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**REPORT OF THE CHAIRPERSON OF THE COMMISSION ON THE
RELATIONS BETWEEN CHAD AND THE SUDAN**

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I. INTRODUCTION

1. In its decision on the report of the Peace and Security Council on its activities and the state of peace and security in Africa [Assembly/AU/3 (VIII)], the Assembly of Heads of State and Government meeting in its 8th Ordinary Session in Addis Ababa, from 29 to 30 January 2007, expressed concern at the tense relations between Chad and the Sudan and requested Council to examine the issue as a matter of urgency.

2. This report, submitted in pursuance of that decision, covers developments in the relations between Chad and the Sudan, as well as the diplomatic initiatives undertaken in this regard, by both the African Union and other concerned stakeholders since Council's meeting of 13 April 2006.

**II. 13 APRIL 2006 PSC DECISION ON THE SITUATION IN CHAD PSC/PR/COMM
(XLIX)] AND SUBSEQUENT DEVELOPMENTS**

3. On 13 April 2006, a column of armed men of the United Front for Change (*FUC*), a coalition of several political-military movements, equipped with vehicles and heavy weaponry, attacked the capital, N'Djamena, and the town of Adré, in Eastern Chad. The Chadian Government accused the Sudan of involvement in these attacks and decided to break diplomatic and economic relations and to close its borders with the Sudan. The Chadian Government further decided to withdraw the Chadian facilitators from the Inter-Sudanese Peace Talks on the conflict in Darfur, then taking place in Abuja, Nigeria.

4. Meeting on the same day, Council condemned the attacks, which it described as an unacceptable attempt to overthrow a legitimate Government by unconstitutional means, as well as the incursion of armed elements into Sudanese refugee camps in Chad. Council underscored the need for the Chadian Government to urgently engage in dialogue with all the political forces in the country with a view to finding a consensual solution to the problems facing Chad and consolidating the democratic process in the country. Council, in this connection, encouraged me to take all possible measures to facilitate such a dialogue. Similarly, the United Nations Security Council condemned the attacks and urged the rebels to put an end to violence and participate in the democratic process.

5. In pursuance of the above-mentioned decision of Council, I fielded a mission to N'Djamena from 21 to 27 April 2006, to obtain first-hand information required for effective implementation of the decision. On that occasion, the Chadian authorities reiterated their accusations concerning Sudan's involvement in the 13 April 2006 attacks. They presented to the AU delegation arms, ammunitions, vehicles and various documents seized during the said attacks, as proof of the Sudanese Government support for the Chadian rebels.

6. In view of the facts brought to its attention, the mission deemed it necessary to proceed to the Sudan to ascertain the latter's position on the accusations levelled against it by Chad. However, as the Sudanese authorities made it known to the AU Commission that they were not in a position to receive the AU delegation immediately after its visit to Chad, the fact-finding mission was only able to visit the Sudan (Khartoum, El Fasher and Nyala) from 2 to 7 June 2006. During their talks with the mission, the Sudanese authorities denied Chad's accusations, pointing out that Chad had been harbouring and arming rebel elements opposed to the Darfur Peace Agreement, with the motive of undermining peace in the region. The outcomes of those visits are contained in the report of the AU fact-finding mission to Chad and the Sudan attached to this report.

7. In June 2006, the Chadian authorities launched a national dialogue with all the recognized political parties. However, several opposition parties, notably the Coordination of Parties for the Defence of the Constitution (*CPDC*) and the Action Federation for the Republic (*FAR*), boycotted the dialogue on the grounds that it was not inclusive and did not include the political-military movements. However, around fifty parties participated in the dialogue, which submitted its conclusions on 2 August 2006.

8. The period following the visit of the fact-finding mission to Chad was characterized by a number of developments both in Chad and in the relations between the latter and the Sudan. The presidential election was held in Chad on 3 May 2006, as planned. On 28 May 2006, the Constitutional Council declared President Idriss Déby Itno as the winner in the first round, with 64.67% of the votes, ahead of Delwa Kassire Koumakoye Nouradine (15.13%); Pahimi Padaké Albert (7.8%); Mahamat Abdoulaye (7.07%); and Brahim Ahmed Koulamallah (5.31%). The poll was boycotted by several opposition parties which had been pressing for a postponement, calling for dialogue with all the political forces in the country, including with the political-military movements, so as to create more propitious conditions for the holding of the elections, thereby ensuring that the results would be acceptable to everyone.

9. It should also be noted that, by Note Verbale dated 17 May 2006, the Embassy of the Sudan in Addis Ababa accused heavily armed troops of the Chadian army of having attacked the locality of Tel Tel (50 kms North of the town of Beidha) and its surroundings, adding that nine Sudanese soldiers were killed during the fighting that the ensued, with several others being wounded. The Embassy demanded that necessary measures be taken to stop further attacks against the Sudan.

10. In my report of the Assembly of the Union in Banjul, in July 2006, I gave an account of the evolving situation in Chad and the developments in the relations between Chad and the Sudan. I took the opportunity to appeal to Chad and the Sudan to refrain from any action likely to worsen the situation and to work towards the rapid normalization of their relations on the basis of the Tripoli Agreement of 8 February 2006. Presidents Idriss Déby Itno and Omar Hassan Al Bashir met on the sidelines of the Assembly under the auspices of the Libyan leader, Muammar Al Kaddafi, and decided to resume dialogue.

11. It was against this background that a Chadian delegation visited Khartoum from 10 to 11 July 2006. This was followed by a visit of a Sudanese delegation to N'Djamena, on 25 July 2006. The N'Djamena meeting culminated in the signing, on 26 July 2006, of a record of proceedings in which the two countries agreed to open a new chapter in their relations and undertook to respect all the previous bilateral and multilateral agreements, including the Tripoli Agreement, which they had signed. The two parties, in particular, made a commitment to ban the use of their respective territories for hostile activities against the sovereignty and integrity of the other, as well as the presence and harbouring of rebel elements in their respective territories. They further agreed to establish a political follow-up commission for the Tripoli Agreement, a joint military/security commission for surveillance of the border between the two countries and a joint military force to be deployed in the regions of Bahai, Tiné, Koulbous, Khor Baranga, Amdjirémé, Adré, Adé, Modohina, El Djinéna, Tissi and Amdoukoun. In the Note forwarding the document to the AU Commission, the Embassy of Chad in Addis Ababa pointed out that the N'Djamena meeting was “the outcome of the laudable initiatives undertaken vis-à-vis the highest Chadian and Sudanese authorities by the Chairperson of the Commission and the Leader of the Libyan Revolution, resulting in the meeting of the two Heads of State on the sidelines of the Banjul Assembly of the Union, followed by an exchange of visits at the level of Foreign Ministers”.

12. The Chadian Government, subsequently, took a series of measures to arrest and assemble members of the Sudanese rebel movements (Sudan Liberation Movement/Army – SLM/A - and the Justice and Equality Movement – JEM), residing in Chad, with a view to expelling them to the Sudanese border. It was also during this period that it emerged that attempts had been underway to build *rapprochement* between Mahamat Nour Abdelkerim, leader of *FUC*, and the Chadian Government.

13. Efforts to improve the relations between Chad and the Sudan continued, notably on the occasion of the swearing-in of President Déby Itno in N'Djamena on 8 August 2006. As a matter of fact, on the sidelines of the swearing-in ceremony and under the auspices of the Leader of the Libyan Revolution, Muammar El Kaddafi, High Permanent Mediator for Peace and Current Chairman of CEN-SAD, a summit meeting bringing together President Denis Sassou Nguesso, then Current Chairperson of the African Union, Presidents Omar Bongo Ondimba, Omar Hassan El Beshir and Idriss Déby Itno, as well as the Secretary-General of CEN-SAD, Mohamed Al-Madani Al Azhari, was organized. On that occasion, Presidents Idriss Déby Itno and Omar Hassan El Bashir made a commitment to re-establish, with immediate effect, diplomatic and consular relations, resume bilateral cooperation and partnership, re-open their land borders, restore their air links and set up a bilateral technical follow-up commission.

14. In a communiqué dated 10 August 2006, I applauded the decision of the two Heads of State, and pointed out that implementation thereof would help not only to consolidate the relations of good neighbourliness and friendship between the two countries, but also promote peace and stability in the region.

15. On 28 August 2006, the Sudan and Chad, through their respective Foreign Ministers, signed a “Framework Agreement for Normalization of the Relations of

Friendship and Good Neighbourliness between the Republic of The Sudan and the Republic of Chad". Under the terms of the Agreement, the two parties, among other things:

- reaffirmed their total and unequivocal commitment to their previous bilateral and multilateral agreements, especially the Tripoli Agreement and the Declaration of 8 February 2006, as well as all the obligations contained in the record of proceedings issued by the meeting between Chadian and Sudanese delegations in N'Djamena;
- undertook to immediately refrain from all interference in their respective internal affairs and from supporting the armed groups hostile to either country, and to forthwith proscribe the presence and harbouring of rebel elements of one party in the territory of the other; and
- agreed to set up a joint military-security commission and a joint force for surveillance of their common border with the possibility of deploying an observer mission and with the support of the observer and security mission provided for in the Tripoli Agreement.

16. After a period of relative calm between August and September 2006, rebel groups embarked upon a renewed military offensive, with intensified attacks in Eastern Chad, along the border with the Sudan, and sometimes also in the North. Thus, the localities of Goz Béida, Am Timan (22 – 23 October 2006), Abéché and Biltine (25 November 2006), Guereda (end November – early December 2006), Ouniangara Kebir and Gouro (13 –14 January 2007), and Adré (1 February 2007) were turned into theatres of armed clashes. Inter-communal confrontations were also reported, notably in the region of Salamat. Meanwhile, on 14 November 2006, and as a result of the evolution of the situation, the Chadian Government decreed a state of emergency in the Eastern region of the country and in N'Djamena.

17. I issued several communiqués (24 October 2006, 25 November 2006 and 17 January 2007) condemning these attacks. Each time, I took the opportunity to reiterate AU's commitment to the unity and territorial integrity of Chad and its rejection of any unconstitutional change of Government. I called upon the warring parties to resort to dialogue and cooperation to resolve their differences, and to the leaders of the region to respect AU's principles and decisions governing relations among Member States.

18. On its part, CEN-SAD strongly denounced the 29 October 2006 operations in the Hager Méram region and condemned all use of force against republican institutions. CEN-SAD further expressed its unequivocal support for the legitimate authorities of Chad and for President Idriss Déby Itno in his effort to restore peace and national harmony through dialogue and negotiation, and invited all the countries neighbouring Chad to assist the latter and its leaders within the framework of the CEN-SAD Security Charter. Mr. Kofi Annan, then Secretary-General of the United Nations, also condemned the rebel military activities in Eastern Chad and all attempts to seize power in Chad by force.

19. On 21 November 2006, the Libyan Leader Muammar Al Kaddafi, as well as Presidents Hosni Mubarak of Egypt, Omar Hassan El Beshir of the Sudan, Idriss Déby Itno of Chad, François Bozizé of the Central African Republic and Isaias Afworki of Eritrea met in Tripoli in the so-called Summit of Six, and underscored the need for full implementation of the Tripoli Agreement and the follow-up mechanisms envisaged in that respect. They also underscored the importance of strengthening their diplomatic relations and pursuing consultations among themselves at all levels, as well as the need for regular visits between them to consolidate their relations. In this connection, President Omar Hassan El Beshir renewed his invitation to Presidents Idriss Déby and François Bozizé to visit the Sudan. The Summit highlighted the importance of such visits and expressed the wish that they would take place as quickly as possible.

20. During the period under review, the AU Commission was, on several occasions, approached by the Embassy of the Republic of Chad in Ethiopia, informing it about the unfolding developments in the relations between the Sudan and Chad, and the aggression of which the Chadian Government considers itself the victim, including hostile flights to Chad in violation of its air space. Chad requested, in particular, a meeting of Council to examine the situation and take appropriate measures.

21. Council met on 15 and 23 November 2006, respectively, to receive presentations by Chad and the Sudan on the relations between the two countries. Council expressed concern at the incidents, which took place along the common border and the deteriorating relations between the two countries. It invited the two parties to engage in constant dialogue within the framework of the Tripoli Declaration and Agreement signed on 8 February 2006 and all the other agreements they had signed, with the aim of preserving peace, security and stability in the region. Council also urged the two countries to establish the mechanisms stipulated to that effect by these agreements.

22. On 27 November 2006, the Embassy of Chad in Addis Ababa sent a Note Verbale to the Commission, among other addressees, in which it “expressed regrets that Council had issued a communiqué which was as non-committal, as it was equivocal, saying nothing new, but instead dismissing both the aggressor and the aggressed, without pronouncing itself in favour of either side, and doing nothing to identify the obvious factors that hampered the implementation of the Tripoli Agreement”. The Embassy further stated “that the situation of aggressions currently perpetuated against Chad by a member state of the African Union is one conflict in Africa which, more than ever before, challenges all members of the Peace and Security Council to employ their wisdom and serenity, if Africa is to succeed in preventing, managing and resolving, on its own, the conflicts tearing the continent apart”.

23. On 15 December 2006, the UN Security Council, in a statement by its President, expressed its grave concern at the increase in military activities of armed groups in Eastern Chad. It strongly condemned all attempts at destabilization by force and expressed support for my earlier statement that the attacks against Chad were a blatant violation of the principles stated in the Constitutive Act of the African Union. The Security Council reaffirmed that any attempt to seize power by force is unacceptable, and recalled the importance of an open political dialogue based on constitutional provisions to foster national reconciliation and durable peace in the country. It

expressed its concern at the continuing tension between Chad and the Sudan and urged the two States to fully abide by the obligations they assumed.

24. After several meetings in Chad, the Government and the *FUC* of Mahamat Nour Abdelkerim reached an agreement, which they later signed in Tripoli, on 24 December 2006, under the auspices of the Libyan Jamahiriya. By that Agreement, the *FUC* renounced armed struggle as a way of projecting its views. Its fighters shall be reintegrated into the Chadian defence and security forces and paramilitary formations, and the movement shall participate in the management of State affairs in a spirit of cooperation and in accordance with the provisions of the Constitution. In my report to the Executive Council and the Assembly in January 2007, I noted that Agreement with satisfaction and urged the two parties to scrupulously implement it. I also appealed to the other armed Chadian movements to opt for negotiation so that an acceptable solution could be found to the problems facing their country.

25. It should be recalled that in its resolution 1706 of 31 August 2006 on the expansion of the mandate of the United Nations Mission in the Sudan (UNMIS), the Security Council decided that UNMIS mandate shall also include “assisting in addressing regional security issues in close liaison with international efforts to improve the security situation in the neighbouring regions along the borders between the Sudan and Chad and between the Sudan and the Central African Republic, including through the establishment of a multidimensional presence consisting of political, humanitarian, military and civilian police liaison officers in key locations in Chad, including in internally displaced persons and refugee camps, and, if necessary, in the Central African Republic, and to contribute to the implementation of the Agreement between the Sudan and Chad signed on 26 July 2006”. Also, in the same resolution, the Security Council requested the Secretary-General “to report to it on the protection of civilians in refugee and internally displaced persons camps in Chad and on how to improve the security situation on the Chadian side of the border with the Sudan”.

26. In its decision on the situation in Darfur adopted at its meeting held in New York on 20 September 2006, Council, for its part, underscored the regional dimension of the conflict in Darfur and, in this connection, expressed support for all the efforts deployed to reduce the circulation of arms and prevent the movement of armed elements across the border. Council expressed satisfaction at the progress so far achieved in the normalization of relations between Chad and the Sudan, including the restoration of diplomatic relations between the two countries, and appealed to the two parties to fully honour the commitments they made under the Tripoli Agreement and all subsequent agreements. Council further encouraged all such actions as could be taken, including by the United Nations, to enhance security along the border between the Sudan and Chad, as well as between the Sudan and Central African Republic, and ensure protection and security for the refugees in Chad.

27. In pursuance of the Security Council resolution, the Secretary-General fielded to Chad and the Central African Republic two multidisciplinary technical evaluation missions: first from 21 November to 3 December 2006, and then on 22 January 2007, to put forward recommendations on how best to implement the pertinent provisions of resolution 1706. At the time of finalizing this report, no decision had yet been taken on

the establishment of a multidisciplinary presence in the region as stipulated by resolution 1706. It should be noted that, in his report on Chad and CAR submitted pursuant to the pertinent paragraphs of resolution of 1706, the United Nations Secretary-General expressed the view that any decision to deploy a multidisciplinary presence of the United Nations in Eastern Chad and in the North East of the Central African Republic should be contingent on cessation of hostilities, conclusion of an agreement between all the parties and on commitment on the part of the concerned Governments to participate, one with the other, as well as between them and their respective opposition groups, in a process of dialogue leading to a political solution.

III. HUMANITARIAN SITUATION

28. The attacks against Chadian villages and the inter-communal clashes have made the humanitarian situation particularly worrying, both for the Sudanese refugees and the Chadian populations obliged to flee their homes due to the fighting. Chad is currently home to around 235,000 Sudanese refugees from Darfur quartered in 12 camps set up by the High Commission for Refugees (HCR) in collaboration with Chadian authorities, namely Oure Cassoni, Iridimi, Touloum, Am Nabak, Mile, Kounougo, Farchana, Bredjing, Treguine, Gaga, Goz Amir and Djabal. The country also currently accounts for nearly 90,000 internally displaced persons, of which 15,000 are new cases displaced in November 2006. The South of the country is host to around 43,000 Central African refugees residing in camps in Amboko, Gondje (Prefecture of Gore) and Yaroungou (Prefecture of Maro).

29. Security in the camps is provided by the Chadian authorities through the deployment of Chadian *gendarmes*. However, with the increased attacks by Chadian rebels, security has deteriorated. Besides, the vastness of the terrain and the poor condition of the roads, especially during the rainy season, constitute major obstacles which have to be addressed by the HCR and the around 40 non-governmental organizations (NGOs) participating in the efforts to provide assistance to the affected populations.

30. The rise in the insecurity in recent months has been such that the humanitarian agencies had to considerably curtail their activities in Eastern Chad. For its part, the Chadian Government deemed it necessary to relocate the camps and, in this connection, suggested that new sites further inside the Chadian territory be established, far away from the border with the Sudan, the aim being to safeguard the refugees and put an end to allegations according to which Chad encourages Sudanese rebels to use these camps as their rear base. These new camps were visited by a joint delegation comprising representatives of HCR, WFP and the national commission for registration and reintegration.

31. Through its PRC Sub-Committee on Refugees, the AU dispatched a delegation to Chad in October 2006, to assess the humanitarian situation of the refugees and internally displaced persons in that country and come up with pertinent recommendations for the attention of the Commission on specific measures that could be taken to enhance their protection. During that mission, the delegation handed to HCR a US\$250,000 cheque as African Union's contribution to efforts at assisting the affected populations.

IV. OBSERVATIONS

32. Despite the numerous efforts so far deployed, the relations between the Sudan and Chad remain tense. None of the numerous agreements concluded by the two countries has yielded the expected results in terms of the re-establishment of confidence, definitive normalization of relations and restoration of security at their common border.

33. The situation in the field is a consequence of the convergence of several factors, notable among which is the Darfur (Sudan) crisis, which has assumed a regional dimension, thereby impacting on Chad and, to a lesser extent, on the Central African Republic. Therefore, no effort should be spared to find a durable solution to the crisis through the strengthening of the peacekeeping operation in the region and the re-invigoration of the political process with a view to widening the support base of the Darfur Peace Agreement and facilitating its implementation, based on the decision adopted by Council in Abuja on 30 November 2006.

34. The experience of recent months has clearly demonstrated that whatever the number of agreements concluded between the Sudan and Chad, their expected impact on the ground, would always be limited or non-existent, in the absence of genuine political will to overcome the existing problems and establish the follow-up mechanisms provided for in these agreements in order to promote confidence and facilitate the implementation of the commitments entered into. It is, indeed, now urgent to deploy utmost efforts to get the parties to fully honour their commitments and execute them in good faith. In pursuance of the pertinent decisions of Council, the African Union remains disposed to support the implementation of the agreements concluded, in close coordination with CEN-SAD, the United Nations and other goodwill partners.

35. By requesting Council to examine, as a matter of urgency, the tension characterizing the relations between Chad and the Sudan, the Assembly clearly demonstrated its deep concern at the overall situation in the region and the resultant humanitarian crisis. I am convinced that Council would take appropriate measures to help find a durable solution to the crisis.

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