

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

ADDIS ABABA, ETHIOPIA P. O. Box 3243 TELEPHONE : 0115517 700 FAX :0115517844
website: www.africa-union.org

**ASSEMBLY OF THE AFRICAN UNION
TWELFTH ORDINARY SESSION
1ST – 3RD FEBRUARY 2009
ADDIS ABABA, ETHIOPIA**

Assembly/AU/4(XII)

**REPORT OF THE PEACE AND SECURITY COUNCIL ON ITS
ACTIVITIES AND THE STATE OF PEACE AND
SECURITY IN AFRICA**

REPORT OF THE PEACE AND SECURITY COUNCIL ON ITS ACTIVITIES AND THE STATE OF PEACE AND SECURITY IN AFRICA

I. INTRODUCTION

1. According to Article 7(q) of the Protocol Relating to the Establishment of the Peace and Security Council (PSC) of the African Union (AU), the PSC shall “submit, through its Chairperson, regular reports to the Assembly on its activities and the state of peace and security in Africa.” The present report, prepared in conformity with the said Article, covers the activities undertaken by the Council during the period July 2008 to December 2008, and provides an overview of the state of peace and security on the continent during the period.

2. The specific aspects covered include the signature and ratification of the PSC Protocol, membership of the PSC, rotation of the chairmanship of the PSC, activities undertaken by the PSC and the state of peace and security in Africa.

II. SIGNATURE AND RATIFICATION OF THE PSC PROTOCOL

3. At the time of finalizing this report, 51 member States had signed the PSC Protocol, while 44 had both signed and ratified it. Two member States are yet to sign and ratify the Protocol, namely, Cape Verde and Eritrea. The following member States have signed the Protocol but have not yet ratified it: Central African Republic (CAR), Democratic Republic of Congo (DRC), Guinea Bissau, Guinea, Liberia, Seychelles and Somalia.

III. MEMBERSHIP OF THE PSC

4. As stipulated in Article 5 (1) of the Protocol, the PSC is composed of fifteen (15) members with equal rights and who are elected as follows: 10 members elected for a two (2) year term and five (5) members elected for a three (3) year term. The Assembly would recall that the current ten(10) members of the PSC for a two (2) year-term (2008- 2010), namely, Benin, Burkina Faso, Burundi, Chad, Mali, Rwanda, Swaziland, Tunisia, Uganda and Zambia were elected by the Executive Council during its Ordinary session held in Addis Ababa, in January 2008.

5. The mandate of the newly elected PSC members began on 1 April 2008, in accordance with paragraph A-2(i) of the Conclusions of the PSC Retreat on the Working Methods of the PSC, held in Dakar, Senegal, in July 2007. The current list of the Council members in the English alphabetical order is as follows: Algeria, Angola, Benin, Burkina Faso, Burundi, Chad, Ethiopia, Gabon, Mali, Nigeria, Rwanda, Swaziland, Tunisia, Uganda and Zambia.

IV. ROTATION OF THE CHAIRMANSHIP OF THE PSC

6. In conformity with Rule 23 of the Rules of Procedure of the PSC, the chairmanship of the PSC rotates among its members on a monthly basis following the English alphabetical order of the list of the PSC members. Furthermore, as provided for in the Conclusions of the Dakar PSC Retreat on the working methods, a new list of PSC members was elaborated following the election of ten members of Council for a two year term by the Executive Council in January 2008, on the basis

of which a line up of the rotating chairpersons of the PSC was drawn (see Annex I attached to this Report) covering the period from February 2008 up to March 2010.

7. During the period under review, the chairmanship of the PSC rotated as follows:

-	Nigeria	July 2008
-	Rwanda	August 2008
-	Swaziland	September 2008
-	Tunisia	October 2008
-	Uganda	November 2008
-	Zambia	December 2008
-	Algeria	January 2009

V. ACTIVITIES OF THE PEACE AND SECURITY COUNCIL

8. During the period under review, the PSC held twenty eight (28) meetings. Twenty five (25) of these meetings took place at the ambassadorial level at the Headquarters of the Union, whilst three (3) took place at ministerial level, with one taking place in New York on the margins of the session of the UN General Assembly in September 2008 and two in Addis Ababa, to consider various conflict situations and related issues. Among the meetings were briefing sessions to receive updates on various situations and issues. As is the established practice of the PSC, in conformity with the provisions of the PSC Protocol, the countries and other stakeholders concerned with a given issue were invited to some of these meetings and briefing sessions. The PSC also held informal consultations to deliberate on issues within its mandate.

a) Meetings on conflict situations and related issues

9. Between July 2008 and December 2008, the PSC considered the following conflict situations: Sudan (Darfur and Southern Sudan), Burundi, Côte d'Ivoire, Mauritania, Somalia, Eastern Democratic Republic of Congo (DRC), and Republic of Guinea. The list of meetings held by the PSC during the period and the issues discussed, as well as the outcomes of those meetings, are reflected in Annex II attached to this Report.

b) Briefing sessions

10. Between July and December 2008, the PSC held various briefing sessions with a view to receiving updates on issues falling under its mandate. Press statements were issued, in conformity with Rule 32 of the Rules of Procedures of the PSC, as a record of the discussions and outcomes of the sessions, as shown in Annex II.

11. These sessions included briefings by the African Centre for Study and Research on Terrorism (ACSRT) on activities relating to the evolution of the Centre and the combating of terrorism within the framework of relevant AU instruments, the Pan African Parliament, on the International Criminal Court (ICC) activities, the AU/UN High Level Panel on funding of AU led peace support operations, the Organization for Prohibition of Chemical weapons (OPCW), the Institute of Security

Studies (ISS), the North Atlantic Treaty Organization (NATO) and the International Committee of the Red Cross (ICRC).

12. Some other briefings covered the evolution of the situations in Côte d'Ivoire, Mauritania, Somalia, Eastern DRC, Guinea Bissau and Republic of Guinea. The various briefing sessions and their respective outcomes are reflected in Annex II.

c) Other activities falling within the purview of the PSC

Briefings by Chairpersons of the PSC to the Permanent Representatives Committee (PRC)

13. In line with the Conclusions of the Dakar PSC Retreat on the Working Methods of the PSC, the Chairperson of the PSC for each month briefs the PRC at the end of his/her chairmanship on the activities undertaken by the PSC during the month. Notably, the successive Chairpersons of the PSC for the period under review, namely, Nigeria, Rwanda, Swaziland, Tunisia, Uganda and Zambia briefed the PRC on the activities undertaken by the PSC during the respective months of the period under review.

Meetings of the Panel of the Wise

14. The Panel of the Wise, established in conformity with the provisions of Article 11 of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union (AU) to provide support to the efforts of the PSC, held its 2nd meeting at the AU headquarters in Addis Ababa, on 17 July 2008 under the Chairmanship of H.E. Mr. Ahmed Ben Bella, Chairperson of the Panel. The Panel had an exchange of views on tensions and crises associated with electoral processes in Africa and reviewed the peace and security situation on the Continent.

15. Furthermore, at the invitation of the Government of Algeria, the Panel of the Wise held its third meeting in Algiers, Algeria, from 12 to 14 October 2008. During the meeting, the Panel reviewed the crisis and conflict situations on the continent. Among other aspects, the Panel expressed concern over the situation in the eastern part of the Democratic Republic of the Congo (DRC) and the continuing violence in Darfur as well as the deterioration of the situation in Somalia. The Panel expressed satisfaction at the signing of a power sharing Agreement by Zimbabwean parties in September 2008 and fully supported the decisions of the PSC on the situation in Mauritania.

16. In addition, the fourth meeting of the Panel was held in Nairobi, Kenya, from 28 to 29 November 2008. The meeting considered three main issues: (i) the outcome and recommendations of the Workshop on Election-Related conflicts, held in Nairobi from 26 to 27 November 2008 on a basis of a report prepared by a team of consultants; (ii) the state of peace and security in Africa and the steps to be taken by the Panel in support of the ongoing efforts to promote peace, security and stability; and (iii) its work programme for the rest of 2008 and 2009. Also, the Panel carried out a comprehensive review of the situation in Somalia.

d) **Joint Meeting of the AU Peace and Security Council (AUPSC) and the European Union Political and Security Committee (EUCOPS), 30 September 2008, Brussels**

17. At the invitation of the Republic of France, in its capacity as the country holding the Presidency of the European Union (EU) for the period July to December 2008, the PSC participated in a joint meeting with the EU Political and Security Committee in Brussels, Belgium, on 30 September 2008. The meeting had an exchange of views on the strengthening of the African Peace and Security Architecture (APSA), including African peacekeeping capacities, as well as on crisis and conflict situations in Africa and Europe, in particular Mauritania, Somalia, Sudan, Zimbabwe, Georgia and Kosovo. The meeting agreed to hold joint meetings between EUCOPS and the AUPSC each year, alternatively in Addis Ababa and in Brussels.

e) **Retreat of the Peace and Security Council, Livingstone, Zambia, 4-5 December 2008**

18. The Peace and Security Council of the African Union held a Retreat in Livingstone, Zambia, from 4 to 5 December 2008, to consider an appropriate mechanism for interaction between the Peace and Security Council and Civil Society Organisations (CSOs) in the promotion of peace, security and stability in Africa. Subsequently, at its 161st meeting held on 16 December 2008, the PSC adopted the Conclusions on a mechanism for interaction between the PSC and the Civil Society Organisations in the promotion of peace, security and stability in Africa, as reflected in Annexe III to this Report.

V. STATE OF PEACE AND SECURITY

19. The following paragraphs present an overview of the crisis and conflict situations in the continent. They first deal with the unconstitutional changes of Government that occurred during the period under review and then give an account of developments in other crisis and conflict situations most of which have been regularly considered by the PSC.

a) **Unconstitutional Changes of Government**

20. One of the major trends during this period was the resurgence of the scourge of coups d'état, with unconstitutional changes of Government occurring in Mauritania on 6 August 2008 and in Guinea on 24 December 2008, and the attack against the residence of the Head of State of Guinea Bissau in the aftermath of the legislative elections of 16 November 2008. Evidently, this development constitutes a cause for concern and represents real political retrogression in the continent.

21. **In Mauritania**, the coup d'état of 6 August 2008 overthrew the democratically elected government of President Sidi Ould Cheikh Abdallahi. The Assembly will recall that the election of President Sidi Ould Cheikh Abdallahi was the culmination of an exemplary transition supported by both the AU and the international community.

22. Nearly six months after the coup d'état and in spite of the efforts deployed by the AU with the support of international partners, no progress has been made in the search for a solution in line with the terms of the crisis exit plan as articulated by the

international community, namely, the contribution of President Sidi Ould Cheikh Abdallahi in his capacity as President to the search for a solution, the participation of all the stakeholders and the full compliance with the Mauritanian Constitution. During its 163rd meeting held on 22 December 2008, the PSC decided that if, by 5 February 2009, constitutional order had not been restored, measures, including travel bans and assets freeze would be imposed on all persons, military or civilian, whose activities seek to maintain the unconstitutional status quo.

23. **In Guinea Bissau**, the attack against the residence of President Joao Bernardo Vieira took place on 23 November 2008, exactly one week after the legislative elections that were deemed satisfactory by all the international observers, including those from the AU. It should be pointed out that this attack took place at a time when the political climate was dominated by very high tensions between the main political leaders of the country.

24. **In the Republic of Guinea**, the coup d'état occurred after the announcement of the death of President Lansana Conté on 23 December 2008. It should be recalled that the Constitution of Guinea provides that in the event of a power vacuum, it shall be filled by the Speaker of the National Assembly. The leaders of the coup d'état **have** since then announced their intention to restore constitutional order before the end of the year 2009, after elections in which the personalities who participated in the transition will not stand as candidates. ECOWAS made a commitment to support this process at its Extraordinary Summit held in Abuja, Nigeria on 10 January 2009. At the time of finalizing this report, an AU delegation was in Conakry for consultations with all the actors concerned, both on the evolving situation and on the modalities for AU support with a view to the restoration of constitutional legality before the end of this year.

25. Faced with this situation, the PSC reacted in accordance with the relevant AU instruments. It is worth recalling that the Constitutive Act expresses in no uncertain terms the unequivocal rejection by the AU of any unconstitutional changes of Government. Mention should also be made of the Lomé Declaration of July 2000 adopted as a follow-up to the 1999 Algiers Decision. More specifically, the Declaration provides, beyond the initial reaction of condemning the unconstitutional change of Government and suspending the participation of the country concerned in AU's activities, that a maximum period of six months should be granted to the masterminds of the change in question to restore constitutional legality. If, on the expiry of this deadline, constitutional order is not restored, the Declaration stipulates that a series of limited and targeted sanctions should be imposed on the authors of the unconstitutional change.

26. In January 2007, the Assembly of the Union adopted the African Charter on Democracy, Elections and Governance, which, among other provisions, reinforced significantly the regime of sanctions applicable in the event of unconstitutional change. Thus, the Charter, among other things, prescribes, in addition to the suspension of the country concerned, the non-participation of the authors of the unconstitutional change in the elections organized for the restoration of constitutional order. It also prohibits them from occupying posts of responsibility in the political institutions of their State. Furthermore, the Charter provides for the possibility of the Assembly of the Union imposing sanctions against any State Party that foments and

supports an unconstitutional change in another State and for the refusal by State Parties to play host to or grant asylum to the authors of unconstitutional changes. Even though this Charter has not yet entered into force, it nevertheless remains a reference that could inspire possible action to be taken when necessary.

27. Against this background, it is important for the Assembly of the Union to reiterate, in the strongest possible terms, AU's principled stance on unconstitutional changes of Government and its firm support for the decisions taken by the PSC with regard to situations tabled before it for consideration. Similarly, it is imperative to leave no stone unturned to ensure the expeditious entry into force of the Charter on Democracy, Elections and Governance. To date, only three Member States have ratified this Charter.

b) Other Conflict Situations

28. As stated earlier, other conflict and crisis situations facing the continent have also attracted the attention of the PSC. **In the Comoros**, the period under review was marked by continued efforts at consolidating the progress achieved in the national reconciliation process after the restoration of State authority in Anjouan. On this score, the authorities of the Union are planning to organize an inter-Comorian Conference to consider, inter alia, the issue of rationalizing the existing institutional architecture of the country and the harmonisation of the various electoral laws of the country.

29. However, the Comorian parties remain divided on a number of vital aspects of inter-Comorian Conference. On the one hand, while reiterating its commitment to respect the autonomy of the islands and the principle of "rotation", according to which the Presidency of the Union should fall to Moheli in 2010, on the expiry of the latter's term of office, the President of the Union intends to seize the opportunity of the Conference to launch a process for the establishment of a new institutional entity in which the sovereign powers of the State would be preserved. On the other hand, the Presidents of the autonomous islands of Ngazidja and Moheli, apprehensive of a possible challenge to the fundamental principles of the existing Constitution demanded, as a pre-condition, that the Government of the Union make a commitment not to include an item on constitutional reforms on the agenda of the Conference. The President of the Union plans to call a constitutional referendum in March – April 2009, should the inter-Comorian discussions fail.

30. **In Somalia**, since the last ordinary session of the Assembly, significant progress has been made in the negotiations between the Transitional Federal Government (TFG) of Somalia and the Alliance for the Re-liberation of Somalia (ARS), as shown by the signing, on 19 August and on 26 October 2008, of the Djibouti Agreement and the Agreement on the Modalities for the Implementation of the Cessation of Armed Confrontation. Furthermore, the TFG and the ARS have issued a joint declaration providing for the establishment of a unity Government, as well as an inclusive and expanded Parliament. This progress was made amidst increasing tensions between the TFG President, Abdullahi Yusuf Ahmed, and Prime Minister Nur Hussein 'Adde', which culminated in the resignation of the President on 29 December 2008. At the time of finalizing this report, consultations were underway in Djibouti towards the establishment of an enlarged Parliament and the election of a new President for the TFG.

31. One of the major developments during the period under review relates to the decision of the Ethiopian Government to withdraw its troops from Somalia by the end of 2008, in line with the relevant provisions of the Djibouti Agreement. This withdrawal, which was completed in mid-January 2009, highlights the need to intensify the efforts being deployed towards enhancing AMISOM, whose mandated strength is 8,000 troops. Currently, the total strength of the Mission stands at 3,450 troops. Efforts also continue to be made towards the deployment of AMISOM police component and the generation of additional forces. Algeria and Egypt have pledged their logistical support, while both Uganda and Burundi have confirmed their readiness to contribute additional troops, provided the necessary financial and logistical support is mobilized. Efforts are being made with the Troop Contributing Countries and the international partners, including the United Nations, to mobilize additional resources with a view to enhancing the effectiveness of AMISOM and increasing the capabilities of the Somali police and para-military joint forces in Mogadishu. On 16 January 2009, the UN Security Council adopted Resolution 1863 (2008) through which, it, among others, expressed its intent to establish a UN peacekeeping operation in Somalia as a follow-up to AMISOM, subject to a further decision by 1st June 2009, and welcomed the recommendations contained in the Secretary-General's letter of 19 December 2008.

32. The overall security situation in South Central Somalia has seriously deteriorated, with renewed fighting between the Alshabab and other armed groups, on the one hand, and the TFG forces, on the other. As a result of the prevailing insecurity, the humanitarian situation in Somalia remains precarious. The civilian population has paid a heavy toll due to the escalation of fighting during the past few months. There have also been renewed attacks against AMISOM and humanitarian workers. The period under review has also witnessed an increase in the acts of piracy and armed robbery at sea off the coast of Somalia, prompting a number of initiatives, including the adoption by the UN Security Council, on 2 December 2008, of resolution 1846(2008), which strengthened international efforts to fight piracy off the coast of Somalia.

33. The **peace process between Ethiopia and Eritrea** continues to be characterized by a persisting impasse. As the Assembly will recall, in view of the lack of progress in overcoming the difficulties impeding the implementation of the April 2002 Delimitation Decision, the EEBC terminated its activities at the end of November 2007, and declared that the boundary was demarcated by the boundary points it listed. Eritrea declared the border demarcated by its acceptance of the EEBC "virtual demarcation" decision, while Ethiopia rejected this decision, dismissing it as "legal fiction" and insisting on the need to physically demarcate the border on the ground. It also demanded that the legal sanctity of the Temporary Security Zone (TSZ) be restored and respected.

34. On 30 July 2008, the United Nations Security Council decided to terminate the mandate of the United Nations Mission in Ethiopia and Eritrea (UNMEE), with effect from 31st July 2008. The Security Council demanded that Ethiopia and Eritrea comply fully with their obligations, show maximum restraint and refrain from any threat or use of force against each other, and to avoid provocative military activities. The Security Council also expressed strong support to the efforts of the Secretary-General and the international community to engage with Ethiopia and Eritrea to help them implement the Algiers Agreements, normalize their relations, promote stability

between them, and lay the foundation for a comprehensive and lasting peace between them. This resolution came as a consequence of the increasing restrictions imposed by Eritrea, starting in 2004, on UNMEE that made it difficult for the Mission to perform its mandate and which, in December 2007, compelled the Mission to relocate its military personnel and equipment from Eritrea and to suspend the implementation of its operations on that side of the border. As a result of these developments, the AU had to terminate the mandate of its Liaison Mission with Ethiopia and Eritrea (OLMEE), which was established by the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution in 2000, with the mandate to complement, assist and cooperate with UNMEE, whose deployment took place under the auspices of the OAU.

35. One of the major developments in **the situation at the border between the Republic of Djibouti and the State of Eritrea and the relations between the two countries** relates to the dispatching by the UN of a fact-finding mission to the region. The mission visited Djibouti and Ethiopia from 28 July to 6 August 2008; however, it did not obtain approval from the Eritrean authorities to visit Eritrea. In its report, the mission underscored the need for urgent political action to end the crisis and called for the demilitarization of the border and return to previous positions as at February 2008.

36. On 23 October 2008, and at the request of Djibouti, the Security Council held a meeting devoted to the border dispute between Eritrea and Djibouti. On 14 January 2009, the Security Council adopted resolution 1862 (2009) in which it, *inter alia*, urged Djibouti and Eritrea to resolve their border dispute peacefully; reiterated its appreciation for the efforts by the UN Secretary-General, the AU and the Arab League to engage both parties; and welcomed the fact that Djibouti has withdrawn its forces to the *status quo ante*. The Security Council also demanded that Eritrea withdraw its forces and all their equipment to the position of the *status quo ante*, acknowledge its border dispute with Djibouti, engage actively in dialogue to defuse the tension, as well as in diplomatic efforts leading to a mutually acceptable settlement, and abide by its obligations as a member of the United Nations.

37. **In Burundi**, efforts have been made to overcome the difficulties faced in the implementation of the Agreements signed between the Government of Burundi and the Palipehutu-FNL, on 18 June and 7 September 2006, respectively. The difficulties concerned notably the transformation of the Palipehutu-FNL into a political party under its present name, whereas the Constitution and the law governing political parties prohibit any reference to ethnicity, as well as the Government position according to which the 2006 Agreements should be applied strictly in accordance with the Constitution. At its meeting on 12 August 2008, the PSC called on the Burundian parties to demonstrate more political will in order to overcome the difficulties encountered.

38. Under the guidance of the Facilitator, supported by the Political Committee, the parties signed the Ngozi Declaration on 29 August 2008 according to which they undertook notably, to strive for the implementation of the 2006 Agreements within the prescribed timeframes. Because of the deadlock in the implementation of the Ngozi Declaration, the Regional Initiative held a summit in Bujumbura on 4 December 2008. On that occasion, the Palipehutu-FNL acknowledged that under its present name, it cannot be recognised as a political party, and undertook to hold consultations among its members to find a new name that would comply with the

instruments in force. For his part, President Nkurunziza pledged to allocate 33 seats to members of Palipehutu-FNL leaders. He also reiterated his decision to free all political and prisoners of war. The two parties agreed on the need for the DDR process to start without further delay. Since then, the political process has seen progress. In fact, political and prisoners of war have been freed and transferred to the Rubira assembly point. Meanwhile, Agathon Rwasa's Movement has adopted a new name: Forces nationales de liberation (FNL) – *National Liberation Forces*. The parties pledged to settle all pending issues before 15 February 2009.

39. **In the Democratic Republic of Congo (DRC)**, the peace consolidation process taking place in the country since the establishment of the institutions arising from the elections held during the second half of the year 2006 was disrupted by the outbreak of fighting, provoked by the National Congress for the Defence of the People (CNDP), between the Armed Forces of the DRC (FARDC) and units of dissident General Laurent Nkunda's CNDP. The fighting gave rise to a serious humanitarian crisis and to a number of atrocities against the civilian population.

40. On 29 October 2008, faced with the mobilization of the international community, including the AU, concerned regional actors, the United Nations and the European Union, the CNDP declared a unilateral ceasefire. The Government of Congo and the CNDP started negotiations in Nairobi, as from 8 December 2008, facilitated by the Special Envoy of the United Nations Secretary-General, Mr. Olusegun Obasanjo, and the Monitoring Mechanism set up by the Regional Summit held in Nairobi on 7 November 2008. After two working sessions virtually devoted to procedural issues, the two parties suspended the negotiations, which resumed on 8 January 2009. Meanwhile, on 20 November 2008, the United Nations Security Council authorized a temporary increase in MONUC troops.

41. At the time of finalizing this Report, there were new developments in the situation. In mid January, a group of CNDP officers led by General Bosco Ntagana, Chief of Staff of the military wing of the movement, announced that General Laurent Nkunda had been deposed from the leadership of the party, reproaching him, notably, of being an obstacle to the peace process. On 17 January 2009, the group declared the end of the war and put itself at the disposal of the FARDC to combat the FDLR. The following day, General Nkunda, still not recognizing his overthrow, in turn announced the end of the war and the placement of his men at the disposal of the FARDC to combat the "common enemy", that is, the FDLR. Most Mai-Mai groups have also decided to lay down their arms and join the peace process. Furthermore, within the scope of implementation of the Agreement concluded between the Ministers of Foreign Affairs of the DRC and Rwanda in Goma on 5 December 2008, a contingent of Rwandan soldiers entered North Kivu on 20 January 2009 to conduct a joint operation with the FARDC against the FDLR. On 22 January 2009, the dissident General Laurent Kunda was arrested on Rwanda territory.

42. Meanwhile, on 14 December 2008, the Governments of the DRC and Uganda, together with that of South Sudan (GoSS), launched a joint military operation against LRA (Lord's Resistance Army) bases in Garamba Park in North-East DRC. Reacting to this operation, the LRA perpetrated a series of atrocities in some areas in the DRC.

43. **In Southern Sudan**, efforts continued to be made towards the implementation of the Comprehensive Peace Agreement (CPA), building on the progress already made thanks to the cooperation between the two parties to the CPA. Among others, mention should be made of the enactment of the National Elections Act by the National Assembly on 7 July 2008, and the subsequent establishment by presidential decree of the National Electoral Commission (NEC), on 29 November 2008, as part of the preparation for the national elections scheduled to take place in 2009. Progress has also been made with regard to the implementation of the Abyei Roadmap of 8 June 2008. The parties agreed to refer their dispute over the Abyei permanent boundaries to "final and binding arbitration under the Permanent Court of Arbitration Optional Rules", which is expected to issue its final decision by June 2009. Finally, the Technical *Ad hoc* Border Committee established by the Presidency to demarcate precisely the 1/1/1956 North/South borderline is making sustained efforts to have this exercise completed as early as possible.

44. While the CPA implementation process has made significant strides, it is also evident that many challenges still lie ahead. These relate, among others, to the completion of the preparations for the conduct of the 2009 election and the 2011 referendum, the crucial issue of reconstruction and development in the South, national reconciliation and DDR.

45. During the period under review, efforts have continued to be made to re-launch the political process **in Darfur**. On 1 July 2008, the United Nations Secretary-General and the Chairperson of the Commission, jointly, announced the appointment of Djibrill Yipèné Bassolé, former Minister of Foreign Affairs of Burkina Faso, as the AU-UN Joint Chief Mediator for Darfur, in El Fasher. The Joint Chief Mediator took up his appointment on 1 August 2008, and has, since, undertaken extensive consultations with the Sudanese stakeholders. Other efforts to re-launch the political process include the establishment of a Ministerial Committee on Darfur under the joint chairmanship of the Prime Minister and Minister of Foreign Affairs of the State of Qatar, Sheikh Hamad bin Jassim bin Jabr Al Thani, the Secretary-General of the League of Arab States, Mr. Amre Moussa, and the Chairperson of the Commission, Jean Ping. It is also worth noting the convening, in October 2008, of the Sudan People's Forum (SPF) which was launched by President Omar Hassan Al-Bashir. The SPF was attended by senior leaders of most of Sudan's main political parties and included numerous representatives from Darfur, although not from the non-signatory armed movements. The outcome document of the meeting addresses the main elements of the conflict as a basis for further negotiations.

46. Another major development during the reporting period relates to the announcement, on 14 July 2008, by the Prosecutor of the International Criminal Court (ICC) of his application for a warrant of arrest to be issued against President Al-Bashir. Meeting on 21st July 2008, the PSC requested the UN Security Council, in accordance with the provisions of Article 16 of the Rome Statute of the ICC, to defer the process initiated by the ICC, taking into account the need to ensure that the ongoing peace efforts are not jeopardized, as well as the fact that, in the current circumstances, a prosecution may not be in the interest of justice and the victims. While in its resolution 1828(2008) of 31 July 2008, the Security Council took note of the PSC communiqué, having in mind concerns raised by some of its members regarding potential developments subsequent to the application by the ICC

Prosecutor, no action has so far been taken to defer the application. On its part, the Commission is in the process of finalizing the composition of the high-level panel established by the PSC at its meeting of 21st July 2008, to examine the situation in-depth and submit recommendations on how best the issues of accountability and combating impunity, on the one hand, and reconciliation and healing, on the other, could be effectively and comprehensively addressed.

47. The security and humanitarian situation continues to be of concern. Humanitarian aid workers as well as UNAMID personnel and assets have been at increasing risk during the reporting period. It is against this background that UNAMID continued its build-up and, with the assistance of the Government of the Sudan, it has achieved its targeted strength of 60 per cent deployment of uniformed personnel (military and police) by the end of the year. The establishment of a Tripartite Committee, consisting of the Government of Sudan, the AU Commission and the United Nations, along with the appointment of a full-time Government liaison officer to El Fasher, has contributed significantly to the deployment of the Mission, with a number of key arrangements having been concluded and implemented by the Government and UNAMID.

48. **On relations between Chad and The Sudan**, it is first to be noted that the Contact Group established by the Dakar Agreement of March 2008 met at the ministerial level and at the level of Defence, Security and Intelligence experts responsible for studying and planning the rapid establishment of the Peace and Security Force along the border between the two countries. Thus, the meetings were successively held in Brazzaville, in June 2008, in Dakar, in July 2008, and at Asmara, in September 2008. Following the restoration of diplomatic relations between Chad and The Sudan, formalised by the exchange of their respective Ambassadors on 9 November 2008, the 6th Contact Group Meeting took place in N'Djamena, on 15 November 2008. This meeting was preceded, from 12 to 14 November, by the 4th Defence, Security and Intelligence Experts Planning Meeting, the conclusions of which were adopted by the Contact Group. The 7th Contact Group Meeting will be held in Khartoum.

49. In accordance with the decision on relations between Chad and The Sudan adopted by the 138th PSC Meeting held in Sharm El Sheikh, on 29 June 2008, the Commission sent to Chad a delegation led by the former President of Burundi, Mr Pierre Buyoya, from 10 to 16 October and from 25 to 28 November 2008; and to The Sudan, from 2 to 9 November 2008. The delegation was received in audience by President Idriss Deby Itno, and had working sessions with senior officers of the Sudanese and Chadian Governments, as well as with representatives of the international community and other key players. The Authorities of both countries reiterated their commitment to normalise their diplomatic relations and to ensure that no hostile action was carried out against their respective territories on either side of their common border.

50. The security situation remained generally calm. However, there were a number of clashes between the Chadian National Army and rebel groups, some of which announced, on 18 January 2009, in Hadjer Marfaïne, a locality situated on the Chadian and Sudanese border, that they had formed an alliance called Union of Resistance Forces (*UFR*). In addition, on 14 January 2009, the United Nations Security Council adopted Resolution 1861(2009) authorising the deployment of a military component of the United Nations Mission in the Central African Republic and

Chad (MINURCAT), which would take over from the EU Force (EUFOR), at the end of the EUFOR Chad / CAR mandate, on 15 March 2009. By the same Resolution, the Security Council extended, for a period of 12 months, the multidimensional presence in Chad and the military presence in the CAR.

51. **In the Central African Republic (CAR)**, the period under consideration was marked by continued peace efforts in the CAR under the mediation of President El Hadj Omar Bongo Ondimba, President of the *ad hoc* Committee on Central African issues in the CEMAC region. From 8 to 20 December 2008, the Inclusive Political Dialogue (*DPI*) was held in Bangui, attended by almost all the Central African political actors and leader of the armed groups. Deliberations were chaired by the former Burundi President, Mr Pierre Buyoya. The participants agreed, among other things, to form a Government integrating all the entities that participated in the *DPI*, review the electoral code, set up an independent electoral Commission, and implement a demobilisation, disarmament and reintegration programme as well as the time table for reform of the security sector.

52. The deployment of the first Peace Consolidation Mission of the Central African Peace and Security Council (MICOPAX 1), which replaced the Multinational CEMAC Force (FOMUC), became effective in July 2008. MICOPAX is expected not only to help stabilise the security situation, but also support the Central African Authorities in their efforts to achieve reconciliation, promote political dialogue and peace, reconstruct and revive the economy.

53. **In Liberia**, the reporting period was marked by significant progress in the implementation of the security sector reform, with the completion of the recruitment of the elements of the new Armed Forces of Liberia (AFL) and the activation of the force, the elaboration of new military training programmes and the adoption of a new National Defence Act. The Government is also developing a national security plan as part of its SSR strategy to guarantee adequate security internally and at its borders. Furthermore, the final phase of the DDRR programme was launched on 6 October 2008 by President Ellen Johnson-Sirleaf, with the aim of filling initial gaps in the DDRR programme and addressing the residual case-load of disarmed and demobilized ex-combatants who have not accessed their reintegration benefits in the programme. Furthermore, on 29 September 2008, the Security Council adopted resolution 1836(2008) in which it decided to extend the mandate of the United Nations Mission in Liberia (UNMIL) until 30 September 2009. At the same time, a number of challenges remain, particularly regarding the justice and law enforcement system.

54. In August 2008, President Johnson-Sirleaf signed into law an Act establishing the Liberian anti-corruption Commission. At the same time, the Government, together with its partners, developed a comprehensive anti-corruption strategy. The Government has also launched a three year civil service reform programme. Furthermore, the Liberian Truth and Reconciliation Commission (TRC) submitted its final report to the National Legislature on 19 December 2008. Efforts also continue to be made towards the economic revitalization of the country. On 26 June 2008, a Liberian Poverty Reduction Forum (LPRF) was held in Berlin, during which President Johnson-Sirleaf presented the country's Poverty Reduction Strategy (PRS) initiated in April 2008. Although the implementation of the PRS is facing several challenges, the country's Gross Domestic Product (GDP) has registered a significant increase, while its external debt has substantially reduced. Infrastructure and basic social

services continue to see some improvements, though at a slow pace. At the time of finalizing this report, and as a follow-up to the decision adopted by the PSC, the Commission was making preparations to dispatch a multi-disciplinary team of experts to assess the post-conflict reconstruction needs of Liberia and make recommendations on how the AU and its member States could best support the country. At the request of the Sierra Leonean authorities, the scope of the mission has also been extended to cover Sierra Leone.

55. **In Cote d'Ivoire**, the Ivorian parties failed to meet the 30 November 2008 deadline for holding the presidential election, owing to technical, logistical and financial problems, which delayed the identification operation. The latter, as well as the voter registration, could start only on 15 and 29 September 2008 in 7 localities countrywide and in Abidjan district, whereas the initial schedule indicated that the provisional list of voters would be published on 31 August 2008 and the definitive list on 15 November 2008. The identification and election census operation was launched in Bouaké only in mid-November and extended to the entire country in December 2008. At the same time, from 27 August to 25 September 2008, catch-up open hearings were conducted, and the operation continued to build civil status registers that were either missing or had been totally or partially destroyed. It is within that context that the Permanent Consultation Framework (CPC), meeting in Ouagadougou on 10 November 2008, requested the Independent Electoral Commission (IEC) to propose, before 31 December 2008, a new calendar for the identification and election census operation, so as to permit a new date for organizing the presidential election to be fixed.

56. The implementation of the Ouagadougou Political Agreement and its Additional Agreements failed to register significant progress with respect to those aspects on the disarmament of ex-combatants, the disarmament and dismantling of the militia, as well as the restructuring of the defense and security forces. Furthermore, the National Reinsertion and Rehabilitation Programme (PNRRC) and the National Civic Service Programme (PNSC), though still under implementation, failed to receive adequate funding to match their ambitions. Similarly, the redeployment of the Administration and restoration of State authority are yet to be completed.

57. Lastly, mention should be made of the conclusion between the presidential camp and the New Forces, on 22 December 2008 in Ouagadougou, of the 4th Additional Agreement to the Ouagadougou Political Agreement. The latter offers solutions to pending issues, relating notably to quotas for integrating FAFN elements into the new army and to military grades for FAFN elements who were previously in the defense and security forces, to the disarmament of ex-combatants and dismantling of the militia, to the effective restoration of State authority, as well as to the countrywide redeployment of the judicial, fiscal and customs administration.

58. In the reporting period, no progress has been made towards the resolution of the dispute over **Western Sahara**. As the Assembly is aware, over the last one and a half years, the United Nations Security Council has adopted three important resolutions, on the basis of which direct negotiations were launched between the Kingdom of Morocco and the Frente POLISARIO. The purpose of the talks is to achieve *a just and mutually acceptable political solution, whose objective would be to 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. Four rounds of direct negotiations have been held in Manhasset, New York, under the chairmanship of Ambassador van Walsum, the Personal Envoy of the UN Secretary-General for Western Sahara, but without any progress.

59. However, the two parties have agreed to meet for a 5th round, at the same venue and at a time to be determined through consultations. The delay in the convening of the 5th round of the negotiations was largely due to the fact that the position of Personal Envoy had suddenly fallen vacant, as a result of Ambassador van Walsum's exit from his responsibilities as mediator. On 5th January 2009, the Secretary-General appointed Ambassador Christopher Ross of the USA as his new Personal Envoy for Western Sahara.

60. In Sharm El-Sheikh, the Assembly of the Union discussed extensively **the situation in Zimbabwe**. In the decision adopted on that occasion, the Assembly encouraged President Robert Mugabe and the leader of the Movement for Democratic Change (MDC-T), Mr. Morgan Tsvangirai, to honor their commitments to initiate dialogue with a view to promoting peace, stability, democracy and reconciliation of the Zimbabwean people; echoed the call for the creation of a Government of National Unity; and expressed support for the SADC facilitation.

61. It is against this background, and after protracted negotiations, facilitated by former President Thabo Mbeki, that the parties, namely, the ZANU-PF, the MDC-T and that of Mr. Arthur Mutambara (MDC-M), signed, in Harare, on 15 September 2008, a Global Peace Agreement (GPA). However, to date, no progress has been made in the implementation of the GPA, due mainly to differences among the parties on the allocation of ministerial portfolios, including the Ministry of Home Affairs. As part of the efforts to overcome this stalemate, the Extraordinary Summit of the SADC Heads of State and Government, held in Sandton, South Africa, on 9 November 2008, decided that the inclusive Government be formed forthwith and that the Ministry of Home Affairs be co-managed between the ZANU-PF and the MDC-T, with the understanding that the efficacy of the arrangement would be reviewed after six months. The MDC (T) rejected this proposal. At the time of finalizing this report, SADC was making renewed efforts to overcome the current impasse. In a more encouraging development, the parties, in early December 2008, reached an agreement on Amendment 19 of the Zimbabwean Constitution to accommodate the new changes accruing from the GPA.

VI. OBSERVATIONS

62. During the reporting period, the PSC has continued to discharge its responsibilities as provided for in the Protocol establishing it. As indicated above, the PSC has held 28 formal meetings and a number of briefing sessions, and has taken numerous decisions pertaining to various conflict and crisis situations on the continent. In carrying out its responsibilities, the PSC has endeavoured to work as closely as possible with the Regional Mechanisms for Conflict Prevention, Management and Resolution as well as with Africa's partners, including the United Nations and its Security Council, the EU and the League of Arab States. Efforts are also being made to forge a strong partnership with civil society organizations, in line with the provisions of Article 20 of the PSC Protocol, and the conclusions of the December 2008 Livingstone PSC Retreat.

63. As underlined in the Protocol, the Union, through the PSC, has primary responsibility for promoting peace, security and stability in Africa. While there is room for the PSC to further improve its functioning and effectiveness, the progress made by this organ since its establishment is quite commendable. However, for this progress to be consolidated and for the PSC to live up to the expectations of the African people, it needs the full cooperation and support of all concerned. In this respect, the crucial role of member States hardly needs to be overemphasized. As provided for in Article 7(2), (3) and (4) of the PSC Protocol, the member States agree: that, in carrying out its duties under the Protocol, the PSC acts on their behalf; to accept and implement the decision of the PSC, in accordance with the Constitutive Act; and to extend full cooperation to, and facilitate action by, the PSC for the prevention, management and resolution of crises and conflicts.

64. Over the last six months, the evolution of the peace and security situation in the continent has been markedly contrasted. While progress was achieved in some of the situations facing the continent, others continued to witness persistent difficulties and stalemate in some issues. Violence has continued to plague some regions, inflicting further suffering on the civilian population, destroying already scarce infrastructure and making ever remote prospects for development and stability in those regions. Needless to stress the need for renewed efforts by all concerned, for, as underlined in the PSC Protocol, “no single factor has contributed more to the socio-economic decline on the continent and the suffering of civilian population than the scourge of conflicts within and between our States”.

65. One of the most worrying developments during the period under review has been the resurgence of the scourge of coup d’Etats. This marks a serious set back in the democratization processes our continent has embarked upon since the early 1990s. In face of this trend, one cannot but underline the particular relevance of existing AU instruments relating to unconstitutional changes of Governments and the need to ensure their full and effective implementation, including the early ratification of the much heralded Charter on Elections, Democracy and Governance.

**ANNEX I - ROTATING CHAIRMANSHIP OF THE PEACE AND SECURITY COUNCIL
FROM APRIL 2008 TO MARCH 2010**

COUNTRY	MONTH	YEAR
Ethiopia	April	2008
Gabon	May	"
Mali	June	"
Nigeria	July	"
Rwanda	August	"
Swaziland	September	"
Tunisia	October	"
Uganda	November	"
Zambia	December	"
Algeria	January	2009
Angola	February	"
Benin	March	"
Burkina Faso	April	"
Burundi	May	"
Chad	June	"
Ethiopia	July	"
Gabon	August	"
Mali	September	"
Nigeria	October	"
Rwanda	November	"
Swaziland	December	"
Tunisia	January	2010
Uganda	February	"
Zambia	March	"

ANNEX II

**MEETINGS AND BRIEFING SESSIONS OF THE PEACE AND
SECURITY COUNCIL, JULY 2008 – DECEMBER 2008**

Meeting/Briefing	Date	Agenda	Communiqué/Other Output	Working Documents
141 st	11 July 2008	Briefing by the International Criminal Court (ICC) on its activities	Press Statement PSC/PR/BR(CXLI)	
142 nd	21 July 2008 (Ministerial level)	Consideration of the developments linked to the request of the Prosecutor of the International Criminal Court (ICC) of 14 July 2008 in relation with the situation in Darfur	Communiqué PSC/MIN/Comm(CXLII)	
143 rd	24 July 2008	Briefing on the implementation process of the Ouagadougou Political Agreement and Supplementary Agreements in Côte d'Ivoire	Press Statement PSC/PR/BR(CXLIII)	
144 th	7 August 2008	Briefing on the situation in the Islamic Republic of Mauritania	Communiqué on the situation in the Islamic Republic of Mauritania PSC/PR/Comm(CLIV)	
145 th	8 August 2008	Briefing on developments relating to the peace and reconciliation process in Somalia and in the Sudan	Press Statement PSC/PR/BR(CLIV)	
146 th	8 August 2008	Briefing on the situation in Somalia	Press Statement PSC/PR/BR(CLVI)	

147 th	12 August 2008	Briefing on the situation in Burundi	Press Statement PSC/PR/BR(CXLVII)	
148 th	22 August 2008	Consultative session with the Pan-African Parliament (PAP), on its efforts towards peace building in Africa	Press Statement PSC/PR/BR(CXLVIII)	
149 th	28 August 2008	Briefing by the African Centre for Study and Research on Terrorism (ACSRT) on Global Counter-Terrorism Strategy	Press statement PSC/PR/1(LXCIX)	
150 th	12 September 2008	Preparatory consultation for the joint PSC/EU-Political and Security Committee (COPS) meeting in Brussels, 30 September 2008		
151 st	22 September 2008 (Ministerial Meeting held in New-York)	Review of the implementation of the Communiqué of the 142nd meeting of the Peace and Security Council held on 21st July 2008, on the application made by the Prosecutor of the International Criminal Court (ICC) for the issuance of a warrant of arrest against the President of the Republic of the Sudan Interim Report on the situation in Mauritania Review of the situation in Somalia	Communiqué PSC/MIN/Comm.1(Cli) Communiqué PSC/MIN/Comm.2 (Cli) Communiqué PSC/MIN/Comm.3(Cli)	- Report on the implementation of Communiqué of 142nd meeting of the Peace and Security Council held on 21st July 2008, on the Sudan
	30 September 2008 (Brussels)	Joint meeting between the AUPSC and the EU Political and Security Committee (COPS): Enhancing Europe-Africa dialogue on Peace and Security issues;	AUPSC/EUCOPS Communiqué	Joint

		EU support to Africa Peace and Security Architecture; Funding for AU, RECs/RMs led support operations		
152 nd	7 October 2008	Briefing by Mr. Romano Prodi, Chairperson of High Level Panel on Financing of AU led Peace Support operations	Press Statement PSC/PR/1(CLII)	
	23 October 2008	Meeting between the PSC and AU Partners Group for Peace and Security		
153 rd	27 October 2008	Follow up on the Joint meeting between the African Union Peace and Security (PSC) and the European Union Political and Security Committee (COPS), held in Brussels on 30 September 2008.		Report of the Joint meeting between the Peace and Security Council (PSC) of the African Union (AU) and the Political and Security Committee (COPS of the European Union (EU) 30 September 2008, Brussels
154 th	30 October 2008	Briefing on the situation in Côte d'Ivoire	Press Statement PSC/PR/2/(CLIV)	
155 th	31 October 2008	Briefing on recent developments in the situation in the East of the Democratic Republic of Congo	Communiqué on the situation in the East of the Democratic Republic of Congo PSC/PR/Comm.(CLVI)	

156 th	11 November 2008	<p>Informal Consultation between the PSC and the Danish Foreign Policy Parliamentary Committee;</p> <p>Briefings on the developments in the situation in Somalia and the Visit of the Chairperson of the Commission to the State of Eritrea;</p> <p>Briefing on developments in the situation in Mauritania with respect to the return to constitutional order.</p>	<p>Communiqué PSC/PR/Comm.(CLVI)</p>	
157 th	14 November 2008	<p>Briefing by Ambassador Djibril Yipènè Bassolé, AU-UN Joint Chief Mediator for Darfur, on the political process in Darfur.</p>	<p>Press Statement PSC/PR/Comm.(CLVII)</p>	
158 th	19 November 2008	<p>Briefing by the Organisation for the Prohibition of Chemical Weapons (OPCW);</p> <p>Briefing by the Institute of Security Studies (ISS) on:</p> <ul style="list-style-type: none"> i) Proliferation and Trafficking of Small Arms and Light Weapons; ii) The Pelindaba Treaty and the Problem of Dumping of Toxic Wastes on the African Continent. 	<p>Press Statement PSC/PR/Comm.(CLVIII)</p>	

159 th	24 November 2008	Consideration of the Report of the Chairperson of the Commission on the Implementation Process of the Comprehensive Peace Agreement (CPA) in the Sudan;	Communiqué on the implementation process of the CPA in the Sudan [PSC/PR/Comm.1(CLIX)]	Report of the Chairperson of the Commission on the implementation process of the comprehensive peace agreement PSC/PR/2(CLIX)
160 th	4-5 December 2008, Livingstone, Zambia	Retreat of the Peace and Security Council (PSC) on interaction between the PSC and the Civil Society Organizations in the Promotion of Peace, Security and Stability in Africa;		
161 st	16 December 2008	Consideration of the Draft Conclusions of the Retreat of the Peace and Security Council (PSC) on Interaction between the PSC and the Civil Society Organizations in the Promotion of Peace, Security and Stability in Africa; Briefing by the International Committee of the Red Cross (ICRC) on its operations.	Communiqué (PSC/PR/(CLX)) Press Statement PSC/PR/(CLX)	
162 nd	18 December 2008	Briefing by the Delegation of the North Atlantic Treaty Organization (NATO) within the context of the establishment of the African Peace and Security Architecture (APSA).	Press Statement PSC/PR/BR/(CLXII)	

163 rd	22 December 2008 (Ministerial level)	Consideration of the Reports on the situations in the East of the Democratic Republic of Congo , in Somalia and Mauritania ; Briefing on the situation in Guinea Bissau	Communiqués [(PSC/MIN/Comm.2(CLXIII))] [PSC/MIN/Comm.3(CLXIII)] [PSC/MIN/Comm.4(CLXIII)] [PSC/MIN/Comm.5(CLXIII)]	Report of the Chairperson of the Commission on the situation in the East of the Democratic Republic of Congo; Report of the Chairperson of the Commission on the situation in Somalia; Report of the Chairperson of the Commission on the situation in Mauritania
164 th	24 December 2008	Briefing on the situation in the Republic of Guinea .	Communiqué on the situation in Republic of Guinea PSC/PR/Comm.(CLXV)	
165 th	29 December 2008	Briefing on the situation in the Republic of Guinea .	Communiqué on the situation in Republic of Guinea PSC/PR/Comm.(CLXV)	

AFRICAN UNION
الاتحاد الأفريقي



UNION AFRICAINE
UNIÃO AFRICANA

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

**RETREAT OF THE PEACE AND SECURITY
COUNCIL OF THE AFRICAN UNION
4 - 5 DECEMBER 2008
LIVINGSTONE, ZAMBIA**

PSC/PR/(CLX)

**CONCLUSIONS ON A MECHANISM FOR INTERACTION BETWEEN THE PEACE
AND SECURITY COUNCIL AND CIVIL SOCIETY ORGANIZATIONS IN THE
PROMOTION OF PEACE, SECURITY AND STABILITY IN AFRICA**

I. INTRODUCTION

1. The Peace and Security Council (PSC) of the African Union (AU) held a Retreat in Livingstone, Zambia, from 4 to 5 December 2008. The Retreat was held against the background of the conclusions of the Dakar PSC Retreat as well as the outcome of the AU-Civil Society Organizations Consultation held in Lusaka, Zambia, from 27 to 29 December 2008, within the framework of the operationalization of article 20 of the PSC Protocol.

2. The objective of the Retreat was to consider an appropriate mechanism for interaction between the Peace and Security Council and Civil Society Organizations (CSOs) in the promotion of peace, security and stability in Africa within the framework of article 20 of the PSC Protocol. In this regard, the Retreat adopted the conclusions below:

II. CONCLUSIONS

A) Title/Name of the Formula

3. The name of the formula for interaction between the PSC and CSOs in the promotion of peace, security and stability in Africa is called **Livingstone Formula**.

B) Modalities of interaction

Procedural aspects

4. The Retreat agreed that the PSC remains master of its procedures and decisions, and that the Economic, Social and Cultural Council (ECOSOCC), as the consultative organ responsible for coordinating the participation of civil society in the work of the African Union, particularly the Peace and Security Cluster, is the focal point and plays a consultative role in the interaction between the PSC and CSOs. To interact with the PSC, Civil Society Organizations must conform to the relevant provisions in the Constitutive Act of the African Union and the provisions in the PSC Protocol, especially article 8 (10c), as well as to the Rules of Procedure of the PSC (rules 21 and 22). They shall comply with the criteria for eligibility for membership as defined in article 6 of the Statutes of ECOSOCC, in particular:

- i) it shall be registered in an AU member State in accordance with national legislation of the country;
- ii) it shall uphold the objectives and principles of the African Union, as stated in articles 3 and 4 of the Constitutive Act of the AU;
- iii) it shall be a member CSO of a national, regional and continental organization or the African Diaspora, in pursuit of activities at the national, regional or continental level;
- iv) it shall be accredited, with the African Union or an African Regional Economic Community/Regional Mechanism;
- v) It shall solemnly declare to uphold the objectives and principles of the AU, as well as the provisions governing the CSOs in an observer

status with the AU Commission, or working with it, including the principle of impartiality.

- vi) it shall belong to a recognized regional or continental umbrella/network of CSOs.

i) Annual meeting of the PSC with ECOSOCC.

5. The PSC will hold an annual meeting with ECOSOCC, in its consultative role, on a given theme relating to peace, security and stability in Africa or a related issue. Such a meeting should be timed in such a manner that relevant inputs provided by CSOs would be considered before finalization of the Report of the Peace and Security Council on its Activities and the State of Peace and Security in Africa to the Assembly of the AU during the Summit.

ii) Invitation to PSC meetings:

6. The Chairperson of the PSC, in consultation with all the members of the PSC, as well as with the Commission, and within the framework of rules 21 and 22 in the Rules of Procedure of the PSC, may invite a CSO to address, through their mandated representative, a PSC meeting on an issue under consideration, provided that the invited CSO is concerned with the situation to be considered by that meeting.

iii) Submission of reports to the PSC:

7. *CSOs may submit reports, to the AU Commission for its consideration during the process of preparation of reports to the meetings of the PSC.*

iv) Providing information to PSC field missions and AU fact-finding missions:

8. CSOs, to the extent possible, and concerned by a situation within the mandate of a given mission, may provide information to such missions and may also form part of such missions-in-visit as observers specifically to the affected area, if invited and at their own cost.

C) Mechanisms for facilitating interaction:

- i. Chairperson of the PSC may invite, in consultation with all the members of the PSC and the Commission, CSOs to PSC meetings, on a case-by-case basis, when so required and when a request from a CSO is received by the Chairperson of the PSC;
- ii. Chairperson of the Commission, shall consider a request for accreditation of a civil society representative to participate in a PSC meeting to which he/she is invited in accordance with the provisions of Rule 22 in the Rules of Procedure of the PSC;

D) Identifying areas of contribution by CSOs towards the promotion of peace, security and stability in Africa, upon invitation by the PSC:

9. CSOs involved in issues of peace, security and stability and in conformity with the national law of the concerned States, and conforming to the principles of early warning system and if called upon by the PSC, in conformity to the law of the country concerned, may organize and undertake their activities in the following areas:

i) Conflict prevention (early warning):

10. CSOs may provide technical support to AU Field and fact-finding missions and RECs/RMS. By undertaking early warning reporting and situation analysis, civil society organizations can assist in enhancing the research and analysis process that feeds information into the decision-making process of the PSC.

ii) Peacemaking and mediation:

11. CSOs may assist and advise mediation teams during negotiations. CSOs can provide information to Special Envoys/Representatives of the Chairperson of the Commission of the African Union in the execution of their work. CSOs may also participate in giving publicity to the peacemaking process to enable the wider population to be informed of the ongoing efforts to broker peace in the country.

iii) Peacekeeping:

12. Following the signing of a peace agreement, CSOs may assist, in a complementary manner, the AU and the PSC to devise effective processes to ensure that the parties to a conflict are assisted in the implementation of peace agreements. CSOs may also work in support of PSC authorized peacekeeping missions by undertaking some aspects of the civilian component of the operation. This might, for example, involve supporting the work of the civilian component of the African Standby Force.

iv) Humanitarian support, peace-building, post-conflict reconstruction and development:

13. After the signing of peace agreements, CSOs may work in complementarity to the efforts of the PSC and Special Envoys/Representatives of the Chairperson of the AU Commission in post-conflict confidence-building and support reconciliation processes in war-affected regions. Also, in the aftermath of conflict, CSOs may assist in rebuilding of communities to enable the delivery of basic services to the people.

v) Provision of technical support:

14. CSOs may work on environmental rehabilitation issues to enable local populations to resume normal activities. In addition, CSOs may work with local governments to re-establish water, electricity, and re-build social infrastructures.

vi) Training:

15. CSOs may provide training sessions and workshops to impart skills and knowledge on peace building for specific parties to a conflict or for countries and regions that require such training. CSOs may backstop mediation efforts by providing appropriate information required on particular aspects, objectives, and procedures of the mediation process.

vii) Monitoring and impact assessment of the implementation of peace agreements:

16. CSOs may contribute to monitoring of the implementation of PSC decisions, particularly those relating to peace agreements and provide independent evaluation reports and briefs that would help the PSC in reviewing the situation.

viii) Post-conflict situations:

17. CSOs may engage in peace-making and peace-building, humanitarian assistance; addressing basic needs of returnees and internally-displaced persons; economic recovery and rehabilitation of ex-combatants; rebuilding the administrative infrastructure, disarmament and demobilization and reintegration of ex-combatants, especially child soldiers, as well as provide counsel and moral support to victims of violence and other members of the community affected by war.

ix) Advocacy/Publicity for PSC Decisions:

18. CSOs may play a complementary role in the advocacy/publicity of AU-PSC decisions and activities, using their wide continental and international networks, to contribute to a better understanding of PSC decisions by the population.

AFRICAN UNION UNION AFRICAINE

African Union Common Repository

<http://archives.au.int>

Organs

Assembly Collection

2009-02-03

Report of the Peace and Security Council on its Activities and the State of Peace and Security in Africa

African Union

DCMP

<https://archives.au.int/handle/123456789/8701>

Downloaded from African Union Common Repository