

AFRICAN UNION

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**SPECIAL SESSION OF THE ASSEMBLY OF
THE UNION ON THE CONSIDERATION AND
RESOLUTION OF CONFLICTS IN AFRICA,**

**TRIPOLI, GREAT SOCIALIST
PEOPLE'S LIBYAN ARAB JAMAHIRIYA
30 - 31 AUGUST 2009**

SP/ASSEMBLY/PS/RPT(I)

REPORT OF THE CHAIRPERSON OF THE COMMISSION

***ENHANCING AFRICA'S RESOLVE AND EFFECTIVENESS IN
ENDING CONFLICT AND SUSTAINING PEACE***

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I. INTRODUCTION

1. At its 13th Ordinary Session held in Sirte, Libya, from 1st to 3rd July 2009, the Assembly of Heads of State and Government of the African Union (AU) adopted decision Assembly/AU/Dec.266 (XIII) on the holding of a Special Session on the Consideration and Resolution of Conflicts in Africa. In that decision, the Assembly:

- took note of the invitation by Brother Leader Muammar El-Gaddafi on the holding of a Special Session of the Assembly of the Union in Tripoli, Libyan Arab Jamahiriya, on 31 August 2009, on the margins of the celebrations marking the 40th Anniversary of the Libyan Revolution; and
- accepted with appreciation the invitation to this Special Session, which will be devoted to the consideration and resolution of conflicts in Africa.

2. The adoption of this decision reflects the growing concern by African leaders at the persistence of conflict and crisis situations on the continent, despite the many efforts to resolve them. The Special Session will provide Africa's leaders with an opportunity to review the ongoing efforts to address the challenges of peace and security on the continent, and give further impetus for the implementation of the decisions made by various AU policy organs on these issues.

3. As the Chairperson of the Commission, I have, since assuming duty in April 2008, devoted considerable efforts to conflict prevention and resolution and to peace building, working closely with the Peace and Security Council (PSC) and the Regional Mechanisms for Conflict Prevention, Management and Resolution, as well as with our bilateral and multilateral partners within the international community. In this privileged position, I am both a witness to the destruction brought about by conflict, including the untold suffering inflicted on the civilian population, and the impressive revival of countries that have managed to emerge from violence. I am mindful of the constraints facing us as a continent, but I also see the opportunities available to us as we strive to free our continent from the scourge of violent conflicts. I value the support provided by our partners, which, in no small way, has facilitated the results achieved so far; at the same time, I see the urgency of mobilizing increased resources from within the continent for Africa to truly own the ongoing efforts to bring about peace, security and stability. Overall, I cannot but re-emphasize the urgency of renewed and collective efforts to promote lasting peace, security and stability on our continent, for without such an environment our vision of the political and economic integration and development of Africa will not materialize.

4. It is in light of the experience of the Commission in its daily involvement in the efforts to promote peace, security and stability on the continent and the challenges encountered that I am submitting this report. I will first give an overview of the

challenges to peace and security on the continent, dwelling both on their consequences and causes; then proceed to highlight the efforts being deployed by our continent with the support of the rest of the international community to address the scourge of conflicts; and provide an update on where we stand on each of the conflict and crisis situations being dealt with by the AU. The report will conclude with recommendations both general and specific on what needs to be done to give renewed impetus to our joint efforts, including a more effective follow-up and implementation of the many decisions made by the AU policy organs on the situations confronting us.

II. CHALLENGES TO PEACE AND SECURITY IN AFRICA

5. Of the many challenges facing our continent, the quest for peace and security is undoubtedly the most pressing. Over the past two decades, our continent has witnessed a number of long-term, severe and, in some cases, inter-related crises and violent conflicts. While interstate wars and liberation struggle dominated the 1970s and 1980s, the 1990s have been characterized by intra-state violence.

6. Clearly, in the past few years, the number of violent conflicts has been significantly reduced, and important advances, while still fragile, have been made, thanks to the collective determination and efforts of Africa, with the support of its partners. Sierra Leone, Liberia, Burundi, and the Comoros, amongst others, all bear testimony to this encouraging trend. At the same time, far too many African countries remain trapped in a vicious cycle of conflict and its deadly consequences. That Africa is host to 8 United Nations operations, including a political mission administered by UNDPKO, and that our continent constitutes over 60% of the agenda of the UN Security Council, bear testimony to this reality. In 2007, it was estimated that 38% of high intensity conflicts in the world took place in Africa.

7. The task of resolving protracted conflicts such as Darfur and Somalia – with serious regional and international consequences – remains a considerable challenge. Equally challenging is the task of sustaining transitions from war to peace, in that, as stressed in the AU Policy on Post-Conflict Reconstruction and Development (PCRD), adopted by the Executive Council in June 2006, “experience has indicated that in the early phases of the transition from conflict to peace, peace processes remain fragile and the risk of resumption of violence high. This is because countries emerging from conflicts are characterized by weakened or non-existent capacity at all levels, destroyed institutions and the absence of a democratic culture, good governance, rule of law and respect for human rights”. Furthermore, peace and security challenges on the continent are not limited to large scale armed conflicts (civil or internationalized civil wars). Indeed, a considerable proportion of armed violence does not fit neatly into the category of armed violence between the military forces of parties contesting over power, territory or resources.

8. While data with regard to conflict related impact and cost is problematic, given the absence of agreed indicators, definitions and reliable national statistics, it is clear that violent conflict has had a devastating impact on the continent. As stressed in the Declaration on the Establishment, within the OAU, of a Mechanism for Conflict

Prevention, Management and Resolution, adopted by the 39th Ordinary Session of the Assembly of Heads of State and Government of the OAU, held in Cairo, Egypt, from 28 to 30 June 1993: “*No single internal factor has contributed more to the present socio-economic problems in the Continent than the scourge of conflicts within and between our countries. They have brought about death and human suffering, engendered hate and divided nations and families. Conflicts have forced millions of our people into a drifting life as refugees and internally displaced persons, deprived of their means of livelihood, human dignity and hope. Conflicts have gobbled-up scarce resources, and undermined the ability of our countries to address the many compelling needs of our people*”.

9. Armed conflicts in Africa kill thousands of people every year, not only combatants but also civilians. In actual fact, more people, especially women and children, die from the consequences of conflict than die from direct conflict-related violence. In addition, many other people are injured as a result of violence, suffering often from permanent disabilities. Civilian displacement as a result of armed conflict is considerable. Africa has the largest number of victims of forced displacement in the world, with close to 3 million refugees, 20 percent of the global estimate of 10.5 million according to the latest figures available in 2009. With about 11.6 million internally displaced persons (IDPs) in 19 countries in Africa, out of the global estimate of 26 million, the African continent is the most affected by the tragic reality of IDPs. From protracted cases of Sahrawi refugees in Tindouf camps, in Southwest Algeria, to cases of multiple internal displacements of civilians in countries like CAR, DRC, Somalia and Sudan, there is an urgent need to find durable solutions for victims of forced displacement and address its root causes.

10. The consequences of armed conflict on our continent's socio-economic development are becoming clearer as research into the effects of armed conflict, as well as other types of violence, begins to establish the true extent of its impact. Estimates have pointed to a combined economic loss of around \$300bn since 1990 by a number of African countries affected by conflict. With an average annual loss of around \$18bn as a result of wars, civil wars, and insurgencies, armed conflict shrinks a nation's economy on average by 15 per cent according to an estimate considered conservative as it is based solely on costs of armed conflict (and not other types of violence) and periods of actual combat.

11. These costs include *direct costs* (medical/rehabilitation costs due to casualties, injuries, disability, military expenditure, care for refugees and displaced people, physical destruction leading to loss/depletion of infrastructure and livelihood assets), which are usually undertaken at the expense of essential services. In addition to the direct costs of violence, the indirect costs from lost opportunities tend to be even higher. These relate to reduced economic activity due to insecurity, reduced mobility and workforce; capital flight and macroeconomic impacts; loss of developmental aid; ecological degradation with its impact on food security; reduced capacity for structural stability; and wealth transferred to the illicit economy. Furthermore, the disruption of trade and loss of investor confidence as a result of war tend to result in loss of business potential not only for the country in question, but also its neighbors and indeed the entire continent. Spill-

over effects of armed conflict and the perceived or real fear of violence spreading may also result in increased military spending by neighbors. Finally, but equally important, there are the *intangible costs* (health-related, livelihoods and quality of life, loss of social capital).

12. The causes of this worrying situation are many. As stressed in the Statement of Commitment to Peace and Security in Africa issued by the Heads of State and Government of the members of the PSC on the occasion of the Solemn Launching of this organ, on 25 May 2004, these include ethnic and religious extremism, corruption, exclusionary definitions of citizenship, poverty and disease, the illegal exploitation of Africa's renewable and non-renewable natural resources and mercenarism. To these should be added a host of other factors ranging from competition for land and other resources, misallocation of resources and shortcomings in governance, as well as subversion by outside actors. The situation is aggravated by the illicit proliferation, circulation and trafficking of small arms and light weapons and the scourge of drug trafficking, which poses an ever increasing threat to peace and security in Africa. More generally, it is to be noted that once violence erupts, conflict itself may become the main source of its own continuation and protractedness in a process of attack and retaliation, which lead to self perpetuating cycles of violence.

13. It is also important to pay attention to the emerging trend of election-related conflicts and violence. As noted by the Panel of the Wise in its Report on Strengthening the Role of the African Union in the Prevention, Management and Resolution of Election-related Disputes and Violent Conflicts in Africa, submitted to the last Ordinary Session of the Assembly, while elections have become a core ingredient of popular participation in the governance process, since the new wave of democratization in Africa in the early 1990s, they have also spawned conflicts and violence and scrambled ethnic and regional alliances that sometimes threaten the social order, economic development, and efforts to strengthen regional integration. This situation signals weaknesses in the governance of elections, the rules of orderly political competition, and lack of impartial judiciaries to interpret and adjudicate electoral disputes, as much as it reflects the transitional teething problems associated with managing elections and building institutions of competition that are widely accepted by winners and losers.

14. On a related point, it is important to emphasize the need of respect by Member States of their Constitutions, especially when it comes to introducing constitutional reforms. As stressed by the African Charter on Democracy, Elections and Governance, this is an important component of our efforts to strengthen democratic processes on the continent and, more generally, to promote peace, security and stability. Failure to observe these provisions can lead to situations of tension which could, in turn, precipitate political crisis and undermine the countries concerned, while at the same time sowing the seeds of instability detrimental to their development and even to that of entire regions of the continent.

15. Another source of concern relates to border disputes and conflicts. Since African countries gained independence, the borders – which were drawn during the colonial period – have been a recurrent source of conflicts and disputes in the continent. Nearly

half a century after the political liberation of the continent, the delimitation and demarcation of the borders inherited from colonization still face major technical and financial problems. Subject to the completion of the survey being currently carried out by the Commission, it is estimated that less than a quarter of African borders have been defined. This situation gives rise to “undefined zones” within which the application of national sovereignty poses problems. In these zones, a local dispute between two communities can rapidly escalate and lead to inter-State tensions. When these zones have natural resources, their management can prove to be difficult and be a source of misunderstanding. Over the past few years, we have noticed a worrying increase in border disputes. Fortunately, thanks to the wisdom of the countries concerned, these did not escalate into open conflicts.

16. As we strive to achieve our objective of a peaceful Africa within a peaceful world, a new threat, relating to climate change is clouding our horizon. Changing weather patterns and rising sea levels will surely bring environmental stress to large parts of our continent. Although Africa has contributed least to global warming, we are, because of our limited resources and capacity, likely to suffer the most from the resulting consequences, whether they relate to scarce water resources, damage to coastal infrastructure and cities, reduced agricultural yields and environmentally-induced migration. While we are yet to deepen our understanding of the interaction between climate change and conflict, it is clear that this phenomenon will impact negatively on our quest for peace and further compound the efforts being made in this respect.

III. BUILDING THE REQUISITE INSTITUTIONAL FRAMEWORK

17. Peace and security has always been at the core of the concerns of African leaders, for this is a prerequisite for the development of our continent and its peoples. As a matter of fact, African leaders have constantly endeavoured to strengthen the capacities, particularly the institutional capacities, of the continental Organization to enable it to address the challenge of peace and security.

18. It was against this background that the OAU Mechanism for Conflict Prevention, Management and Resolution was established in Cairo, in 1993, to provide the Organization with the necessary instruments to deal with the scourge of conflicts. More specifically, the aim was not only to develop an institutional mechanism of collective African action in matters of conflict management in relation to the hitherto *ad hoc* ways of dealing with conflict, but also to effectively take on board the changes that has taken place as far as the crises facing the continent were concerned, with the significant increase in internal conflicts as compared to inter-State conflicts.

19. Nevertheless, the scope and gravity of the conflicts, as well as their complex nature, soon revealed the limitations of the Mechanism, which, among other things, did not provide for the deployment of peacekeeping operations – a responsibility left exclusively to the United Nations – and conferred only very limited powers on the OAU. It was necessary, therefore, to adapt the structures and resources of the continent to the situation then prevailing on the ground and to new challenges resulting from the

changes that had taken place in the international system. The efforts deployed in this regard also formed part of the plans to transform the OAU into the African Union.

20. It is in this context that the Heads of State and Government adopted in Durban, South Africa, in July 2002, the Protocol Relating to the Establishment of the Peace and Security Council of the African Union, which entered into force in December 2003. The adoption of this Protocol marked a turning point, for it substantially strengthened the powers of the AU in matters of conflict prevention and resolution, and introduced new rules of procedure which gave added credibility to the AU. In particular, mention should be made here of the rule that prohibits the participation of any Member State, including members of the PSC, in deliberations and decision-making processes with respect to conflicts in which they are involved.

21. The PSC Protocol provided the basis for the African Peace and Security Architecture (ASPA), whose five main pillars are:

- (i) the PSC, which is a standing decision-making organ for the prevention, management and resolution of conflicts in the continent and for facilitating timely and efficient response to conflict and crisis situations in Africa;
- (ii) the Panel of the Wise, whose role is to support the efforts of the PSC and those of the Chairperson of the Commission, particularly in the area of conflict prevention;
- (iii) the Continental Early Warning System (CEWS), which is tasked to facilitate the anticipation and prevention of conflicts and consists of: (a) an observation and monitoring centre located at the AU, known as "the Situation Room", and (b) observation and monitoring units of the Regional Mechanisms to be linked directly through appropriate means of communications to the Situation Room and which shall collect and process data at the regional level and transmit the same to the Situation Room;
- (iv) the African Standby Force (ASF), composed of standby multidisciplinary contingents, with civilian and military components in their countries of origin, ready for rapid deployment; and
- (v) the Memorandum of Understanding (MoU) on Cooperation in the Area of Peace and Security between the AU and the Regional Mechanisms for Conflict Prevention, Management and Resolution. It is important to stress that the PSC Protocol, in Article 16(1), requires the PSC and the Chairperson of the Commission to harmonize and coordinate the activities of Regional Mechanisms in the field of peace, security and stability, and to ensure that these activities are consistent with the objectives and principles of the Union.

22. Since the entry into force of the Protocol, significant progress has been made in the operationalization of the APSA. The PSC is now fully operational, and has already met 200 times, addressing most of the conflict and crisis situations facing the continent.

In the short period of its existence, the PSC has acquired undeniable credibility, illustrated, amongst other things, by the annual meetings it now holds with the UN Security Council. It has also forged a similar relation with the Political and Security Committee of the European Union (EU). The Panel of the Wise became operational since December 2007, and has met six times since then. In its work, the Panel has initiated thematic reflections on issues relevant to conflict prevention: election-related conflicts and violence and impunity, justice and reconciliation.

23. Key components of the CEWS and the ASF are in place; every effort is being made to ensure the full operationalization of these two structures by the end of 2009 and 2010, respectively. Finally, the MoU between the AU and the Regional Mechanisms was signed in January 2008, and a number of steps have since been taken towards its implementation, including the establishment of Liaison Offices with the AU to facilitate coordination and collaboration.

24. Clearly, the search for peace in Africa requires the mobilization of all. It was, therefore, logical that Member States, through the PSC Protocol, encouraged NGOs, community-based and other civil society organizations, particular women's organizations, to participate actively in the efforts aimed at promoting peace, security and stability in Africa. In this respect, it is worth noting the many initiatives taken by civil society organisations towards conflict prevention and resolution, assistance to victims and rehabilitation of communities, as well as towards exploring creative ways of building sustainable peace in our continent.

25. In order to provide the necessary financial resources for peace support missions and other operational activities related to peace and security, and in line with the provisions of the PSC Protocol, a Peace Fund has been established. It is made up of financial appropriations from the regular budget of the Union, as well as voluntary contributions from sources within and outside Africa. Since its establishment, the Peace Fund, in addition to the regular transfers from the AU budget and voluntary contributions from some Member States, has received significant support from our partners.

IV. STRUCTURAL PREVENTION OF CONFLICTS AND PEACE BUILDING

26. Over the past two decades, the AU has also adopted several instruments designed to facilitate the structural prevention of conflicts. These instruments relate to human rights; governance and the fight against corruption; on-going democratisation processes on the continent; disarmament; terrorism; and the prevention and reduction of interstate conflicts. They represent a consolidated framework of commonly accepted norms and principles, whose observance would reduce considerably the risk of conflict and violence on the continent and consolidate peace where it has been achieved.

27. In addition to the Constitutive Act, which commits Member States to respect democratic principles, human rights, the rule of law and good governance, mention should be made of the African Charter on Human and Peoples' Rights (1981) and its Protocols relating to the establishment of an African Court on Human and Peoples' Rights (1998) and on the Rights of Women (1995); the African Charter on the Rights

and Welfare of the Child (1990), which, among others, commits Member States to take all necessary measures to prevent children from taking direct part in hostilities and to refrain from recruiting them; the NEPAD Declaration on Democracy and the African Peer Review Mechanism (APRM), both adopted in Durban, in July 2002; the AU Convention on the Prevention and Combating of Corruption (2003); and the African Charter on Democracy, Elections and Governance (2007), which builds on earlier OAU/AU documents, including the Lomé Declaration on Unconstitutional Changes of Government.

28. It should also be noted that efforts are underway to enhance the AU's capacity to prevent and manage unconstitutional changes of Government. The Commission is expected to submit a final report on the issue to the next Ordinary Session of the Assembly, in January / February 2010. With respect to election-related conflicts and violence, the Panel of the Wise submitted a report on the issue to the Sirte Session of the Assembly, which, in turn, requested the Commission to take all necessary steps to implement the recommendations of the Panel and to report to it regularly on the progress made in this respect.

29. To address the problem of refugees, the African leaders have adopted a number of instruments, in particular the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. Next October, the AU will convene in Kampala, Uganda, a Special Summit on forced displacement in Africa, which is expected to adopt the AU Convention for the Protection of and Assistance to Internally Displaced Persons in Africa. This Convention will be the first of its kind in the world to offer a comprehensive legal framework designed to codify the standards of protection, provide for means and institutions of protection and assistance, and serve as a legal basis for coordinating various regional and international actors and agencies involved in providing protection and assistance to IDPs in the continent.

30. It is also important to recall the 2000 Solemn Declaration on the Conference on Security, Stability, Development and Cooperation (CSSDCA), which is a comprehensive response to the multifaceted challenges of defense and security facing the continent, and was launched to provide a framework for coordinating, harmonizing and promoting policies aimed at preventing, containing and eliminating the pernicious internal and inter-state conflicts in Africa, as well as at accelerating regional integration and development on the continent. During the OAU Durban Summit, a Memorandum of Understanding on Security, Stability, Development and Cooperation in Africa was adopted with a view to giving effect to the 2000 CSSDCA Solemn Declaration. The MoU defines clearly how AU member states should pursue the key objectives of security, stability, development, and cooperation. It also outlines a plan for achieving the set objectives and identifies performance indicators with time-frames.

31. The African Nuclear-Weapon-Free Zone (Pelindaba Treaty) of 1996 is another essential tool for the continent's collective security. The Treaty, which has now entered into force, bans the testing, manufacturing, stockpiling, acquisition or possession of nuclear explosives in Africa. It provides for the establishment of an African Commission on Nuclear Energy mandated, *inter alia*, to collate reports and exchange of information

on issues relating to nuclear weapons. In the light of the preparations for the holding of the NPT Review Conference, the entry into force of the Pelindaba Treaty enhances Africa's voice in seeking to further its collective security and development.

32. Equally important are the various decisions and instruments pertaining to landmines, in particular the May 1997 Kempton Park Plan of Action on a Landmine-Free Africa, which committed the continent to the total ban of anti-personnel mines. There are also instruments dealing with the issue of small arms and light weapons. In this respect, I would like to highlight the Declaration on an *African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons* adopted in Bamako in December 2000. The Declaration lays out measures to be implemented at the national, regional and continental levels to deal with this scourge. A number of steps have since been taken towards the implementation of the Declaration.

33. In June 2006, the Executive Council, meeting at its 9th Ordinary Session, adopted the AU Post-Conflict Reconstruction and Development Policy. The AU PCRDR Policy is intended to serve as a guide for the development of comprehensive policies and strategies that seek to consolidate peace, promote sustainable development and pave the way for growth and regeneration in countries and regions emerging from conflict. Given the peculiarities of each conflict situation, the Policy is conceived as a flexible template that can be adapted to, and assist, affected regions and countries in their endeavours towards reconstruction, security and growth.

34. While there remains a long way towards the full implementation of the Policy – development of operational guidelines for the adaptation of the Policy at regional and national levels, development of a database of African experts on PCRDR to be placed at the disposal of countries emerging from conflict, and establishment of an AU Standing Multidimensional Committee to provide political support and mobilize all the necessary and available resources for the implementation of the Policy – a number of concrete actions have already been taken, in support of countries such as the Central African Republic, the Comoros, Liberia and Sierra Leone. As part of the PCRDR Policy, and as a follow-up to a decision adopted by the Assembly in January 2008, the Commission is also in the process of developing a comprehensive AU framework on Security Sector Reform (SSR).

35. In January 2008, the Assembly of the Union adopted an AU Plan of Action on Drug Control and Crime Prevention (2007-2012). A year later, the Heads of State and Government adopted a decision on the threat of drug trafficking in Africa, which recognizes that this phenomenon was becoming a major challenge to security and governance in Africa, in general, and in West Africa, in particular, and requested the Commission and the RECs to intensify their efforts in the fight against drug trafficking.

36. Mention should also be made of the various instruments adopted towards the prevention and combating of terrorism, including the OAU Convention on the Prevention and Combating of Terrorism adopted on 14 July 1999 in Algiers, Algeria, and the Protocol thereto; as well as the AU Plan of Action on the Prevention and Combating of Terrorism in Africa. To this end, the AU has embarked on developing an Anti-Terrorism

Model Law, which focuses on the suppression of the financing of terrorism that would be a ready-made technical assistance to Member States.

37. With respect to border issues, it is worth mentioning the Declaration on the AU Border Programme (AUBP), adopted by the Executive Council at its June 2007 session in Accra, with the overall objective of preventing conflicts and deepening integration on the continent. The AUBP revolves around two main axes, namely: the delimitation and demarcation of African borders where such an exercise has not yet taken place, and the development of cross-border cooperation.

38. Of particular importance to the maintenance of good neighborliness among AU Member States is the AU Non-Aggression and Common Defense Pact of January 2005. The objectives of the Pact are to promote cooperation among the Member States in the areas of non-aggression and common defense; to promote peaceful co-existence in Africa; to prevent conflicts of inter-State or intra-State nature; and to ensure that disputes are resolved by peaceful means.

39. These instruments and similar ones adopted by the Regional Mechanisms form the basis of the Common African Defense and Security Policy (CADSP), adopted in Sirte on 28 February 2004. The CADSP is premised on a common African perception of what is required to be done collectively by African states to ensure that Africa's common defense and security interests and goals are safeguarded in the face of common threat to the continent as a whole.

40. Finally, it is important to highlight the numerous decisions adopted by AU policy organs on the issue of climate change. These decisions articulate a common African position to guide Member States in the negotiation process of the new global climate change regime after the expiry of the Kyoto Protocol in 2012. As indicated above, a movement forward on this issue will contribute to the overall efforts to promote sustainable peace, security and stability on the continent.

V. BUILDING PARTNERSHIPS IN SUPPORT FOR PEACE IN AFRICA

41. In their efforts to promote peace and security, African leaders have been mindful of the need for the support of the international community. Consequently, the PSC Protocol states that the PSC shall cooperate with the UN Security Council, which has the primary responsibility for the maintenance of international peace and security, and other relevant UN agencies and international organizations.

42. In line with these provisions, the AU has developed close relations with the United Nations. Since 2007, the PSC and the UN Security Council have instituted an annual consultation between the two organs, which is held alternately in Addis Ababa and in New York. The Commission and the UN Secretariat work together on a range of issues relevant to peace and security in Africa. Of particular significance in this respect is the AU-UN hybrid mission in Darfur (UNAMID). The two organizations are also cooperating in the area of capacity building, through the Ten Year Capacity Building Programme, signed in 2006. Recently, relations between the AU and the UN have focused on ways to fund African-led peacekeeping operations. A number of steps are

being considered in this respect, as a follow-up to the work done by the AU-UN Panel established pursuant to Security Council resolution 1809(2008) of 16 April 2008. In the meantime, it is significant to note that, in the specific case on the AU Mission in Somalia (AMISOM), the UN has agreed to provide a logistics support package funded from UN assessed contributions, as well as financial support from UN Member States, through a Trust Fund, which allows for funding to be channeled to AMISOM to cover reimbursements and, eventually, to help procure necessary contingent equipment.

43. Strong relations have also been built with the EU, within the Framework of the Peace and Security Partnership of the Joint Africa-EU Strategy and Action Plan adopted in Lisbon, Portugal, in December 2008. In this respect, it is worth mentioning the steps taken towards strengthening political dialogue and the support being provided towards the operationalization of the APSA. With respect to the funding of African-led peace support operations, mention should be made of the signing of the Financing Agreement for the new APF within the framework of the 10th EDF in Addis Ababa on 2nd February 2009. This second generation APF covers the period 2008 – 2010 and amounts to 300 million Euros, with a possible replenishment of 300 million Euros. The new APF is a major deliverable of the Peace and Security Partnership, notably its priority number 3 (predictable funding for African-led peace support operations). It comprises an early response mechanism that allows for urgent support to the first stages of African-led mediation and preparatory steps of African-led peace support operations.

44. The AU has also developed strong partnerships with the Arab League, the International Organization of La Francophonie and the Organisation of the Islamic Conference. On the basis of the Agreements concluded with these Organizations, close cooperation has developed in the prevention, management and resolution of conflicts in countries and regions of common concern. Regarding more specifically the Arab League, initiatives are underway to create direct working relations between the Peace and Security Councils of the two Organisations. The AU Commission and the Arab League General Secretariat have developed close consultations and coordination on issues relating to situations involving countries which are members of both Organizations. Mention should also be made of the AU/G8 regular consultations undertaken within the framework Joint Africa/G8 Plan to Enhance African Capabilities to Undertake Peace Support Operations.

45. It is also encouraging to note the deepening relations with the AU's bilateral partners, including the permanent members of the UN Security Council (USA, China, France, UK and Russia) and other Asian, European and Latin American countries. In order to improve their support to the AU peace and security agenda and reduce transaction costs, the partners, through their Embassies in Addis Ababa, have strengthened their coordination and devised a number of practical steps to this end, including joint reporting by the AU on the partners' financial contributions. I would like to seize this opportunity to express AU's deep appreciation to all the partners for their political support, including within the framework of the international contact groups established to support AU's efforts in situations of unconstitutional changes of Government, as well as for their generous financial and logistical contributions to the promotion of peace and security on the continent.

VI. UPDATE ON THE SITUATIONS ON THE GROUND

46. It is on the basis of the above-mentioned mechanisms and instruments that the AU is trying daily to address the scourge of conflicts on the continent. At the session of the Assembly in Sirte, I provided an update on the developments of the situations on the ground, as well as efforts made, at the continental and regional level, to promote peace, security and stability. On its part, the Assembly adopted decision Assembly/AU/Dec. 252(X111) on the report of the PSC on its activities and the state of peace and security in the continent. The following paragraphs give a brief account of the developments that have taken place since the Sirte Session and suggest possible conclusions which the Assembly may wish to adopt in order to speed up the achievement of the objectives set by the AU on each of the situations concerned.

a) Somalia

47. The situation in Somalia was discussed extensively during the Sirte Session of the Assembly of the Union. In its decision on this issue, the Assembly endorsed earlier decisions by IGAD and the PSC, condemning the attacks on the Transitional Federal Government of Somalia (TFG) and the civilian population by armed groups and foreign elements. It expressed full support to the TFG as the legitimate authority in Somalia, and called on the UN Security Council, in line with the PSC and IGAD communiqués, to take immediate measures to prevent the entry of foreign elements into Somalia, as well as flights and shipments carrying weapons and ammunitions to armed groups inside Somalia. The Assembly also called for the imposition of sanctions against all those foreign actors, especially Eritrea, providing support to the armed groups engaged in destabilization activities in Somalia. Indeed, the Summit took place against the backdrop of increased attacks by insurgents on the capital, which threatened to reverse the important achievements made by the TFG since January 2009.

48. Over the past month, the situation in Mogadishu has been relatively stable, with the TFG forces taking a number of offensive measures. Furthermore, AMISOM's presence in the Mission area has been boosted by the deployment of an additional battalion of Burundian troops. The current troop strength of AMISOM now stands at more than 5,100, comprising three battalions each from Uganda and Burundi. However, this increased troop level still falls short of the authorized troop strength of 8,000. Efforts are also being made by the AU and its partners to enhance the capacity of the TFG forces and other Somali institutions. The Joint Security Committee (JSC), comprising of representatives of the TFG, AMISOM, the UN and other international partners, was formally launched in Mogadishu, on 25 July, to coordinate efforts in support of the Somali transitional security sector institutions and facilitate the disbursement of pledges made to that effect during the Brussels Conference.

49. Significant progress has been made in the political process over the past months. The inclusive Government of President Sheikh Sharif Ahmed is making sustained efforts to broaden the political process and consolidate the gains made towards reconciliation. At the same time, the TFG continues to be faced with huge challenges, including strengthening the security sector and building the capacity of public

institutions. Against this background, the importance of continued support by the AU Member States and the larger international community, in line with relevant AU decisions, cannot be over-emphasized. In line with the TFG strategies, the Conference may wish to take significant steps as to the actual strengthening of AMISOM troops and to the effectiveness of the Somali Security Force. The case for stronger and decisive African contributions to efforts to secure peace and national reconciliation is exemplified by the growing role being played by Uganda and Burundi in operationalizing AMISOM, as well as by the invaluable strategic lift provided by Algeria.

b) Burundi

50. At Sirte, the Assembly of the Union expressed satisfaction at the progress made in the implementation of the Agreements concluded in 2006 between the Government of Burundi and PALIPEHUTU/FNL. Re-launched by the Summit of the Regional Initiative held in Bujumbura on 4 December 2008, the implementation process made it possible to achieve a number of results, in particular the renunciation of armed struggle by the FNL, and the encampment of the Movement's ex-combatants, followed by the elaboration of an action plan for their demobilisation and disarmament. This paved the way for the disarmament of all combatants, and hence the approval of the National Liberation Front (FNL) as a political party on 21 April 2009. At their meeting in Bujumbura at the end of May 2009, the Special Envoys to Burundi agreed on the establishment of a new structure known as "Partnership for Peace in Burundi," responsible for mobilizing support for, and monitoring, the peace process in the run-up to the 2010 general elections. On its part, the Government succeeded in making the Burundian political stakeholders agree on the composition of an Independent National Electoral Commission (CENI) responsible for the organisation of the 2010 elections. The Burundian parties continued their efforts and completed the implementation of the 2006 Agreements.

51. The Special Session should congratulate the Burundian parties for the remarkable political will they have demonstrated, and urge them to continue on this path in order to create favourable conditions for the preparation and smooth-run of the 2010 elections. At the same time, the Session should thank the Regional Initiative, the South African Facilitation and the Political Directorate, as well as the UN and the international community in general, for their contribution to efforts towards peace in Burundi. Needless to stress that the international community should not relent in its efforts, for its contribution remains essential to the consolidation of peace and the socio-economic recovery of Burundi.

c) Democratic Republic of Congo (DRC)

52. The period under review has recorded significant progress with regard to peace-building in the DRC and the Great Lakes region as a whole. The direct talks which opened in Nairobi on 8 December 2008 between the Congolese Government and the National Congress for the Defence of the People (CNDP) led to the signing of an Agreement between the parties, in Goma, on 23 March 2009. Two other Agreements were signed between the Government and Congolese armed groups in North Kivu and

South Kivu. On 30 April 2009, the Prime Minister signed a decree on the establishment, organization and functioning of the National Monitoring Committee on the implementation of the three Agreements. This Committee has since then held a number of meetings, one of which took place in Bukavu in South Kivu, at the end of June 2009.

53. Moreover, the process of normalization of relations between Rwanda and the DRC has been stepped up. In addition to the joint operation launched by the armies of the two countries in January/February 2009 to neutralize the FDLR, and other measures taken to promote mutual trust, it is worth noting the appointment by the DRC of its Ambassador to Rwanda, following a previous similar decision taken by Rwanda, as well as the working visit made by President Paul Kagame to Goma on 6 August 2009, to hold discussions with President Joseph Kabila.

54. The strides being made in the DRC and the improvement in bilateral relations between Rwanda and the DRC open up new prospects for peace and stability for the Great Lakes region. The Special Session should create an avenue for an in-depth consideration of the situation in order to identify concrete measures to be taken to sustain this momentum. Indeed, there are still many challenges to be overcome, particularly with respect to the effective neutralization of armed groups within the region, especially the FDLR and the LRA, which continue to perpetrate atrocities against the civilian population, and post-conflict reconstruction in the DRC.

d) Efforts to end LRA activities

55. Another threat to peace and security in the Great Lakes region relates to the continued activities of the Lord's Resistance Army (LRA) which, over the years, has committed unspeakable atrocities in northern Uganda and in neighbouring regions, including Southern Sudan. It should be recalled that the negotiations between the Ugandan Government and the LRA, which began in 2006 under the aegis of the Government of South Sudan (GoSS), led to the signing, in August of that year, of an Agreement on Cessation of Hostilities (ACH) between the two parties. By the end of March 2008, the discussions on all the agenda items of the negotiations were concluded. The only remaining point to be discussed was the setting of a date for the signing of the Final Peace Agreement (FPA) by President Yoweri Museveni and the LRA leader, Joseph Kony. Despite all the efforts made to this end, including by former President Joaquim Chissano, the then UN Special Envoy for Northern Uganda and Conflict-Affected Areas, the LRA leader, under different pretexts, has failed to show up at successive ceremonies organized for the signing of the FPA, demonstrating a total lack of commitment to the peace process.

56. It is against this background that, in mid-December 2008, the countries of the region launched a joint military operation, which concluded in March 2009 and made it possible to destroy the LRA base in Garamba Park (DRC) and other subsidiary bases. The LRA rebels scattered in units across a wide area of the DRC, as well as in parts of South Sudan and the Central African Republic, and have been continuing their atrocities. Hence, it is important to continue efforts to neutralize the LRA. Furthermore, it is worth noting that given the impasse in the Juba Peace Process, the AU military

observers who were deployed in Southern Sudan as part of the Cessation of Hostilities Monitoring Team (CHMT), established to monitor the implementation of the ACH, were withdrawn in July this year.

e) Sudan

(i) Implementation of the CPA

57. Since the signing of the Comprehensive Peace Agreement (CPA), commendable progress has been made towards its implementation. In addition to the fact that the Ceasefire Protocol continues to hold between the North and the South, despite the incidents that have been recorded, mention should be made of the establishment and functioning of the key institutions provided for by the CPA; the steps taken towards the preparation of the 2010 elections; and the completion of the 5th Population Census of the Sudan in 2008. One of the major developments in the period that followed the Sirte Session relates to the final and binding ruling on the new borders of the region of Abyei, issued by the Permanent Court of Arbitration (PCA), in The Hague, on 22 July 2009. Significantly, both parties to the CPA, namely the NCP and the SPLM, pledged to respect the ruling and to work out an appropriate plan for the demarcation of the boundary as soon as possible. Furthermore, a diplomatic process led by the USA succeeded in producing a commendable and promising document titled "NPC-SPLM Points of Agreement".

58. The CPA implementation process has reached a decisive moment. The Sudanese general election is scheduled for April 2010. In the interim, a number of issues need to be concluded to facilitate free and fair elections. Furthermore, the 2011 Referendum that will decide the future of the country is only 17 months away. While the parties have primary responsibility for the attainment of the objectives of the CPA, it is crucial that the international community gives the same support to the current implementation process as was the case during the negotiation phase in Kenya.

(ii) Darfur

59. In Darfur, the security situation remains relatively calm. However, tensions along the border lines between Chad and Sudan remain high, in part because of activities by the Justice and Equality Movement (JEM), SLM/A (MM) and the Chadian Armed Opposition groups (CAOGs), in the general border areas. Furthermore, progress continues to be made regarding the deployment of UNAMID, whose mandate was renewed by the PSC and the UN Security Council for a further period of 12 months, starting 31st July 2009. As of early August 2009, 13,534 troops (69.20%) were deployed in Darfur out of the 19,555 military personnel authorized, while the deployment of the police component stood at 3,271 (about 50.85% of the authorized strength). Critical gaps remain in the areas of aviation and force enablers, whose speedy provision will allow the Mission to carry out its mandate more effectively. It is worth noting that the Tripartite Coordination Mechanism in charge of facilitating the deployment of UNAMID has met four times since the beginning of this year and that it came to the conclusion that almost all of its decisions were fully implemented by the various partners. However,

numerous challenges for lasting peace and reconciliation remain in this region, as shown by the slow progress in the political negotiations and the difficulties being encountered in the implementation of the Agreement of Goodwill and Confidence Building for the Settlement of the Conflict in Darfur signed between the Government of the Sudan and JEM in Doha, Qatar, on 17 February 2009. Efforts are currently underway to help reduce the number of Darfurian factions and, ultimately, achieve a reunification of the movements or, at least, arrive at a common delegation and a common negotiating position.

60. Against this background, there is a need for all concerned Sudanese stakeholders to redouble their efforts, in order to speed up the search for peace and reconciliation, and to extend full cooperation to UNAMID and the Joint Chief Mediator, bearing in mind that civilians in Darfur continue to be exposed to an unacceptable risk of violence, millions of people continue to live in IDP camps or as refugees, and the need to create conditions conducive for the successful holding in Darfur of the April 2010 national elections as provided for by the CPA. Equally important is the need to further strengthen UNAMID. It is also very important that the deferral of the arrest warrant issued against President Omar Hassan Al Bashir be effected in view of the evolving circumstances, and that the Session reiterate earlier AU decisions on the ICC process, in particular the non cooperation of AU member States with the arrest and surrender of President Al Bashir. The Session may also wish to reiterate the AU's support to the efforts of the High-Level Panel on Darfur, which is expected to provide a clear roadmap on how best to achieve peace, justice, reconciliation and healing in Darfur, thereby contributing to the overall objective of sustaining peace and stability in the Sudan as a whole.

f) Relations between the Sudan and Chad

61. The relations between the Sudan and Chad continue to be characterized by persistent tension, thus making efforts to promote good neighbourliness between the two countries, as well as peace and stability in the region more difficult to achieve. It is to be recalled that these efforts are being undertaken in pursuance of the implementation of the Dakar Agreement of 13 March 2008 and other previous Agreements. The hope for a resumption of the process of normalisation of relations between the two countries, following the Agreement concluded in Doha on 3 May 2009, under the auspices of Qatar and the Great Libyan Arab Jamahiriya, has not materialized. Consequently, during its Sirte Session, the Assembly of the Union called for renewed efforts in order to restore good neighbourliness and confidence between the Sudan and Chad, as well as the scrupulous implementation of the Agreements concluded.

62. Unfortunately, the post-Summit period has not recorded any positive development, hence the urgency to intensify efforts aimed at normalising relations between Chad and the Sudan. In this respect, it is important that the Contact Group established within the context of the Dakar Agreement resume its meetings as quickly as possible. It is equally important that all efforts be made for the two neighbouring

countries to adopt the required confidence building measures in order to facilitate the advent of a new era in the relations between Chad and the Sudan.

g) Central African Republic (CAR)

63. In CAR, sustained efforts have continued towards the implementation the recommendations of the Inclusive Political Dialogue (DPI), which took place in Bangui from 8 to 20 December 2008. It is worth recalling that, in pursuance of the DPI recommendations, President Francois Bozize formed a new Government on 19 January 2009 integrating some members of the democratic and armed opposition.

64. The effective holding of the DPI marked a major step in the efforts to consolidate peace, security and stability in CAR. In spite of sporadic armed confrontations, a general trend towards peace is perceptible in the country. However, one of the major challenges facing CAR relates to the implementation of the DDR programme, whose successful completion is crucial for the remaining part of the process that should lead to all-inclusive and peaceful elections in 2010. Moreover, the economic and financial situation calls for special attention. Development partners should be responsive to the considerable efforts made by the Central African authorities and adapt their support procedures to the reality of the situation in CAR. The AU Commission intends to increase its contribution towards the success of the ongoing process, particularly by opening a Liaison Office in Bangui.

h) Comoros

65. The situation in the Comoros has been dominated by the search for an effective solution to the dysfunctions of the Comorian institutions, the problems related to the sharing of competencies amongst the Executives of the Union and the Islands, as well as to issues relating to good governance. In the absence of an agreement between the parties on the envisaged institutional reforms, the President of the Union decided to submit to a referendum the proposed draft constitutional reforms. While preserving the two basic principles of the 2001 Constitution – the principle of the revolving presidency between the various Comorian entities and the autonomy of the Islands – the draft introduces several major amendments, particularly concerning the status of the Heads of the Executives of the autonomous Islands. The draft was adopted by referendum on 17 May 2009. Since then, there has been tension in the relations between the Government of the Union and the authorities of the Islands of Grande Comoros and Moheli.

66. In light of the aforesaid, it is necessary to encourage all the Comorian parties to take a consensual approach towards the implementation of the institutional reforms undertaken by the country, the principle of which is accepted by all. A consensus between the Comorian parties would facilitate the smooth running of the elections scheduled for October 2009 elect members to the National Assembly and the legislative organs of the autonomous Islands. The need for sustained efforts to improve governance in the Comoros is equally important.

i) Madagascar

67. At the Sirte Session the Assembly, having expressed its grave concern over the lack of progress towards the return to constitutional order in Madagascar, lent its support to the elements for a way out of the crisis as articulated by the International Contact Group on Madagascar, during its meeting held in Addis Ababa on 30 April 2009, and encouraged the Commission to continue and intensify its efforts.

68. It is within this context that the International Contact Group on Madagascar met once again in Addis Ababa on 22 July 2009, under the auspices of the AU, and agreed, in particular on the convening of a meeting of all the political camps in Madagascar under the auspices of the AU, in order to reach a consensual solution for a rapid return to constitutional order. This meeting took place in Maputo, from 5 to 10 August 2009, under the leadership of former President Joaquim Chissano. It resulted in the signing of a number of documents, including a Transitional Charter, which provides for a transitional period not exceeding fifteen months. A second meeting is scheduled for 25 and 26 August 2009 in Maputo to distribute portfolios within the transitional institutions. The Maputo meeting is a major step in the process of resolving the crisis in Madagascar. The Special Session may wish to lend its full support to the Maputo Agreements and urge all stakeholders to redouble their efforts to restore legality, through credible, transparent and fair elections, and enable their country to overcome the current crisis.

j) Peace Process between Eritrea and Ethiopia

69. The peace process between Ethiopia and Eritrea remains stalemated. It will be recalled that, following difficulties encountered in the implementation of the April 2002 Delimitation Decision and the inability of the parties to reach an agreement on how to proceed with the demarcation, the Eritrea-Ethiopia Boundary Commission (EEBC), in November 2007, confirmed its earlier decision to the effect that the boundary will automatically stand as demarcated by the boundary points it listed. Eritrea declared the border demarcated by its acceptance of the “virtual demarcation” decision. Ethiopia, on its part, dismissed this decision as a “legal fiction”, insisting on the need to physically demarcate the border. It is in this context, and in view of the restrictions imposed by Eritrea on UNMEE, that the Security Council, on 30 July 2008, decided to terminate UNMEE’s mandate, emphasizing that this decision was without prejudice to both countries’ obligations under the 2000 Algiers Agreements. In fact, the only new development during the period under review relates to the Final Awards on each Party’s Claims, rendered, on 17 August 2009, by the Ethio-Eritrea Claims Commission. Against this background, the need for more sustained and coordinated efforts to help the parties overcome the current stalemate and normalize their relations cannot be over-emphasized, given the negative impact of the current situation on both countries and on the region as a whole.

k) Relations between Djibouti and Eritrea

70. In Sirte, the Assembly was updated on the evolution of the relations between Djibouti and Eritrea. In this respect, two developments were highlighted: first, the adoption by the Security Council, on 14 January 2009, of resolution 1862(2009), in which it urged Eritrea and Djibouti to resolve their border dispute peacefully and demanded, *inter alia*, that Eritrea withdraw its forces and all their equipment to the positions of the *status quo ante* and engage actively in dialogue and diplomatic efforts to reach a solution; secondly, the letter addressed by the UN Secretary-General to the Security Council on 30 March 2009, in which he indicated that he had no information that Eritrea had complied with the demands contained in resolution 1862(2009). On its part, the Assembly expressed its grave concern at the total absence of progress regarding the implementation by Eritrea of its relevant decisions, as well as resolution 1862 (2009), and urged Eritrea to urgently and fully comply with these demands. It should also be noted that the IGAD Council of Ministers, meeting in Addis Ababa on 10 July 2009, called upon Eritrea to end its occupation of Djiboutian territories and desist from its destabilization agenda against Djibouti. The AU Commission has offered its assistance to both parties to help in restoring good neighborliness and normal sisterly relations between them.

l) Liberia

71. In Liberia, post-conflict reconstruction activities and national reconciliation efforts continue. Among other developments, it is worth noting the submission, on 30 June, by the Liberian Truth and Reconciliation Commission (TRC) of its final report to the National Legislature. Furthermore, the Liberian Poverty Reduction Strategy (PRS) programme, currently in its second year of implementation, continues to make quite remarkable progress. At the same time, the country continues to face major challenges, relating, among others, to the follow-up and implementation of the TRC report, governance issues, youth unemployment and preparation for the 2011 elections. In addition, concerns have been expressed by government officials with regard to the security gaps that would be created by UNMIL withdrawal, given that the country is not entirely ready to maintain both internal and external security by itself. Hence, the need for continued support by AU Member States and the international community at large to make it possible for Liberia to consolidate the remarkable progress it has made over the past few years. The renewal of UNMIL mandate is a positive step in this direction.

m) Côte d'Ivoire

72. The implementation of the Ouagadougou Political Agreement (APO) and its Complementary Agreements has recorded significant progress. In this respect, the following could be highlighted: the dismantling of the "zone of confidence", which facilitated the re-establishment of free movement of goods and persons within the whole territory; the re-establishment of confidence between the ex-belligerents forces, whose respective Chiefs of Staff hold regular consultations, particularly within the framework of the Integrated Command Centre (CCI); the implementation and finalization, on 30 June 2009, of the identification and voter registration process; the holding of public hearings

for the issuance of duplicates of birth certificates; and the operation to reconstitute lost or destroyed civil registers. These developments made it possible to set the date for the 1st round of presidential elections for 29 November 2009.

73. It should, however, be pointed out that certain aspects of the APO are experiencing difficulties. For instance, several provisions of the Agreement pertaining to military issues have not yet been implemented, or have only been implemented partially. This situation can have a negative impact, since the 4th Complementary Agreement to the APO stipulates that the disarmament of FAFN ex-combatants and of militia should be completed at least two months before the elections. In this context, the Special Session should urge the Ivorian parties to continue to show the necessary political will, in order to create a favourable atmosphere for the holding of the presidential election. It should also encourage the international community to mobilize the necessary financial resources, particularly for the demobilization and rehabilitation of ex-combatants and militia.

n) Republic of Guinea

74. The AU and ECOWAS continue to make efforts towards the return of constitutional rule in Guinea. It is in this context that the 5th meeting of the International Contact Group on Guinea was held on 16 and 17 July 2009, with the main aim of considering the different obstacles to, and looking at ways and means of re-launching and speeding up of the transitional process. In spite of these efforts, the transitional process in Guinea is not progressing at the desired pace. In addition, the security situation has worsened, with repeated attacks on persons and goods.

75. It is in this context that the 197th meeting of the PSC, held on 27 July 2009, expressed its strong concern about the limited progress made in the implementation of the timetable as agreed upon, and stressed the need to re-launch dialogue and hold elections before the end of 2009, and within the period stipulated in the timetable. It also called for the formalization of the commitment by the President and members of the CNDD, as well as the Prime Minister, not to contest future presidential and legislative elections, the need for the respect of human rights and the disbursement of the entirety of the Government's contribution for the holding of the elections. The situation has since then evolved, with the adoption of a new timetable which fixes the date of the first round of the presidential election at the end of January 2010 and legislative elections in March 2010. However, the implementation of the timetable is still in question, particularly regarding the establishment of the National Transitional Council and compliance with commitments made by the President of the CNDD.

o) Guinea Bissau

76. During its Session in Sirte, the Assembly of the Union discussed the situation in Guinea Bissau. More specifically, the Assembly condemned the assassination of President Joao Bernardo "Nino"Vieira and his Chief of Staff, General Batista Tagme Na Wai, at the beginning of March 2009. The Assembly urged the armed and security forces

to refrain from any interference in political issues and encouraged the Commission to pursue its efforts, so that Guinea Bissau could quickly overcome the crisis.

77. In this context, it is encouraging to indicate the smooth running of the presidential election, whose second round was held at the end of July 2009. This election was won by Mr Malam Bacai Sanha, with more than 63% of votes cast. On the basis of commitments previously made by the two candidates, and in an unprecedented move in the history of Guinea Bissau, the loser, Kumba Yala, conceded defeat, congratulated the winner and assured him of his collaboration. The challenge now is to consolidate this stride by an increased mobilisation of Member States and the international community to give the necessary assistance for the process of stabilization and peacebuilding in Guinea Bissau. Specific measures are recommended below.

p) Mauritania

78. The AU Session in Sirte was held in a context marked by positive developments of the situation in Mauritania. Indeed, following negotiations between the Mauritanian parties held in Dakar from 27 May to 2 June 2009, under the auspices of President Abdoulaye Wade of Senegal and the Contact Group on Mauritania chaired by the AU, a Framework Agreement for a Way Out of the Crisis was signed in Nouakchott on 4 June 2009. In a meeting held on 10 June 2009, the PSC expressed satisfaction at the conclusion of this Framework Agreement, noting with satisfaction that the Agreement was in conformity with the elements for a consensual way out of the crisis as articulated in its relevant communiqués. During its 196th meeting in Sirte, Libya, on 29 June 2009, the PSC noted the entry into force of the Dakar Framework Agreement. In light of this development, and in accordance with the Lome Declaration, the PSC decided to lift the suspension of Mauritania after the coup d'Etat of 6 August 2008, as well as the sanctions imposed by its relevant communiqués. The Assembly of the Union endorsed these decisions.

79. It is within this context that early presidential elections were held on 18 July 2009. The provisional results announced on 19 July 2009 and thereafter validated by the Constitutional Council led to the election of Mr. Mohammed Ould Abdel Aziz in the first round, with a little more than 52% of votes cast. In a joint declaration, the AU mission and the other international observation missions confirmed that the election process was transparent. The President-elect was inaugurated on 5 August 2009. The task ahead now is to build on the progress achieved. In this respect, the Assembly could urge the Mauritanian parties to work closely together, particularly regarding the implementation of the provisions of the Dakar Framework Agreement on the continuation of the Inclusive National Dialogue, and encourage the international community to lend the necessary support to Mauritania.

q) Western Sahara

80. The dispute over Western Sahara continues to remain stalemated as a result of the polarized positions of the Parties, and, more recently, because of Morocco's insistence that its proposal for autonomy be the only basis of negotiations in the talks

with the POLISARIO, while the UN Security Council took note of the respective proposals by both parties as put forward on 10 and 11 April 2007. With the foregoing as a backdrop, the Security Council adopted, on 30 April 2009, resolution 1871 (2009), *“call(ing) on the Parties to continue to negotiate, without preconditions and in good faith, with a view to achieving a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations”*.

81. It is encouraging that the parties met in Duernstein, Austria, on 10 and 11 August 2009, at the invitation of the UN Personal Envoy. The discussions took place in an atmosphere of mutual respect and cooperation. The present Session may wish to fully support the ongoing efforts, and urge for speedy progress towards a definitive resolution of this dispute, which has been on for decades to the detriment of not only the people of Western Sahara, but also the much-needed regional cooperation in the Maghreb.

VII. OBSERVATIONS AND RECOMMENDATIONS

82. In this report, I have endeavored to highlight the significant progress we have made in our journey towards peace, security and stability, but also the many challenges that continue to confront us. We should take pride in the achievements we have made. At the same time, we must demonstrate a renewed resolve to deal once and for all with the scourge of conflicts and violence on our continent, acknowledging our shortcomings and errors, committing our resources and our best people, and missing no opportunity to push forward the agenda of conflict prevention, peacemaking, peacekeeping and post-conflict reconstruction.

83. Armed conflicts in Africa kill thousands of people every year; create humanitarian disasters and cause hundreds of thousands to flee their homes, as refugees or displaced persons; wipe out livelihoods and wealth that ordinary people have worked hard to accumulate over their lifetimes; and destroy infrastructure. There is also a more profound loss: the destruction of hope, as many children remain uneducated because of war; many women are abused, traumatized, or overcome by despair because of the violence inflicted on them and their families; and many skilled people abandon their home countries because of conflict. Clearly, if this scourge is not brought to an end, Africa will not meet the Millennium Development Goals, as peace is the necessary condition for development.

84. When the African leaders launched the AU, in Durban, in 2002, and, five years ago in Addis Ababa, inaugurated the PSC, they reaffirmed their commitment to overcoming the challenges of sustainable peace and security, recognizing that the persistence of armed conflict was the single most formidable obstacle to realizing the ideals of the AU, as laid out in its Constitutive Act. We have come a long way since 2002. Today, we have the necessary institutional and normative framework to address the scourge of conflicts and the AU has demonstrated a renewed dynamism in dealing with the issues of peace and security on the continent. The challenge before us is to redouble our efforts towards the effective implementation of our commitments, in

particular, as articulated in the Statement issued on the occasion of the solemn launching of the PSC: commitment to fostering political dialogue as the essential mechanism for preventing recourse to insurrection and armed struggle; commitment to ensuring that Africa, at all times, move first, in a timely manner, to address conflicts in our continent; commitment to addressing the root causes of conflicts in a systematic and holistic manner, which requires that Africa set for itself and achieve ever-higher standards in the areas of human rights, democracy, good governance and conflict prevention; commitment not to shrink from decisive actions to overcome the challenges confronting the continent.

85. Equally important is the need to nurture and consolidate our continental peace and security architecture, by committing the required human, logistical and financial resources for its functioning. The Member States should commit themselves to an increased support for the Peace Fund. I also would like to reiterate the importance for Member States to extend full cooperation and support to the PSC in the discharge of its mandate.

86. To achieve our objective of an African continent that is not only at peace with itself but is also at peace with the rest of the world, we should continue to strengthen our relations with our major partners and request them to show solidarity with our efforts, based on our understanding that global peace and security is indivisible. At the same time it is crucial that this partnership be fully based on Africa's leadership, because without such leadership, there will be no ownership and sustainability; because we understand the problems far better than those who come from far away; because we know which solutions will work, and how we can get there; and because, fundamentally, these problems are ours, and we will live with their consequences.

87. Making and sustaining peace and security is also an intellectual challenge. We need to build the capacity of our universities and research institutes to explore the nature of African conflicts, to investigate what succeeds and what fails in conflict resolution efforts and to arrive at African-centered solutions. While we must use the best expertise from around the world, it is indeed crucial that we build our own intellectual capital, drawn from our own distinctive and unique experience, and place it at the service of African efforts in support of peace.

88. This Session will be judged not only by a renewed determination to ensure the effective implementation of our commitments, but also by concretely helping to move forward the resolution of existing conflicts and consolidate peace where it has been achieved.

89. In this regard, the Special Session should stress the importance of ensuring the effective implementation and monitoring of the various decisions taken by the AU policy organs on the conflict and crisis situations confronting us. Indeed, these decisions do provide the way forward for injecting a new momentum to efforts aimed at promoting and/or consolidating peace, security and stability on the continent. Such a momentum will go a long way in helping us ensure the completion of the peace and reconciliation process in Côte d'Ivoire; the consolidation of peace and reconciliation in countries such

as Liberia, Central African Republic, and the Comoros; the successful implementation of the CPA in Sudan; the resolution of the conflict between Djibouti and Eritrea, as well as overcoming the impasse in the peace process between Ethiopia and Eritrea; the restoration of legality in countries where there have been unconstitutional changes of Government (Guinea and Madagascar); and the achievement of a lasting solution in Western Sahara where the ongoing efforts by the UN deserve our full support.

90. The Summit may also wish to look at some specific conflict and crisis situations. On **Somalia**, the Session may wish, in particular, to:

- (i) reiterate its support to the TFG as the legitimate authority of Somalia. In this respect, renewed efforts are required to ensure that Member States that have pledged troops for AMISOM expedite their deployment and that others be encouraged to contribute troops and logistical assets;
- (ii) stress the AU's commitment to help the TFG to extend the effectiveness of its authority to the whole territory of Somalia, including its airspace and territorial sea, as well as such strategic locations whose control is likely to accelerate the achievement of peace, security and stability throughout the country;
- (iii) encourage the neighbouring countries to contribute to the Mission, including by assisting the TFG in the implementation of its strategies and policies aimed at promoting security and development;
- (iv) urge all countries and institutions that have made pledges during the Brussels pledging Conference to speed up the disbursement of the funds pledged in order to avoid delays in the implementation of crucial activities, including the task of training the Somali security forces;
- (v) stress the need for the AU and its partners to work together to implement measures, including sanctions against spoilers, as well as the imposition of a no-fly zone and naval blockade to prevent the flow of arms and other forms of support to insurgents in Somalia, and also to protect Somalia's coastline and fight against piracy; and
- (vi) request the TFG to further its policies of peace, national reconciliation and inclusiveness.

91. Given the regional dimension of the crisis in Somalia and, more generally, the prevalence of the scourge of conflicts in the Horn of Africa, the Session may wish to consider the launching by the AU, in collaboration with IGAD, the UN and other stakeholders, of a process leading to a conference on peace, security, cooperation and development in the Horn of Africa. The conference would aim to promote trust and good neighborliness between the countries concerned, and to articulate a comprehensive and coherent strategy that would effectively address the multifaceted and interrelated challenges facing the region, on the basis of the relevant AU instruments, and help

create a political climate conducive to a just, peaceful and lasting settlement of existing or potential disputes in the region.

92. Regarding **Darfur and the Sudan** as a whole, it is important to:

- (i) acknowledge the improvement of the security situation on the ground and the progress made in the deployment of UNAMID, while reiterating AU's call on all the countries able to do so, to provide UNAMID with the required military enablers, to enhance the capacity of the Mission and allow it to carry out its mandate more effectively;
- (ii) stress the need for speedy progress in the search for peace, security, justice and reconciliation in Darfur and call on all the Sudanese parties to demonstrate the necessary political will and engage in dialogue without preconditions. In this respect, it is important to emphasize that the achievement of lasting peace and reconciliation in Darfur requires that the Sudanese stakeholders take full ownership of the process, with the international community playing a supportive role;
- (iii) reaffirm the commitment of the AU to combat impunity, while at the same time urging, once again, the UN Security Council to heed the AU's call for the deferral of the process initiated by the ICC against President Omar Hassan Al Bashir in the interest of peace, justice and reconciliation;
- (iv) underscore, once again, the importance of the normalization of relations between Chad and the Sudan, as part of the efforts to promote regional stability and facilitate the resolution of the conflict in Darfur, call for the scrupulous implementation of the Agreements they have concluded, and urge the co-chairs of the Contact Group established by the Dakar Agreement of 13 March 2008 to intensify its work;
- (v) reiterate the AU's support for the efforts of the High-Level Panel on Darfur (AUPD), whose recommendations are expected to provide a clear roadmap on how best to achieve peace, justice, reconciliation and healing in Darfur, thereby contributing to the overall objective of sustaining peace and stability in the Sudan as a whole;
- (vi) support a holistic approach to the challenges facing Sudan, including those relating to the implementation of the CPA and its possible impact on the overall peace and security of the Sudan and beyond and, in this spirit, call on the stakeholders to reconcile their differences and develop a common vision of the future.

93. Concerning **the Great Lakes**, the Session, while expressing satisfaction at the considerable progress made so far in the promotion of peace, security and stability within the region, could:

- (i) reiterate the full support of the AU towards the implementation of the Pact on Security, Stability and Development and encourage AU Member States and partners to contribute more actively to this effort;
- (ii) welcome the normalization of relations between the DRC and its neighbours, and encourage them to strengthen this process, particularly within the framework of the above-mentioned Pact on Security, Stability and Development. At the same time, the session may wish to lend its support to concrete initiatives aimed at better supporting the efforts made by the countries in the region to resolve once and for all the problem of the negative forces in general, and the FDLR in particular, including specific measures to curb the propaganda and any activity that the FDLR could undertake in other countries;
- (iii) urge Member States to step up their efforts to support post-conflict reconstruction and development efforts in the DRC and Burundi. In this respect, the Conference may wish to consider the organization of an African solidarity conference with these two countries, in accordance with the PCRD Policy Framework and, more generally, the mobilization of the international community to support the implementation of the Pact on Security, Stability and Development in the Great Lakes region.

94. Concerning **Guinea Bissau**, the Session could:

- (i) express satisfaction at the encouraging developments in the political situation of this country, as evidenced by the smooth running of the recent presidential election;
- (ii) entrust the Commission, based on pertinent decisions on Guinea Bissau, to consider the deployment of a joint AU/ECOWAS/UN mission to consolidate peace and stability, lend the necessary support towards the reform of the security sector, and assist in the fight against drug trafficking, and post-conflict reconstruction and development;
- (iii) request the Commission to conclude its consultations with the Guinea Bissau authorities and ECOWAS on how to create conducive conditions for the conduct of a credible investigation into the political assassinations committed in the country in 2009.

95. More generally, the Session could encourage the organization by the AU of a Regional Conference on “Drug trafficking and cross-border crime in West Africa”. These two issues constitute new threats to peace and security in the countries concerned and in the region as a whole.

96. I would like to seize this opportunity to pay tribute to all those, within and outside our continent, who are contributing to the promotion of peace on our continent. In particular, I pay tribute to the African soldiers who are in the front line of our peacekeeping operations and who, sometimes, pay the ultimate sacrifice, in pursuit of our common aims of peace, security and civilian protection.

2009-08-31

Report of the Chairperson of the Commission, Enhancing Africa's Resolve and Effectiveness in ending Conflict and Sustaining Peace Special Session of the Assembly of the Union on the Consideration and Resolution of Conflicts of Africa

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