU Member States have initiated a cooperative endeavor to formulate a CAP on the topic at hand. In this regard, the CAP is still going through consultations among Member States and experts and will be at a later stage considered by the PSC and the AU Policy Organs. This noteworthy accomplishment will serve as a testament to Africa's commitment to addressing the difficulties and possibilities presented by cyberspace, as well as its dedication to upholding international law in this quickly evolving domain.

In developing the CAP, the AU is benefiting from the support of Global Affairs Canada (GAC). In this regard, two capacity-building training sessions for AU Member States were successfully conducted and provided participants with the necessary knowledge and abilities to effectively contribute to the formulation of the CAP. The first one was held virtually from March 29-30. The second one took place at the AU Headquarters from June 12-14, 2023, and was also an opportunity for initial consultations with Member States and African Experts on the draft Statement that was adopted by the AUCIL. The third part of the capacity-building training program will be held in New York from July 19 to 21, 2023. The program will be for experts representing AU Member States in the UN General Assembly First Committee, which is responsible for following multilateral processes such as the Open-Ended Working Group on cybersecurity. The program will also be attended by legal experts representing AU Member States in the UN General Assembly Sixth Committee, which is responsible for legal affairs and will be an opportunity to continue consultations on the draft Statement.

The development of a CAP on the application of international law in cyberspace marks a significant milestone in Africa's journey towards a free, secure and safe cyberspace. It demonstrates the continent's dedication to fostering an environment that promotes cybersecurity, respects human rights, encourages innovation, and ensures equitable digital opportunities for all African citizens.

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