

AFRICAN UNION
الاتحاد الأفريقي



UNION AFRICAINE
UNIÃO AFRICANA

Addis Ababa, ETHIOPIA

P. O. Box 3243

Telephone 517 700 Fax : 517844

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REPORT OF THE CHAIRPERSON OF THE COMMISSION
ON CONFLICT SITUATIONS IN AFRICA

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I. INTRODUCTION

1. This report gives an account of the evolution of the various conflict situations on the Continent and the efforts deployed by the African Union to contribute to their resolution. Generally speaking, developments since the Abuja Summit last January were marked by a significant progress in the resolution of the conflicts besetting our Continent, notably in Burundi and the DRC, with the pursuit of the transition process in these two countries despite the delays and the difficulties encountered; in Côte d'Ivoire where the process for the implementation of the Linas-Marcoussis and Accra III Agreements was put back on track thanks to the relentless efforts of President Thabo Mbeki; and in Liberia where elections marking the end of the transition are slated for October this year. However, these inroads remain fragile, hence the need for sustained efforts to make sure that they are irreversible.

2. In the same vein, more sustained efforts are required to overcome the persistent deadlock in the peace process between Ethiopia and Eritrea; re-energize the peace dynamic in Somalia, failing which the results of the Reconciliation Conference under the aegis of the International Authority for Development (IGAD) will be in jeopardy; bring the negotiation process in the Darfur region in Sudan to a successful conclusion, improve the security in that region and fight impunity. The African Union is expected to play a lead role in all these situations.

3. The period under review was characterized by the emergence of a crisis situation in Togo, following the death on 5 February 2005 of General Gnassingbe Eyadema. This crisis has brought to the fore the imperative need for the AU not only to review the Lome Declaration with a view to strengthening the provisions thereof, but also to map out an appropriate strategy to deal with pre and post electoral tensions facing many of our countries and thus prevent them from degenerating into open conflicts

II. STATUS OF CONFLICT SITUATIONS

i) Comoros

4. During the period under review, the Commission continued to monitor the situation in The Comoros, particularly developments in the reconciliation process in the Archipelago. In this regard, it is worth noting that significant inroads were made in the implementation of the 20 December 2003 Agreement on the transitional provisions in The Comoros, notably with the putting in place and operationalization of new political, administrative and economic institutions at the level of both the Union and the islands, including the establishment of the Assemblies and Governments of the Islands and of the Union, as well as the Constitutional Court.

5. Notwithstanding the progress achieved, the process is still facing many difficulties during the period under review. These difficulties related, among other things, to inadequate dialogue and co-operation between the Union and Islands Executives, as well as between the Executive and the Assembly of the Union; power sharing between the Union and the Islands; delays in the adoption, promulgation and implementation of the basic laws required to complete the process; as well as lack of human and material resources. Furthermore, it is worth noting that from the military and security perspectives, there are many problems relating to the formation of a single army, the status of the internal security forces of the autonomous Islands and the deployment of the army of the Union throughout the national territory. The Socio-economic situation has also been a source of concern.

6. In order to help the Comorian parties overcome these hurdles, I fielded an evaluation mission to the Archipelago from 18 to 22 January 2005. My Special Envoy to The Comoros, Francisco Madeira later visited the country from 21 to 28 March 2005. That mission was followed by the visit of a ministerial delegation of the countries of the region and the AU Troika from 6 to 7 May 2005, during which the Ministerial Committee held a meeting to evaluate the progress made in the reconciliation process.

7. The Committee noted with satisfaction the progress made in the implementation of the Fomboni and Beit Salam Agreements, and encouraged the authorities of the Union and the Islands to demonstrate greater political will and determination in order to consolidate the national reconciliation process, in accordance with the letter and spirit of the Fomboni Framework Agreement on Reconciliation in The Comoros and the 20 December 2003 Agreement on the Transitional Provisions in The Comoros. At the same time, the Committee underscored the need for all Comorian institutions to respect and facilitate the exercise by each of them of all its powers, as provided for under the Constitution and the legislations of the country. The Committee urged the heads of the institutions of the Union and the Islands to pursue their efforts aimed at finding solutions to the prevailing problems, particularly those pertaining to power sharing, through dialogue and regular consultations. The Committee also appealed for the speedy adoption, promulgation and implementation of all the laws necessary for the completion of the reconciliation process. It was of the view that a relentless pursuit of the reconciliation process would encourage the international community to lend its support and provide socio-economic assistance. It urged the Comorian institutions to speed up the process that should pave the way for the holding of the scheduled elections in accordance with the letter and spirit of the Constitution. The Committee took note of the commitment made by all the parties to respect the provisions of the Constitution relating to the rotating presidency of the Union between the Islands and the need to prepare credible elections.

8. The Committee further reiterated its commitment to continue to support the people and the institutions of the Union of The Comoros in their efforts to achieve national reconciliation. To this, it undertook to set up a support group made up of eminent African experts in parliamentary, constitutional and financial procedures, as well as in military and security matters, in order to support the Comorian institutions and overcome the outstanding problems, particularly those pertaining to power sharing.

9. The Committee appealed to the AU Member States and to the international community to continue to provide the necessary assistance to the Comorian institutions. It also urged the international financial institutions to consider the difficult socio-economic situation prevailing in The Comoros and to show greater understanding. For its part, the Committee pledged to intensify AU's efforts towards the holding in Mauritius of the Donors Round Table for The Comoros.

10. At the time of finalizing this report the Commission was following up on the decisions of the Ministerial Committee. I would like to emphasize, at this juncture, that the assistance of the African Union and the rest of the international community will only produce the desired effects if the Comorian parties demonstrate the necessary political will and sense of compromise. To this end, it is worth noting the encouraging developments in the relations between the Union and the autonomous I`lands since the ministerial meeting of May 2005.

ii) Somalia

11. During its Abuja session, I briefed Council on the situation in Somalia. I highlighted the progress made in the peace process, in particular the election of the Transitional Federal Parliament (TFP) and the election of Abdullahi Yusuf Ahmed as President of the Transitional Federal Government (TFG), last October. I also highlighted the difficulties then facing the TFG and other Transitional Federal Institutions (TFIs), with regard to their relocation from Kenya to Somalia.

12. During the period under review, real progress has been made regarding the physical relocation of the TFIs. The process of relocating the TFIs was formally launched in Nairobi, Kenya, on 13 June 2005, with the departure of President Abdullahi Yusuf Ahmed, followed subsequently, by the movement of the rest of the TFIs to Somalia. The relocation process has been going on smoothly, despite the persistence of divergent viewpoints among the TFIs, vis-à-vis the critical political and military issues facing Somalia, particularly the issue of relocating the TFIs directly to Mogadishu or to some transit towns for security reasons, and the composition of foreign troops to be deployed in the country. Furthermore, the lack of funding to meet the operational costs of the relocated TFIs remains an obstacle facing the functioning of those institutions.

13. Council would recall that the President of the TFG addressed the Peace and Security Council (PSC), on 25 October 2004, requested the AU to support his Government through the deployment of a 15,000 to 20,000-strong peacemaking force in Somalia. The PSC requested the Commission to examine the request and make recommendations to it. In light of that request, the Commission convened military experts meetings on 4 and 5 November, in Addis Ababa, and, subsequently, on 15 and 16 December 2004, in Nairobi, to explore ways and means to help stabilise the security situation in Somalia and to support the relocation and the post-relocation sustenance of the TFIs. The 22nd meeting of the PSC, held on 5 January 2005 and which considered the outcomes of the Nairobi experts meeting in particular, accepted in principle the deployment of an AU Peace Support Mission (AU PSM) in Somalia. The meeting

further requested the Commission to submit to it recommendations on the mandate, size, structure, tasks and funding requirements for such a Mission.

14. Council would recall, also, the meeting of the IGAD Heads of State and Government held on the margins of the 4th Ordinary Session of the Assembly of the Union, in Abuja, on 30 and 31 January 2005. The IGAD Heads of State and Government discussed the Somalia peace process, with respect to the delayed relocation of the TFG from Kenya to Somalia and the concomitant problems. They issued a communiqué expressing the commitment of Djibouti, Ethiopia, Kenya, Sudan and Uganda to provide troops and/or equipment for the deployment of a Peace Support Mission to provide security to the TFG of Somalia, in order to ensure its relocation to Somalia and guarantee the sustenance of the outcome of the IGAD peace process.

15. Subsequently, the Assembly adopted a decision in which it welcomed the Abuja communiqué of the IGAD Heads of State and Government, and requested the PSC to mandate IGAD to deploy a peace support mission, pending the deployment of the envisaged AU PSM; the Assembly further requested the Commission to provide support and assistance. It was in this perspective that the 24th meeting of the PSC, held on 7 February 2005, adopted a decision in which it, *inter alia*, authorized IGAD to deploy a peace support mission in Somalia, to provide security support to the TFG, in order to ensure its relocation to Somalia, guarantee the sustenance of the outcome of the IGAD peace process, and assist with the establishment of peace and security, including the training of the police and the army.

16. In pursuance of the request of the PSC, and taking account of the decisions referred to above, the Commission dispatched a fact-finding/reconnaissance mission to Somalia, from 14 to 26 February 2005. The fact-finding/reconnaissance mission was composed of military experts and representatives from the Commission, which provided the leadership of the Mission; the IGAD Secretariat; the League of Arab States; and some IGAD Member States, namely Ethiopia, whose representative only participated in the pre-departure deliberations in Nairobi, Kenya and Uganda, as well as the TFG. The IGAD Members States of Djibouti, Eritrea and Sudan were invited by the Commission to send representatives to participate in the fact-finding/reconnaissance mission, but did not send their representatives early enough to depart with the Mission. In addition, the EU, the UN, Italy and Sweden, who were also invited to enjoin representatives to the Mission, could not do so at the last moment, citing security reasons for their own representatives. Despite the constraints arising from the prevailing insecurity in the capital and other areas in the country, the Mission successfully executed its mandate.

17. The 29th meeting of the PSC took place on 12 May 2005, to consider my report on the outcomes of the fact-finding/reconnaissance mission and the IGAD Military Planning meetings, held from 7 to 14 March 2005, in Entebbe, Uganda, to elaborate the deployment plan for IGAD, as well as the deliberations of the 24th Ordinary Session of the IGAD Council of Ministers, held in Nairobi, on 17 and 18 March 2005, which considered the deployment plan of the IGAD Peace Support Mission in Somalia (IGASOM), among other issues. In his address to the meeting, the Prime Minister of the TFG appealed for maximum support from the AU, IGAD and the larger international

community, in order to help stabilise the security situation in his country and to facilitate the relocation of the TFIs; called for the early deployment of the IGAD Peace Support Mission (IGASOM) in Somalia to help with the stabilisation of the security situation ahead of the relocation of the TFIs; announced the adoption by the TFP, on 11 May 2005, of a Bill on the issue of the relocation of the TFG and other TFIs, as well as the deployment of the IGASOM; and appealed to the AU to take the lead in seeking exemptions from the United Nations Security Council on the arms embargo imposed against Somali, to enable the operationalisation of the IGAD and the AU peace support missions.

18. The PSC took note, among other aspects, of the efforts deployed by the TFG, the other TFIs and the Somali parties, to resolve the problems facing the reconciliation process, including the initiative by some of the Somali leaders to improve security in the capital, under the Mogadishu Security and Stabilisation Plan (MSSP). Council authorised the deployment of Phase I of IGASOM, comprising two battalions, one each from Sudan and Uganda, as agreed upon by the 24th Ordinary Session of the IGAD Council of Minister, it being understood that the AU will take over thereafter. In this regard, the 25th Ordinary Session of the IGAD Council of Ministers, which was held in Nairobi, on 12 June 2005, received confirmation that the IGASOM troops from both the Sudan and Uganda were ready to deploy as soon as the funds are available, and the UN arms embargo for the contingent is lifted.

19. I would like to inform Council that efforts are underway at the Commission to operationalise the AU Advance Mission in Nairobi that will prepare for the take over of IGASOM by the AU at the end of Phase I. Efforts are also under way, as requested by the PSC, and based on collaboration between the Commission and the IGAD Secretariat, to mobilise funds for the operationalisation and sustenance of the IGASOM. In this respect, a communication was addressed to the European Union, soliciting funds for the deployment of IGASOM. Also, I wrote to the UN Secretary-General to assist in the efforts to obtain the requested exemption on the arms embargo.

20. On a related issue, I dispatched a fact-finding mission to Somaliland, from 30 April to 4 May 2005, to undertake consultations with the authorities of the self-declared independent Republic on a wide range of issues pertaining to the global pacification of Somalia. The Mission met with the President of Somaliland, who stated that his country would not return to the now defunct Union with Somalia. In this regard, he stated that the Union failed to achieve its objectives and malfunctioned, thereby creating a lot of suffering among the people of Somaliland. He also noted that the Siad Barre regime and its army brutalized the people and committed numerous atrocities in Somaliland. He made a plea that Somaliland be recognized as an independent and sovereign country, within the colonial borders that existed on 26 June 1960, when the territory acceded to independence from Britain. The Mission also toured some towns in Somaliland to listen to and gather views from the people.

iii) Peace Process between Ethiopia and Eritrea

21. At its last session, I briefed Council on the Ethiopia-Eritrea peace process. In particular, I highlighted the lack of progress in the peace process, owing to the divergent approaches of the parties to the implementation of the April 2002 Delimitation Decision of the Ethiopia-Eritrea Boundary Commission (EEBC). I also highlighted the new dimension brought about in the peace process by Ethiopia's Five-Point Peace Proposal, as announced on 25 November 2004.

22. During the period under review, the peace process has remained handicapped by the opposing positions of the parties. Eritrea insists on adherence to the April 2002 Delimitation Decision. On its part, Ethiopia calls for prior dialogue to address the "anomalies and impracticalities of the Delimitation Decision." In effect, the demarcation of the border between Ethiopia and Eritrea, as determined by the EEBC, has not taken place.

23. Despite the lack of movement in the peace process, the situation in the Temporary Security Zone (TSZ) continues to be calm and stable. However, there have been a number of disturbing signals in and around the TSZ:

- continued restrictions of movement for the peacekeepers, though the situation has, to some extent, improved in areas adjacent to the TSZ;
- shooting incidents, resulting in casualties and fatalities;
- militia carrying arms and ammunition not supposed to be carried within the TSZ;
- failure to produce identity cards by militias, leading to suspicions and accusations and counter-accusations by both parties;
- movement of large numbers of militia within the TSZ without giving prior notice; and
- increase of troops south of the TSZ.

24. On 24 February 2005, the EEBC issued its 16th report, providing details on the main factors accounting for its incapacity to complete its mandate, as provided for under the Algiers Agreements. In the report, the EEBC indicated that, "*despite its efforts to secure the resumption of the demarcation process, it has been unable to do so.*" Explaining the compounding difficulties, the Commission cited, among other problems, the case of a meeting scheduled for 22 February in London to which it invited both parties. Eritrea "accepted the invitation", but "Ethiopia declined it, saying the meeting would be premature, unproductive and could have an adverse impact on the demarcation process". Owing to the difficulties, the Commission took steps to "close down its Field Offices" in both countries, saying that the same could be "reactivated if

Ethiopia abandons its present insistence on preconditions for the implementation of the demarcation". It was, also, the view of the Commission that "the line of the boundary was legally and finally determined by its Delimitation Decision...", and that any "conduct inconsistent with this line is unlawful".

25. Ethiopia responded to the report of the EEBC, first, by pointing out what it qualified as incorrect statements and conclusions in the EEBC report, particularly with respect to the Commission's assertion that Ethiopia has rejected dialogue; the Commission's definition of delimitation and demarcation, which is not consistent with international practice, as well as with the Commission's own recognition of the need to vary the delimitation line in two areas in the central Sector, where the strict application of the line as delimited would be manifestly impracticable; and Ethiopia's acceptance in principle of the Delimitation Decision. Ethiopia recalled that the Commission's own decision on delimitation made it clear that the location of the delimited boundary would not be known until after demarcation; in addition, the Commission's decision states that the coordinates are not definitive and more information must be gathered before definitive coordinates are to be known. More generally, Ethiopia re-affirmed its commitment to achieve "a sustainable peace with Eritrea, encompassing demarcation of the boundary and normalisation of relations".

26. On 14 March 2005, given the blockage in the peace process and some incidents around the TSZ, and following consultations with some of the AU partners, I addressed a letter to the Chairperson of the Union, expressing my preoccupation with the state of relationship between Ethiopia and Eritrea. I proposed the convening of a meeting of the witnesses of the Algiers Agreements, which would consider concrete measures to apply with a view to unblocking the peace process. At the time of finalizing this report, the Commission was considering the modalities for the convening of such a meeting.

27. Furthermore, on 14 March 2005, the UN Security Council adopted resolution 1586(2005), in which it, *inter-alia*, extended the mandate of UNMEE to 15 September 2005; called on both parties to refrain from any increase in troops in areas adjacent to the TSZ, and to refrain from any threat of use of force against each other; stressed on Ethiopia's and Eritrea's primary responsibility for the implementation of the Algiers Agreements and the Decision of the EEBC, and called upon both parties to show leadership to achieve a normalization of their relationship, including through political dialogue for the adoption of further confidence-building measures, and to consolidate progress achieved so far by making use of the existing framework of the Boundary Commission. Council also reiterated its call on the parties to cooperate fully and promptly with the Boundary Commission and create the necessary conditions for demarcation to proceed expeditiously. It called on Ethiopia to start implementation of demarcation, without preconditions, by taking the necessary steps to enable the Commission to demarcate the border completely and promptly.

28. During the reporting period, the United Nations Mission in Ethiopia and Eritrea (UNMEE) continued to play its role in the TSZ, albeit at reduced strength, following Security Council resolution 1560 (2004) of 14 September 2004, which called for downward adjustment of the Mission and the streamlining of its operations. In the same

vein, the AU Liaison Mission in Ethiopia and Eritrea (OLMEE) continues its monitoring tasks along UNMEE in the TSZ. I would like to call upon the parties to continue to exercise restraint and to work cooperatively with the international community towards the resolution of the border problem.

iv) The Sudan

a) Southern Sudan

29. The Sudan peace process, spearheaded by the IGAD, was successfully completed on 9 January 2005, when the Government of the Sudan (GoS) and the Sudan People's Liberation Movement/Army (SPLM/A) signed the Comprehensive Peace Agreement (CPA), thus laying the foundation to end Africa's longest running armed conflict. At its Libreville meeting, in January 2005, the PSC welcomed the CPA and expressed its conviction that this agreement offers a framework upon which other contentious issues in the Sudan, including the conflict in Darfur, could be resolved. The 4th Ordinary Session of the Assembly also welcomed the signing of the CPA and congratulated the Sudanese parties for this landmark achievement.

30. The CPA is being implemented in two stages. The first stage is the six-months pre-interim period, which commenced on the day of signing of the CPA. This period will be followed, starting from July 2005, by the six-year interim period, at the end of which there shall be a referendum to decide on the future of Southern Sudan. It would also be recalled that the CPA provides for the establishment of certain institutions and mechanisms, such as the Interim National Constitution (INC), the Assessment and Evaluation Commission (AEC) and the Ceasefire Joint Military Commission (CJMC).

31. One of the most important issues within the framework of the CPA is the formation of the National Constitutional Review Commission (NCRC), during the pre-interim period. The NCRC is expected to organize and finalize an all-inclusive constitutional review process. This process is ongoing, albeit some other Sudanese political parties have complained of lack of inclusiveness. The primary aim of the NCRC is to prepare the draft text for the INC, which would be the basis for the Government of National Unity between the GoS, the SPLM/A and other Sudanese political parties. The NCRC, which has completed most of its tasks, is expected to present the completed draft INC for ratification by both the National Assembly of the Sudan and the National Liberation Council of the SPLM (SPLM-NLC), on 9 July 2005.

32. Once the INC has been ratified, Field Marshall Omar Hassan Al Bashir and Dr John Garang shall be sworn in as President and First Vice President of the Republic of the Sudan, respectively. From 9 July, the two leaders will have one month to form a Government of National Unity, which will then commence its work on 9 August 2005. There shall also be consultations between the President, the First Vice President and other Sudanese political parties on the formation of the caretaker Government for Southern Sudan.

33. Equally important, within the CPA, is the AEC. The AEC shall be charged with the critical responsibility of monitoring the implementation of the CPA and conducting a crucial mid-term evaluation of the unity arrangements. This institution shall be established after the adoption of the INC.

34. The Ceasefire Joint Military Commission (CJMC), an essential tool devised by the parties to monitor the ceasefire agreement, has also been formed in Juba, as stipulated by the CPA. The CJMC, which is a military decision-making body and includes representatives of the UN, is answerable to the Ceasefire Political Commission (CPC). The CPC includes senior political representatives from both parties and senior officers from the Sudan Armed Forces and the SPLM/A, and is answerable to the Presidency.

35. In compliance with the CPA, the SPLM/A has now established offices in Khartoum, in order to take up its responsibilities as part of the Sudanese Government of National Unity. In this respect, the Chairman of the SPLM/A is expected to relocate to Khartoum during the first week of July 2005. Moreover, the SPLM/A leadership has an ongoing programme that involves sending its members to various countries for training on issues of good governance and diplomacy, as part of a strategy to transform the SPLM/A into an effective political party able to carry out its national government duties during the interim period.

36. On 24 March 2005, and in support of the implementation of the CPA, the United Nations Security Council, through resolution 1590 (2005), decided to establish the United Nations Mission in Sudan (UNMIS) for an initial period of six (6) months; it further decided that UNMIS shall consist of up to 10,000 military personnel and an appropriate civilian component, including up to 715 civilian police personnel. The deployment of UNMIS is currently in progress.

37. Council will recall that, at its Maputo session in 2003, it established a Ministerial Committee on Post-Conflict Reconstruction in the Sudan chaired by South Africa, in order to support reconstruction efforts in the country. The Committee has undertaken a number of initiatives since its inception. These initiatives include, among others, the convening of a workshop in Cape Town, on 18 February 2005.

38. The Cape Town Workshop mapped out a strategy for the AU's intervention in the post-conflict reconstruction process of the Sudan, focusing on its political, humanitarian, social, and economic dimensions. In this respect, it should be recalled that, in June 2004, the Commission and the Republic of South Africa sent an exploratory technical team to the Sudan, to identify the needs of the country. Consequently, communications were sent to Member States for them to identify areas in which they could best assist the Sudan. So far, Algeria, Egypt, Kenya, Nigeria and South Africa have responded. Based on the communications received from the Member States, the Committee developed an "Implementation Matrix" for implementing the reconstruction projects in the Sudan. Contributions by Member States will be coordinated with contributions from the larger international community. In this respect, particular emphasis was laid on the need to closely cooperate with the Joint Assessment Mission/Joint National Transitional Team (JAM/JNTT) process. This process is made up of the UN, the World Bank, the GoS and the SPLM/A.

39. Subsequently, the Committee travelled to the Sudan from 22 to 26 March 2005. During the mission, the Committee met with President Omar Hassan Al Bashir, First Vice President Ali Osman Taha, and SPLM/A Chairman John Garang, to discuss the post-conflict needs of the Sudan.

40. From 11 – 12 April 2005, in Oslo, an international Donors Conference was convened on the Sudan. The Committee on Post-Conflict Reconstruction participated in the Conference on behalf of the AU. The Conference was primarily aimed at soliciting international financial support for the reconstruction of the Sudan. The Joint GoS/SPLM body and the Joint National Transitional Team (JNTT) presented a common country paper on the post-conflict reconstruction needs of the Sudan. The Conference raised more than US \$ 4.5 Billion for the first phase of the development plan, i.e. for 2005 – 2007 of the Sudan. This amount also included contributions towards the needs of AMIS.

b) Darfur

41. The situation in Darfur remains a matter of deep concern. In spite of the efforts made by AMIS and the resulting improvements in the areas in which it is deployed, insecurity continues to prevail on the ground, with persistent attacks against civilians as well as increasing incidents of armed banditry and attacks against humanitarian organizations and commercial convoys. I should also like to add the targeting and firing at AMIS personnel and equipment and, most recently, the abduction and detention of AMIS personnel, which have been recorded in the Mission area.

42. The prevailing security situation has negatively impacted on the delivery of the much-needed humanitarian assistance to the civilian population. According to the UN, the total affected population in Darfur was estimated to be about 2.45 million as of 1 March 2005, of which 1.86 million are IDPs. This represents an increase of 45,646 (39 per cent of which were IDPs) in the total affected population, since 1 January 2005. In addition to the affected populations within Darfur, an estimated 200,000 refugees have fled across the border to neighboring Chad due to fighting since early 2003. The affected population in Darfur is expected to further increase in the coming months due to the identification of new populations in need of assistance from the failed agricultural season, lack of rainfall and continuing insecurity.

43. It is against this background that an Assessment Mission led by the Commissioner for Peace and Security travelled to the Sudan from 10 to 22 March 2005. The UN, the EU and the U.S. were invited to join the Mission, whose aim was to identify requirements for enhancing, if need be, the peace support efforts in Darfur, in light of the prevailing security and humanitarian situation. The mission noted a trend towards general improvement, particularly in the areas where AMIS is deployed. The recommendations of the Assessment Mission, as reviewed by the Military Staff Committee (MSC) of the PSC, were submitted to the 28th meeting of the PSC, held on 28 April 2005. Having noted that the AU Mission on the ground did not have sufficient strength to effectively implement its mandate, the PSC decided to increase the strength of the Mission to a total of 6,171 military personnel, with an appropriate civilian component, including up to 1,560 civilian police personnel, by the end of September 2005. Since then, a number of steps have been taken by the Commission to

make it possible to effect the deployment of the authorized strength within the stipulated timeline, including the convening of a meeting of Troop Contributing Countries (TCCs) in Addis Ababa, on 13 May 2005, followed by a Pledging Conference, on 26 May 2005, to mobilize the required financial and logistical resources. About 300 million US dollars have been pledged, including the contributions in kind.

44. As far as the negotiations to reach a comprehensive political settlement are concerned, it should be noted that the period under review has been characterized by intense consultations with the parties, to whom a Draft Framework Protocol for the Resolution of the Conflict in Darfur has been submitted. Consultations were also undertaken with the Chadian co-Mediation and the Nigerian authorities, in their capacity as co-facilitators, as well as the AU partners. The Talks resumed in Abuja on 10 June 2005. I should also like to indicate that I have designated Salim Ahmed Salim, former OAU Secretary-General, as my Special Envoy for the Inter-Sudanese Peace Talks on Darfur. It is my earnest hope that the negotiations will, sooner rather than later, result in an enduring and comprehensive settlement.

v) Democratic Republic of Congo

45. In my report to the 6th Ordinary Session of the Executive Council, I gave an account of the progress made on the road to peace and stability in the DRC. I also briefed Council on the numerous challenges that have yet to be addressed during the transition period.

46. The period under consideration was marked by significant progress despite the persistent tension within the Congolese political class and the resurgence of insecurity, particularly in Ituri. In this respect, the announcement of a possible postponement of the elections by the Chairman of the Independent Electoral Commission at the beginning of the year provoked deep turmoil within the Congolese political class. Political actors, signatories to the comprehensive and all-inclusive agreement but not members of the transitional institutions, called on their militants to take to the streets to protest against the way and manner in which the transition process is conducted. The ensuing violence left several people dead and many injured. The situation seriously threatened the future of the peace and transition process, and mobilized the international community which became further involved in assisting the transition, thereby facilitating the speedy examination of the laws pertaining to the electoral process and a better understanding of the intentions of the various stakeholders in relation to the elections. It was against the background of this new dynamics that the Draft Constitution was adopted on 16 May 2005 by the two Chambers (Parliament, National Assembly and Senate) which met in a solemn session in the presence of Presidents Kabila and Thabo Mbeki. The Draft Constitution will be submitted to a referendum shortly. The overall situation however remains fragile and requires sustained mobilization on the part of the international community to ensure that the elections which should mark the end of the transition are held within the deadline prescribed by the Transition Constitution. In this regard, it is worth noting that upon the recommendation of the Independent Electoral Commission, the Transition Parliament decided to postpone the elections by 6 months.

47. The Joint Verification Mechanisms put in place between the DRC and Rwanda (MCV) on the one hand, and between the DRC, Rwanda and Uganda (the Tripartite), on the other, contributed to restoring trust between the three countries and reinforced the hope for a lasting peace in the region. For its part, the Commission participates actively in the operation of the MCV. As a matter of fact, the 11 officers it appointed to take part in the activities of the Joint Verification Teams are already on the ground. It also participated in all the meetings organized within the Tripartite Framework (DRC/Rwanda/Uganda).

48. The Commission also took a series of actions aimed at implementing the decision of the 23rd Session of the Peace and Security Council on the disarmament and neutralization of the ex-FAR/Interahamwe militias and other armed groups in Eastern DRC. To this end, an information mission proceeded to Kinshasa, Kigali and Arusha – International Criminal Tribunal for Rwanda – (ICTR) from 27 February to 8 March 2005. Furthermore, an AU sponsored consultative meeting on the disarmament and neutralization of the ex-FAR/Interahamwe militias and other armed groups in Eastern DRC brought together, from 15 to 16 March 2005, delegations from the DRC, Rwanda, Burundi and Uganda, as well as representatives of the United Nations, the European Union (EU) and the US Government. The Commission also organized in Addis Ababa on 22 April 2005, a meeting of military experts of Member States of the PSC Chiefs of Defence Committee and the AU Committee on the DRC to examine the practical modalities for the implementation of the PSC decision. The meeting made recommendations on the mandate of an African force, its composition, command and relations with the DRC and MONUC armed forces deployed in the operation zone, and on the fielding of a technical evaluation mission to the region.

49. It was against this background that the <<Forces Démocratiques de Libération du Rwanda>> (FDLR), a politico –military movement, issued a declaration in Rome on 31 March 2005 in which it condemned the genocide committed in Rwanda and its perpetrators, renounced the armed struggle and committed itself to join the DDRRR programme established by the United Nations. Following this declaration, MONUC set out to prepare regrouping sites designed to accommodate the combatants and their families prior to their return to Rwanda. However, at the time of drafting this report, these have not yet registered any movement.

50. It should be pointed out that the security and humanitarian situation still remains a source of concern in Ituri, where a few armed groups continue to attack MONUC convoys and refuse to lay down their arms. However, MONUC's firmness vis-à-vis these groups has enabled over 14,000 armed elements, including many child soldiers to voluntarily lay down their arms.

vi) Burundi

51. In Burundi, the peace and reconciliation process has entered its last phase. The post-transition constitution was adopted by referendum on 28 February 2005. The initial electoral calendar published on 16 October 2004 provided for the conduct of elections between 26 November 2004 (referendum) and 22 April 2005 (presidential election).

Since various forms of constraints have made it impossible to respect this schedule, a new calendar was fixed, which provides for the holding of the various elections as follows: district elections – 3 June 2005; legislative elections – 4 July 2005; senatorial elections – 29 July 2005; presidential election – 19 August 2005; and local elections – 23 September 2005. Consequently, the 24th Summit of the Regional Initiative for Peace in Burundi held in Entebbe, Uganda on 22 April 2005 decided to extend the transition period until 26 August 2005, by which date the President elect will have been sworn in.

52. Communal elections were held on 3 June 2005 despite a few incidents which affected 6 of the 129 districts of the country. CNDD-FDD obtained the absolute majority with 62.67% of the votes, followed by FRODEBU (20.48%) and UPRONA (5.25%). The Electoral Commission on Thursday 9 June had published the electoral lists for the Legislative elections, the campaign of which will begin on 19 June 2005.

53. PALIPEHUTU-FNL, the last armed movement which has not yet joined the peace process, offered to begin serious negotiations with the Transitional Government and work for a viable peace plan. Following the exploratory talks held from 5 to 12 April 2005 between the Ministry of Foreign Affairs of Tanzania and the FNL on the genuineness of this offer, a report was submitted to the 22 April 2005 Regional Initiative Summit. The Summit took note of the progress made during the talks and mandated President Benjamin Mkapa to receive Agathon Rwasa, President of PALIPEHUTU-FNL.

54. Subsequently, President Mkapa facilitated a meeting between the President of Burundi, Domitien Ndayizeye, and Agathon Rwasa. At the end of the discussions which took place in Dar-es-Salaam on 15 May 2005, the two parties declared the immediate cessation of hostilities and decided to establish technical teams tasked to define the permanent ceasefire mechanisms within a period not exceeding one month. The two parties also undertook to begin negotiations as soon as possible, without however impeding the ongoing electoral process. Present at the Dar-es-Salaam talks were my Special Representative in Burundi and the Representative of the UN Secretary General who met with President Ndayizeye and Agathon Rwasa, to express the support and encouragement of their respective institutions. On 6 June I dispatched a delegation of the Commission's experts to join those of the United Nations, Uganda and Tanzania to help the parties to pursue their discussions on a ceasefire mechanism.

55. Parallel to the political process, the process for the reform of the security sector, characterized essentially by the disarmament, demobilization, reintegration and rehabilitation programmes (DDRR) continues its normal course, as evidenced by the demobilization of 7,329 combatants including 6,281 men, 409 women and 639 children, between 2 December 2004 and 28 April 2005. According to the National Demobilization, Reintegration and Rehabilitation Commission (CNDDR), more than two (2) billion Burundian Francs was immediately paid to the demobilized soldiers, under the rehabilitation support programme. CNDDR has announced the impending launching of the PNDDR <<reintegration>> component. It should be pointed out that 2,300 child soldiers were demobilized before the official launching of the demobilization operations on 2 December 2004.

56. The security issue also covers disarmament of the civilian population and concerns two militias, namely the <<gardiens de la paix>> a government militia, and the <<militants combattants>>, a CNDD-FDD militia. This disarmament is underpinned by a presidential decree signed on 4 May 2005, which recommends the establishment of a National Disarmament Commission tasked to map out and implement disarmament strategies.

57. Still on the security aspect of the peace process in Burundi, it should be recalled that the Peace and Security Council meeting on 15 November 2004 had authorized the South African Protection Force deployed in Burundi to protect political personalities, and to henceforth operate under the mandate of the African Union. In order to work out the practical modalities for the implementation of this decision, a joint South African/African Union evaluation mission was fielded to Bujumbura from 11 to 14 April 2005. The Protection Force is now under the effective control of the AU. In the coming weeks the Commission will focus on the finalization of the Agreement on the status of the forces to be concluded with the Burundian Government. This Agreement is expected to govern the presence of the Protection Force, in lieu of the Memorandum Signed with the South African Government, and the Memorandum of Understanding to be concluded with the United Nations which will enable the latter, through the United Nations Operation in Burundi (ONUB), to provide the necessary logistical support. Furthermore, the Commission will, with the help of the United Nations, mount a resource mobilization campaign to finance the operations of the Protection Force.

58. In conclusion, it can be said that the peace process in Burundi is on course and will certainly be completed with the election of the President of the Republic who is expected to be installed on 26 August 2005. It will then be up to the Burundians to buckle down to rebuilding of their country, with the assistance of the African Union, the United Nations and the rest of the international community.

vii) Great Lakes Region

59. Council will recall that the process of the International Conference on the Great Lakes Region entered its 2nd phase with the adoption of the Declaration of Peace, Security, Democracy and Development by the 1st Summit of the Conference held in Dar-es-Salaam from 19 to 20 November 2004. In the said Declaration the Heads of State and Government of the member countries of the Conference Process expressed their determination and resolve to transform the Great Lakes Region into a space of sustainable peace and security, of political and social stability, of shared growth and development; a space of co-operation based on strategies and policies of convergence within the framework of a common destiny, in conformity with the AU Vision, with the full participation of the peoples and in partnership with the United Nations, the African Union and the International Community as a whole.

60. The Declaration also calls on the Heads of State of the Region to take onboard the international community, more particularly the United Nations and its agencies, the African Union and the relevant Regional Economic Communities, the International Financial Institutions, the Group of Friends of the Great Lakes Region and other

development partners, to lend their support to the countries of the region, in declaring the Great Lakes Region <<Specific Reconstruction and Development Area>> with a Special Fund for Reconstruction. Furthermore, the Declaration set up an Inter-Ministerial Regional Committee (RIC) backed by the Regional Preparatory Committee (RPC) to prepare the draft protocols and programmes of action.

61. The RIC held its first meeting in Kigali from 15 to 18 February 2005, thus paving the way for the 2nd phase of the process which will be completed with the holding of the 2nd Summit of the Conference in Nairobi in November 2005. The Kigali meeting among other things set up four Technical Thematic Task Forces (TTTFs) comprising experts from the countries on <<the ground>>. Each of the groups is expected to work on one of the four themes of the Conference, namely: peace and security, democracy and good governance, economic development and regional integration, social and humanitarian issues. The meeting also prepared the list of the draft protocols and programmes to be elaborated and adopted a draft calendar of future meetings.

62. The TTTFs held their first meeting in Mombasa from 4 to 8 April 2005 to consider the terms of reference and the list of the draft Protocols and Programmes of Action adopted by the Kigali meeting. These documents are being finalized by the Joint AU/United Nations Secretariat before being submitted to the countries on the <<ground>>. The documents will be reviewed during the second meeting of the (TTTFs) scheduled to take place in Nairobi from 27 June to 1 July 2005 and later submitted for the consideration of the IRC which will put finishing touches to them during its next two meetings preparatory to the 2nd Summit. The Dar-es-Salaam Declaration together with the Protocols and Programmes of Action which will be adopted by the 2nd Summit will constitute the <<Pact of Security, Stability and Development for the Great Lakes Region>>.

63. The Commission participated actively in all the stages of the process. Indeed, it participated in all the meetings held within the framework of the preparatory process of the 1st Summit, as well as those currently underway in respect of the second Summit. It provided interpretation and translation services to most of the meetings organized within the context of the Conference process. It also envisages to upgrade the AU Liaison Office for the Great Lakes Region in Nairobi and to strengthen it in terms of manpower and working tools. AU's support to the Conference process must be increased to meet the challenges of the 2nd phase of the process and make the actions of the Commission more visible within the Joint Secretariat.

64. The success of the 2nd phase requires greater co-operation and partnership between the African Union and the United Nations within the framework of the Joint Secretariat charged to pilot the process. It also depends to a large extent on the appropriation of the process by the countries on the <<ground>>. This appropriation must be translated into a genuine political will through an effective participation, together with the development partners, in the financing of the activities of the preparatory process of the 2nd phase of the Conference, and the mobilization of available resources in the region, so as to constitute the basis of the <<Special Fund for Reconstruction>> of

the region declared as <<Specific Reconstruction and Development Area>> by the Dar-es-Salaam Declaration.

65. The political, diplomatic, technical and financial support of the Group of Friends of the Great Lakes Region was decisive in the success of the first phase of the Conference process. The Steering Committee of the Group's Fiduciary Fund held two meetings in the Hague on 11 April and 24 May 2005 as part of the preparation of the 2nd phase. At those meetings, the Steering Committee renewed its commitment to continue to support the process.

66. The Group of Friends of the Region, which subscribes to the Dar-es-Salaam Declaration, must also endorse the Proclamation of the Great Lakes Region as <<Specific Reconstruction and Development Area>> with a <<Special Fund>> for its reconstruction. To this end, the countries of the region, the African Union, the United Nations and the partners engaged in the process, especially the countries of the Group of Friends of the Region, must pool their efforts to convince the rest of the international community of the relevance of this idea, with a view to the attainment of the objectives assigned to the Conference.

67. During a public meeting on the International Conference on the Great Lakes Region held on 17 June 2005, the PSC, after noting the progress made in the process, urged the member countries of the Conference to implement without delay the specific and relevant provisions of the Declaration, particularly those relating to the restoration of security at the common borders; the voluntary repatriation of refugees; the disarmament, demobilization and reintegration of ex-combatants; the principle of non-subversion and non-intervention. The PSC also welcomed the decision to declare the Great Lakes Region <<Specific Reconstruction and Development Area>> with a Special Fund for Reconstruction.

viii) Central African Republic (CAR)

68. In the Central African Republic (CAR), the period under consideration was marked by the holding of presidential and legislative elections. Council will recall that at the January 2005 Session its attention was drawn to the statement following the decision of the Constitutional Court invalidating the candidatures of seven of the twelve candidates for the post of President of the Republic. As a result of this stalemate, all the candidates agreed to meet in Libreville in order to resolve the crisis. At the end of the discussions held under the auspices of President El Hadj Omar Bongo Ondimba, an agreement was signed on 22 January 2005. The agreement provided that 11 candidates would be authorized to take part in the presidential election, with the exception of former President Ange Félix Patassé on grounds that he is under legal investigation; that the publication of the results would be the prerogative of the Joint Independent Electoral Commission (CEMI); and that only the Constitutional Court would hear cases of electoral disputes.

69. The first round of the presidential election took place on 13 March 2005. General François Bozize came first with 42.97% of the votes cast (382,241), followed by Martin

Ziguele, candidate for the “Mouvement de liberation du peuple centrafricain” (MLPC), with 23.53% (209,357), and Andre Kulingba of the Rassemblement democratique centrafricain (RDC) with 16.76% (145,945). The two candidates for the second round held on 8 May 2005 were therefore General François Bozize and Martin Ziguele. General Bozize was declared the winner with 64.6%, compared to 35% for Martin Ziguele who conceded defeat and congratulated his opponent. He also called on his supporters to remain calm.

70. Martin Zinguele did not have the support of all the parties of the <<Union des forces vives de la nation (UFVN), an alliance formed by the various candidates opposed to General Bozize. Jean-Paul Ngoupande (5.06%) and Charles Massi (3.22%), as well as Abel Goumba joined General Bozize’s camp, while Andre Kolingba did not give any instructions to his supporters.

71. Concerning the legislative elections, 17 seats were filled in the first round as against 87 in the second round. The Kwa Na Kwa Convergence, a coalition of General Bozize’s partisans, obtained a relative majority, winning 40 out of 105 seats. 34 elected members stood as “independent” candidates. CEMI nullified the vote in one constituency in the South of the country.

72. Even though the first round of the elections took place in a relative calm, the second round was marred by incidents following the publication of the results in some constituencies. The candidates of the MLPC and some political parties have denounced the acts of violence, intimidations and even corruption that characterized the second round. Several appeals have been filed with the Constitutional Court.

73. In another development, the State is experiencing enormous difficulties in meeting its obligations and paying the salaries of civil servants regularly and on time. At the security level, the deployment of CEMAC Multi-national Force (FOMUC) has made it possible to enforce security in a large part of the provinces in the hinterland and to hold the presidential and legislative elections. In this regard, it is worth recalling that CEMAC has solicited AU’s consent for a financial assistance to FOMUC within the framework of the Peace Support Facility established by the European Union (EU) at the request of the African Union. Following the green light of the Commission and the joint AU/EU evaluation mission fielded to Bangui, a contribution to the tune of 3.38 million Euros was granted to FOMUC for the period November 2004 to June 2005. The mandate of FOMUC expires on 30 June 2005 and it is needful to renew it in order not to create a vacuum which could not be easily filled by the current Armed Forces of the country that are gradually being deployed on the ground. CEMAC therefore once again solicited AU’s support for the renewal of FOMUC financing.

74. The just-concluded presidential and legislative elections mark an important milestone in the process designed to stabilize the situation in CAR. It is needful to consolidate this positive development by encouraging the various stakeholders to demonstrate a sense of responsibility and to participate actively in efforts towards the socio-economic recovery of the country. I wish to point out that at the time of finalizing

this report, my Special Envoy for the CAR, Sadok Fayala, is getting ready to proceed to Bangui, Libreville and N'djamena to consult with the stakeholders concerned.

iv) Côte d'Ivoire

75. At the 23rd meeting of the PSC held in Libreville on 10 January 2005, important decisions were taken to re-launch the national reconciliation process in Cote d'Ivoire. Subsequently, President Thabo Mbeki spared no effort to ensure the implementation of the road map he had prepared after meeting with the Ivorian parties in December 2004. His efforts focused mainly on maintaining contact with all the Ivorian parties and ensuring their capacity to implement the road map, consolidating the confidence that has been built, examining in detail the points of divergence with respect to the disarmament, demobilization and reintegration programme (DDR), envisaging possible solutions and measuring their impact among the different parties. This dynamic was welcomed by the Security Council which differed the sanctions provided for under Resolution 1572, to enable the mediation to achieve its objectives.

76. On 1 February 2005, the Security Council passed Resolution 1584 (2005) on the strengthening of the arm embargo. On 10 March 2005, the Follow-up Committee on the Linas-Marcoussis Agreement seized the Speaker of the National Assembly of the need to review the laws "not consistent with the spirit and letter of the Linas-Marcoussis Agreement". During the same period there were demonstrations by groups of young patriots calling for the departure of the "Force Licorne". For their part, the opposition parties in a Communiqué issued on 31 March demanded that the French forces be maintained.

77. After relentless efforts, President Mbeki secured the signing in Pretoria, on 6 April 2005, by all the major Ivorian protagonists, of the Agreement on the peace process in Cote d'Ivoire (Pretoria Agreement). This 18 point Agreement relates, among other things, to the joint declaration on the end of the war; the disarming and dismantling of the militia; disarmament, demobilization and Reintegration programme (DDR); ensuring security in the area under New Forces' control; security of the members of the Government from the New Forces; delegation of powers to the Prime Minister; independent electoral commission; organization of elections; and eligibility to the presidency of the Republic on which the Mediator should pronounce himself only after consultation with the AU Current Chairperson and the United Nations Secretary General.

78. In a letter dated 11 April 2005, President Mbeki communicated his decision requesting President Laurent Gbagbo to implement the provisions of Article 48 of the Ivorian Constitution. After consultation with the "forces vives" of the Nation and the Heads of State institutions, President Gbagbo decided to apply Article 48 of the Constitution and thus enable all the signatories to the Linas-Marcoussis Agreement to be eligible for the presidency of the Republic. With respect to Alassane Dramane Ouattara who chairs "the Rassemblement des Republicains" (RDR), the authorization granted him is only valid for the October 2005 elections and does not concern his nationality. At the same time, the Ivorian Head of State entrusted the voters registration

process and the printing of voters' cards to the National Institute of Statistics; this decision was met with strong reactions on the part of the opposition parties.

79. In its Resolution 1600 (2005) adopted on 4 May 2005, the Security Council welcomed the signing of the Pretoria Agreement by the Ivorian parties. The Council also hailed the decision taken by President Thabo Mbeki concerning eligibility to the presidency of the Republic and noted with satisfaction the announcement by President Gbagbo to the effect that all the candidates designated by the political parties signatories to the Linas-Marcoussis Agreement would be eligible to the presidency.

80. In accordance with the Pretoria Agreement, the Chiefs of Staff of the Armed Forces of Cote d'Ivoire (FANCI) and the New Forces (FN) met in Bouake from 14 to 16 April 2005 under the chairmanship of the Prime Minister, Seydou Diara, and in the presence of a representative of the Mediator, the Deputy Special Representative of the United Nations Secretary General and the commanders of the Neutral Forces, ONUC-Licorne. Thereafter, the two parties met at Daoukro on 19 April to define the modalities for the withdrawal of heavy weapons from the frontline. These weapons were effectively removed on 21 April 2005. From 2 to 6 May 2005, the political capital, Yamoussoukro, hosted a joint seminar on the elaboration and validation of a National Disarmament, Demobilization and Reintegration Programme (PNDDR). This encouraging development was however marred by inter-ethnic clashes which occurred between 29 April and 1 May, and between 31 May and 6 June 2005 in Duekoue in the West of the country, and its surrounding, claiming many victims.

81. After intense negotiations and failed attempts, FANCI and FN finally concluded an agreement in Yamoussoukro on 14 May 2005, which fixed the practical modalities for the DDR. Under this agreement, the disarmament which will commence on 27 June and end on 10 August should lead to the demobilization of 48,000 combatants including 42,500 former rebels and 5,500 loyalists. The total cost of the DDR is estimated at CFA franc 85 billion. In the same vein, the operation for the disarmament and demobilization of the militia took off in Guiglo, in the West of the country, on 25 May 2005.

82. It should be pointed out, however, that the New Forces declared at a press conference held in Abidjan on 13 June that they were not bound by the calendar and plan of action of the DDR operations made public on 14 May, adding that these were proposals made to the chiefs of staff of the two forces by the Commission in charge of the DDR. They believe that the security of persons, the assembly points and their rehabilitation, as well as the review of some texts that are inconsistent with the Linas-Marcoussis Agreement remain, among other things, the necessary prerequisites before any disarmament.

83. Faced with this new development, the Follow-up Committee on the Linas-Marcoussis Agreement visited the area under the control of the New Forces on 14 June 2005, after meeting with the Government side. The delegation of the Follow-up Committee had talks with the officials of the New Forces and visited the envisaged cantonment sites of Bouake which evidently were not ready. The Follow-up Committee

expressed its concern and recalled the measures taken or in the process of being taken by the United Nations, including:

- Appointment of a Special Representative to oversee the elections;
- Strengthening the mandate and complement of the Neutral Forces; and
- New resolution on Cote d'Ivoire in the pipeline.

84. The Follow-up Committee then proceeded to Bondoukou in the government-controlled area where it also visited the cantonment sites. According to the NCDDR officials, 80% of the government sites are ready.

85. For his part, the AU Mediator dispatched a delegation led by Ayande Ntsaluba, Director of the "Africa" Department at the Ministry of Foreign Affairs of South Africa, to resume contact with the Ivorian parties. The delegation met with the New Forces on 15 June 2005 in Bouake. Meetings are also scheduled with the other parties to the conflict.

86. On the humanitarian aspect, the situation has again deteriorated with recurrent inter-ethnic clashes in the West of the country since the beginning of the year. The human rights situation also continues to be a source of concern.

87. I encourage the Ivorian parties to keep the momentum created after the Pretoria Agreement by honouring the commitments to which they have subscribed and work towards the full implementation of the Pretoria Agreement.

x) Liberia

88. Implementation of the Accra Comprehensive Peace Agreement (CPA) of August 2003. The National Electoral Commission (NEC) embarked on the process leading to the holding of elections in October 2005, starting with the Voter Education Programme, at the end of January. This was followed by the Voter Registration Programme, amidst calls from the National Transitional Legislative Assembly (NTLA) and other segments of the society, comprising of a coalition of the unwilling, who were calling for a postponement of the elections. Reacting to that call, the International Contact Group on Liberia (ICGL) made it clear that the elections would not be postponed and that the CPA would be fully implemented.

89. At the end of the disarmament and demobilization (DD) process, last November, the re-integration and rehabilitation (RR) programme took off, but it was only able to cover a quarter of the total number of ex-combatants. The RR is currently facing funding constraints to carry out the full programme. The donors recently renewed their commitments to funding the programme, but conditioned it on the National Transitional Government of Liberia's (NTGL) political willingness to demonstrate greater transparency and accountability in its operations. Furthermore, it was suggested that the RR component be merged with the IDP/Refugee programme, in order to effect a harmonization of policies with regard to these segments of the population. So far, the difficulties regarding the implementation of the RR program remains a grave security

concern in the country, as some ex-combatants have threatened to disrupt the pending elections if their demands for rehabilitation are not met.

90. Currently, there is enormous attention on the ground towards the return and repatriation programmes for the IDPs and refugees. There are serious challenges occasioned by the ongoing rainy season and its impact on the movement of people in the face of a weak infrastructure network.

91. In reaction to accusations of corruption, lack of transparency, integrity and accountability, the NTGL set up an Anti-Corruption Task Force and empowered it to investigate allegations of corruption in the public sector. However, the Task Force has not proved effective and the Government is expected to demonstrate greater willingness and preparedness to carry out policies and reform measures to stem the tide of corruption. The international community has placed maximum emphasis on an enhanced leadership on issues of good economic and political governance, as well as sound fiscal management.

92. The NTLA saw itself being embroiled in allegations of corruption at leadership level in the course of the first half of the year. At the moment, the body is involved in litigation between those involved in corruption, following the disciplinary action against them, and the House, over the legality of the procedure of decision-making within the Assembly.

93. Concerning the restructuring and reforming of the Armed Forces of Liberia (AFL), the programme has been stalled due to lack of funds to cover the payment of the cost of the severance packages to officers and men who will not be re-engaged or re-instated in the new Armed Forces. There appears to be a ray of light at the end of the tunnel, with a commitment of US\$5.3 million, details of which are as follows: US\$1 million from the NTGL, US\$3 million in loans from friendly countries, and US\$1.3 million in tax advances, out of a total requirement of US\$16 million. The restructuring exercise of the AFL finally commenced on 15 June 2005. The exercise is being monitored by a newly established special Defence Advisory Monitoring Committee, of which the AU is a member. The Committee works in conjunction with the Ministry of Defence, which has the oversight responsibility for the programme.

94. On its part, the Commission has continued to support the ongoing process in Liberia. In addition to the contribution of the AU Liaison Office in Monrovia to the implementation of the CPA, my Special Envoy visited Liberia from 2 to 10 April 2005, for an overall assessment of the situation. The Commission also approached the EU to seek the much-needed support for the restructuring and reforming of the AFL. At the time of finalizing this report, efforts were underway to provide further assistance to the Liberian peace process.

xi) Guinea-Bissau

95. Since the coup d'Etat which toppled President Kumba Yala on 14 September 2004, the African Union has lent its support to the efforts deployed by ECOWAS with a view to a definitive return to constitutional order and the restoration of stability in the country. In compliance with the Transition Charter, legislative elections were held from 28 to 30 March 2004. In spite of the difficulties noted, the elections were held in a free, fair and transparent manner. The party for the Independence of Guinea and Cape Verde (PAIGC) came first with a relative majority of 45 seats. The party for Social Change (PRS) led by former President Kumba Yala won 35 sets. The United Social and Democratic Party (PUSD) of former Prime Minister Francisco Fadul won 17 seats. The Electoral Union, a coalition of five small parties, won 2 seats, while the United Popular Alliance, a coalition of two parties, won only one seat.

96. These elections paved the way for the formation, in May 2004, of a Government led by Carlos Gomes, Chairperson of the PAIGSC, and the investiture in the same month of the People's National Assembly for a four year term. This investiture marked the end of the National Transition Council and made the Military Committee an advisory organ in the office of the President. The presidential election which will mark the definitive return to constitutional order will take place on 19 June 2005.

97. The transition was going on smoothly and there were encouraging developments in the political situation when on 6 October 2004, the capital Bissau was caught up in a mutiny which resulted in the death of the Chief of Staff and the Head of the Army Information Services Directorate. In order to find a solution to the crisis, the Memorandum of Understanding signed on 10 October 2004 between the mutineers and the Prime Minister granted a general amnesty to all those who participated in military take overs since 1980. This amnesty, which divided the Bissau-Guinean society, was later endorsed in a resolution adopted by the People's National Assembly on 26 November 2004.

98. For a section of the national public opinion, the amnesty legitimizes impunity and shows contempt for the victims and their families. For the majority of the members of the PAIGC, it nullifies the acts committed during the reign of President Vieira who ruled the country between 1980 and 1989 and who is banned from political activity until 2009, according to the old Constitution which was in force prior to September 2003. For his part, Kumba Yala who ruled Guinea Bissau from 2000 to 2003, and who is banned from political activity until 2008 by virtue of the Transition Charter adopted after his overthrow, feels that the amnesty invalidates the instrument whereby he renounced power and agreed to be ineligible for five years. Thus, the two former Heads of State submitted their candidatures for the presidential election.

99. Out of a total of 21 candidates, the Supreme Court validated 14 and rejected 7. Among the approved candidatures were those of former Presidents Vieira and Kumba Yala, as well as that of Madam Bacaï Sanha, interim President of the Republic between May 1999 and 2000, and PAIGC candidate. Three of the candidates who filed appeals

with the Supreme Court were let through, including former Prime Minister Fadul. In all, there will be 17 candidates for the presidential election.

100. Beneath an apparent calm simmers tension born out of the consequences of the mutiny of 6 October 2004 and exacerbated in this pre-electoral period by many developments, notably the disintegration of the political parties, the controversial candidatures of Vieira and Kumba Yala, the declaration made on 15 May 2005 by Kumba Yala claiming his legitimacy as President of the Republic and calling for the postponement of the presidential election, and his attempt to seize the presidential palace in the night of 24 to 25 May, with the help of a group of soldiers.

101. I call on the political parties and leaders in Guinea Bissau to show maturity and a sense of responsibility, and to work towards the consolidation of democracy in the country. The African Union in close collaboration with ECOWAS will continue to support the peace process in Guinea Bissau. To this end, I dispatched my Special Envoy, Francisco Madeira to Guinea Bissau last January to meet with the Bissau-Guinean parties and make an evaluation of the situation. The mission of my Special Envoy underscored the need for the Commission to provide greater support to the on-going process, including the opening of an AU Liaison Office in Bissau. At its 31st meeting held on 8 June 2005, the PSC urged all the candidates for the presidential election and their supporters to refrain from any action likely to disrupt the electoral process, to commit themselves to accept the results of the election and refer any dispute the mechanism put in place to that effect. In the same vein, the PSC also underscored the need for the international community to help all the stakeholders in Guinea-Bissau to promote political dialogue in a spirit of dialogue and unity, with a view to enhancing the efforts aimed at consolidating peace, stability and socio-economic development and facilitating all the needed reforms. Lastly, the PSC expressed its support in principle for the establishment of the AU Liaison Office in Guinea Bissau and requested the Commission to provide it with more detailed proposals.

xii) Togo

102. Following the death of President Gnassingbe on 5 February 2005, the PSC met on 7 February and condemned the way and manner in which the succession was organized in Togo, in violation of the Togolese Constitution and the relevant instruments of the African Union. The PSC encouraged me to maintain close contact with ECOWAS and with all the other stakeholders concerned so as to give a coherent and firm response to the anti-constitutional change in Togo. It also affirmed its determination to impose the relevant sanctions as provided for under Article 7 (g) of the Protocol establishing the PSC and in the July 2000 Lomé Declaration on Unconstitutional Changes of Government, in the absence of rapid action on the part of the authorities to restore constitutional legality. Since then, the African Union has constantly supported the efforts of ECOWAS. Together with President Olusegun Obasanjo, Current Chairperson of the AU, I participated in the Extraordinary ECOWAS Summit held in Niamey on 9 February 2005, and in subsequent efforts aimed at engaging the Togolese authorities to work towards a rapid return to constitutional order.

103. On 12 February 2005, I issued a Communiqué in which I condemned the repression of the protest march organized by the opposition in Lomé, which claimed the lives of three persons. On 17 February, President Obasanjo received Mr. Faure Gnassingbe in Abuja for consultation, during which the Current Chairperson asked Mr. Gnassingbe to take all the necessary steps for an immediate return to constitutional order.

104. Following the announcement on 19 February 2005 by Mr. Gnassingbe of the holding of presidential election within 60 days and his decision to remain in power, I issued a Communiqué in which I recalled the principled position of the African Union on the imperative need for the return to constitutional legality. On 20 February 2005, I reiterated AU's condemnation of the decision by Mr. Gnassingbe to remain in power and its rejection of any election organized under the conditions prescribed by the government of the day. I also reaffirmed the suspension of Togo's participation in AU's activities until the effective return to constitutional order in the country.

105. At its 25th meeting held on 25 February 2005, the PSC confirmed the suspension of the participation of the de facto authorities of Togo and their representatives in the activities of the AU organs and called on the Commission to ensure the scrupulous implementation of this suspension.

106. Following the announcement on 25 February 2005 by Mr. Gnassingbe of his decision to relinquish the post of President of the Republic and to comply with the decisions of the Niamey Summit, I took note of that resignation and underscored the need for political dialogue among all the political stakeholders to ensure a consensual management of the transition, notably through the organization of free, fair and transparent elections.

107. The presidential election took place on 24 April 2005. On 25 April, the Current Chairperson received Faure Gnassingbe and Gilchrist Olympio in Abuja to diffuse the tension that might explode following the announcement of the results. On 26 April 2005, the Independent National Electoral Commission announced the victory of Faure Gnassingbe who was credited with 60.22% of the votes, followed by Emmanuel Akitani Bob (38.19%) and Harry Olympio (0.55%). The demonstrations that followed the publication of the results resulted in many persons injured and several dead, while close to 30,000 Togolese fled the violence and took refuge in neighbouring Benin and Ghana. On 30 April, a joint ECOWAS/AU mission went to Lomé where it met with the representatives of the Government and of the opposition.

108. As part of the mediation efforts by President Obasanjo, the mini-Summit of Heads of State and Government on the situation in Togo which took place in Abuja, Nigeria on 19 May 2005 called for the adoption of confidence building measures and the creation of a framework of dialogue aimed at restoring normalcy in the country and paving the way for the formation of a National Union Government that is representative of the entire political class.

109. At its 30th meeting held on 27 May 2005, the PSC urged the Togolese parties to exercise restraint and show a sense of comprise, and to do everything possible to contribute to the national reconciliation, including the creation of conditions that are conducive to the formation of a National Redemption Government. To this end, the PSC supported my proposal to appoint a Special Envoy to facilitate dialogue among the Togolese parties in close collaboration with ECOWAS, and to send an observer mission to monitor developments in the political, security, social, humanitarian and human rights situation in the country.

III. CONCLUSION

110. At the end of this overview of developments in conflict situations on the continent, it can be inferred that significant progress has been made since the last session of the Council. I would like to pay tribute to all the leaders and institutions of the continent who have contributed to the realization of this progress. Sustained efforts still need to be invested to consolidate the gains made and overcome the difficulties encountered in the settlement of other conflicts.

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