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PEACE AND SECURITY COUNCIL
221st MEETING
17 MARCH 2010
ADDIS ABABA, ETHIOPIA

PSC/PR/COMM.(CCXXI)

COMMUNIQUE

COMMUNIQUE OF THE 221st MEETING
OF THE PEACE AND SECURITY COUNCIL

The Peace and Security Council (PSC) of the African Union (AU), at its 221st meeting held on 17 March 2010, received a briefing from the Commission, as well as from the Representatives of the Southern African Development Community (SADC) and the SADC Mediation on the situation in the Republic of Madagascar and adopted the following decision:

Council,

1. **Takes note** of the presentations made by the Commission and SADC representatives on developments in Madagascar and the continued efforts towards the return to constitutional order in that country;
2. **Recalls** its previous decisions and press statements on the situation in Madagascar, in particular its communiqué PSC/PR/COMM.1 (CCXVI) of 19 February 2010, whereby Council, *inter alia*, **urged** the de facto authorities emanating from the unconstitutional change of Government to accept before 16 March 2010, the Maputo Agreements of 8 and 9 August 2009, and the Additional Act of Addis Ababa of 6 November 2009, and to nullify all domestic legal instrument that provides otherwise. Council **also recalls** that in its Communiqué of 19 February 2010, it decided that if the de facto authorities from the unconstitutional change of Government do not comply, by 16 March 2010 at the latest, with the diligent implementation of Maputo Agreements and the Additional Act of Addis Ababa, a number of penalties will be applied;
3. **Notes with regret** that the authorities in place and the Rajoelina Camp has not, within the stipulated time, responded positively to its request. Council **also regrets** that the Rajoelina Camp has continued to act unilaterally, in flagrant and repeated violation of Maputo Agreements of 8 and 9 August 2009 and the Additional Act of Addis Ababa of 6 November 2009. Council **stresses** that this attitude of the authorities in place carries the risk of even greater instability and difficulties for the Malagasy people that are faced with continued socio-economic deterioration;
4. **Decides**, therefore, that the sanctions listed in the Communiqué PSC/PR/COMM.1 (CCXVI) enter into force as of 17 March 2010, namely travel ban, freezing of funds and other financial assets and economic resources, as well as diplomatic isolation, against Mr. Andry Nirina Rajoelina and the individuals mentioned in the attached List;
5. **Requests** the Commission to formally communicate this decision to the de facto authorities of Madagascar and the Member States and partners of the AU, and take all other necessary arrangements for the strict implementation of the sanctions. Council **requests** the Commission, in close collaboration with SADC, to work towards finalizing the list of entities

subject to the sanctions contained in its Communiqué of 19 February 2010, and to regularly update the list of individuals involved;

6. **Calls upon** all Member States to extend their full cooperation to the implementation of these sanctions and recalls in this respect, the obligations of all Member States pursuant to Article 7 (2, 3 and 4) of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union;

7. **Urges** all multilateral partners of the AU, especially the UN, EU and other international organizations, as well as bilateral partners, including the permanent members of UN Security Council, to strongly support this decision. In this regard, Council **underlines** the importance that the AU attaches to this issue and the need for the AU partners to refrain from any action which could undermine the efforts of the African Union and sending other signals to the authors of the unconstitutional change of Government in Madagascar, that could undermine the democratization process to which Member States of the AU are committed. Council **requests** the Commission to monitor this issue and to report on any developments relating thereto;

8. **Decides** to regularly assess the implementation of the sanctions and in accordance with the principles and practices applicable in the matter, to consider on a case-by-case basis requests for derogations and exemptions for humanitarian or religious reasons, or reasons related to participation in mediation efforts and the promotion of the return to constitutional order;

9. **Notes with satisfaction** the intention expressed by Chairperson of the Commission and the Head of the SADC Mediation to continue their efforts to relaunch the process of implementation of inter-Malagasy Maputo Agreements and Addis Ababa Additional Act between the signatory camps and **reaffirms** the readiness to support these efforts. In this regard, Council reserves the right to review the regime of sanctions, as well as the list of targeted individuals, within the framework of the efforts deployed towards the return to constitutional order;

10. **Requests** the Chairperson of the Commission, in close collaboration with the Executive Secretary of SADC, the Head of SADC Mediation and the International Conduct Group on Madagascar, to monitor and ensure implementation of this decision and continue to work for the return to constitutional order in Madagascar;

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

2010

Communique

African Union Commission

Peace and Security

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