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P.O. Box: 3243, Addis Ababa, Ethiopia, Tel.:(251-11) 551 38 22 Fax: (251-11) 551 93 21
Email: situationroom@africa-union.org, oau-ews@ethionet.et

PEACE AND SECURITY COUNCIL
163RD MEETING
22 DECEMBER 2008
ADDIS ABABA, ETHIOPIA

PSC/MIN/Comm.4(CLXIII)

COMMUNIQUE

COMMUNIQUE OF THE 163rd MEETING OF THE PEACE AND SECURITY COUNCIL

The Peace and Security Council of the African Union (AU), at its 163rd meeting held at ministerial level, on 22 December 2008, adopted the following decision on the situation in Somalia:

Council:

1. **Takes note** of the Report of the Chairperson of the Commission on the situation in Somalia [PSC/MIN/ 4(CLXIII)], as well as the statements made by the representatives of the Transitional Federal Government (TFG) of Somalia, IGAD (Chair and Executive Secretariat) and the United Nations;

2. **Recalls** all its previous decisions and press statements on the situation in Somalia;

3. **Reiterates** its commitment to the respect of the unity, territorial integrity and sovereignty of Somalia;

4. **Notes with concern** that Somalia is, once again, at a crossroad, with the risks that recent developments could lead to a total collapse of all the efforts so far deployed to promote peace, security, stability and reconciliation, and **calls on** all concerned to show leadership and rise to the daunting challenges facing the country;

5. **Welcomes** the progress made in the implementation of the Djibouti Agreement of 19 August 2008, including the Agreement of 26 October 2008 on the Modalities for the Cessation of Hostilities between the TFG and the Alliance for the Re-liberation of Somalia (ARS) and the Joint Declaration on the Government of National Unity and the Expanded Parliament issued by the TFG and the ARS on 26 October 2008 and subsequently endorsed by the Transitional Federal Parliament (TFP), as well as the establishment of the Benadir Administration, the work being accomplished by the High-level Committee and the Joint Security Committee established in pursuance of the Djibouti Agreement, and the steps taken by the ARS to relocate its leadership to Somalia;

6. **Encourages** the TFG and the ARS to intensify their efforts towards the implementation of the Agreements they have reached and **urges, once again,** all parties that have not yet done so to join the peace process;

7. **Reiterates its serious concern** at the divisions within the TFG, in particular, and in the Transitional Federal Institutions (TFIs) in general, which constitute an obstacle to the promotion of an all-inclusive political process and the achievement of national reconciliation. Council **stresses** that no one should be allowed, both within and outside Somalia, to stand in the way of the ongoing efforts aimed at promoting reconciliation, peace and stability in Somalia;

8. **Welcomes** the communiqué adopted by the 31st Extraordinary Session of the IGAD Council of Ministers held in Addis Ababa on 21st December 2008. In particular, Council **affirms its full support** to Prime Minister Nur Hassan Hussein Adde and his new cabinet, which was endorsed by the TFP. Council **condemns** the attempt by

President Abdullahi Yusuf, in violation of the Transitional Federal Charter (TFC) and in complete disregard of the decisions taken by IGAD at its meetings of 29 October and 18 November 2008, held respectively in Nairobi and Addis Ababa, to unconstitutionally appoint a new "Prime Minister". Council **requests** all Member States and the larger international community not to recognize the "Prime Minister" appointed by President Yusuf and any other individual associated with that appointment;

9. **Expresses concern** over the prevailing security situation in Mogadishu, in particular, and in Somalia, in general, and the negative impacts it has on the humanitarian situation. Council **condemns** all acts of violence perpetrated against civilians and humanitarian workers, in violation of international humanitarian law, as well as attacks on AMISOM personnel and positions and all acts and threats of violence perpetrated by those elements seeking to undermine the political process, hinder the operations of AMISOM and undermine regional peace and stability;

10. **Decides** to endorse the decision adopted by IGAD, at the 30th Extraordinary Session of its Council of Ministers held in Addis Ababa on 18 November 2008, to impose targeted sanctions, including travel ban and asset freeze, against all those hindering the on-going efforts towards reconciliation, peace and stability in Somalia. Council **further endorses** the decision of the 31st Extraordinary Session of the IGAD Council of Ministers to impose sanctions on the unconstitutionally designated "Prime Minister" and his immediate associates;

11. **Requests** the Chairperson of the Commission to establish a committee of experts charged with working out the modalities of the implementation of these sanctions, including elaborating and updating on a regular basis the list of targeted individuals and entities, as well as monitoring their implementation, and to submit the envisaged list to Council for endorsement;

12. **Welcomes** the adoption, by the United Nations Security Council, of resolution 1844 (2008) on 20 November 2008, as well as the intention of the Government of Kenya to take measures against Somali leaders hindering the political process in Somalia, in line with the IGAD communiqué of 30 November 2008;

13. **Decides** to extend the mandate of AMISOM, as spelt out in communiqué PSC/PR/Comm(LXIX) adopted at its 69th meeting held on 19 January 2007, including protecting its personnel, installations and equipment and the right of self-defence, for two additional months, starting from 16 January 2009. Council **further decides** that, in line with the communiqué adopted at its 139th meeting held on 29 June 2008, AMISOM shall support the implementation of the Djibouti Agreement, including aspects relating to the training of the envisaged 10,000 joint TFG-ARS security force to promote security in Mogadishu and its surroundings;

14. **Reiterates** its appreciation to the Ugandan and Burundian Governments for their continued commitment to the advancement of the cause of peace and reconciliation in Somalia. Council **further reiterates its appreciation** for the dedication and work on the ground of the personnel of AMISOM, in spite of the prevailing challenging security conditions and the logistical and financial constraints facing the Mission;

15. **Notes with concern** that, in spite of all the efforts deployed so far, nearly two years after the decision to deploy AMISOM, the Mission is yet to reach its authorized strength of nine battalions. In this respect, Council **expresses satisfaction** at the readiness of the Government of Uganda and Burundi to contribute one additional battalion each, as well as the confirmation by Nigeria of its pledge of one battalion. Council **calls on** other Member States to contribute the troops and other personnel required for the Mission to reach its authorised strength;

16. **Welcomes** the support, both financial and logistical, provided so far by AU member States and partners, which made current AMISOM deployment possible and **further calls** on AU Member States and partners to provide the required logistical and financial support for the full deployment of AMISOM and the sustenance of its operations;

17. **Pays tribute** to Ethiopia for its invaluable contribution to the search for peace and reconciliation in Somalia and the sacrifices it made by maintaining its troops in Somalia for two years, pending the full deployment of AMISOM or that of an international stabilization force to be authorized by the United Nations Security Council;

18. **Takes note** of the decision of the Ethiopian Government to withdraw its troops from Somalia by the end of the year, in accordance with the Djibouti Agreement, and **notes** the new challenges posed by this withdrawal. In this respect, and taking into account that the withdrawal of the Ethiopian troops has already begun, Council **requests** the Commission to engage the Ethiopian Government as speedily as possible to ensure that all the necessary work with respect to transition is fully handled before the withdrawal of the Ethiopian troops is completed. Council **further requests** the Commission, in consultation with the Troop Contributing Countries to AMISOM, to develop a new concept of operations, which would provide for all the required arrangements, including in the areas of security, capacity building, logistics and funding. Council **also requests** the Commission to pursue and intensify its efforts aimed at ensuring the availability of the required resources upon which the Troop Contributing Countries will continue with the Mission after the withdrawal of the Ethiopian troops;

19. **Reiterates** the primary responsibility of the United Nations Security Council for the maintenance of international peace and security. Council, **once again**, **calls on** the Security Council to immediately and without any further delay take the steps expected of it, in particular by authorizing the deployment of an international stabilisation force and, subsequently, that of a peace keeping operation to take over from AMISOM and support the long-term stabilisation and reconstruction of Somalia. Pending the deployment of such an operation, and since the continued stay of AMISOM forces will depend on the availability of the required resources, Council **requests** the United Nations Security Council to authorize a support package for AMISOM on the basis of the proposals contained in the letter addressed by the UN Secretary-General to the Security Council on 19 December 2008, bearing in mind the provisions of Chapter VIII of the UN Charter;

20. **Expresses concern** at the increasing acts of piracy and armed robbery at sea off the coast of Somalia and its serious implication both for international maritime security and the delivery of humanitarian assistance to Somalia. While expressing

appreciation for the efforts being exerted to address this problem, Council **urges** that the zeal and mobilization displayed by the international community in the fight against piracy and armed robbery at sea also apply to efforts required in order to bring to an end the violence and suffering being witnessed on main land by Somalia. Council **stresses** that any lasting solution to the problem of piracy and armed robbery at sea off the coast of Somalia requires that the underlying problems within Somalia itself be effectively and swiftly addressed, including through the early deployment of a United Nations peacekeeping operation in support of the ongoing political process;

21. **Pays tribute** to all humanitarian agencies and workers in Somalia and **expresses appreciation** to the countries providing support to humanitarian activities in Somalia. Council **calls on** members of the international community to respond generously and with the flexibility required to the consolidated appeal for Somalia launched in Nairobi on 2 December 2008;

22. **Decides** to remain seized of the matter.

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