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PEACE AND SECURITY COUNCIL
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**REPORT OF THE CHAIRPERSON OF THE COMMISSION ON THE EVOLUTION OF THE
SITUATION IN MADAGASCAR**

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I. INTRODUCTION

1. At its 376th meeting held on 16 May 2013, Council reviewed the situation in Madagascar. In communiqué PSC/PR/COMM.(CCCLXXXVI) adopted on that occasion, Council stressed the need for the Malagasy parties to take appropriate steps in pursuit of the crisis exit process.

2. The present report provides an update on the efforts being deployed to end the crisis in Madagascar, since the 376th meeting of Council. It concludes with observations on the way forward.

**II. 7TH MEETING OF THE INTERNATIONAL CONTACT GROUP ON MADAGASCAR AND
FOLLOW-UP MISSIONS TO ANTANANARIVO**

3. As a follow-up to the communiqué of the 376th meeting of Council, the Commission convened, in Addis Ababa, on 26 June 2013, the 7th meeting of the International Contact Group on Madagascar (ICG-M). In this communiqué, copy of which is herewith attached, the ICG-M expressed its deep concern about the difficulties that were being encountered in the efforts to end the crisis. It regretted the political decision of the Special Electoral Court (CES) of Madagascar, which violated the Malagasy national laws by validating the illegal candidatures of Lalao Ravalomanana, former President Didier Ratsiraka and Andry Rajoelina (the President of the Transition), as well as those of other political actors whose candidatures for the forthcoming presidential elections were not in accordance with the law and the relevant provisions of the Roadmap. The ICG-M urged the Malagasy stakeholders to recompose and restructure the CES, in order to restore the credibility of this institution and to ensure its independence and integrity, in accordance with the letter and spirit of the Roadmap. Noting that it was virtually impossible to organize elections on 24 July 2013, as initially scheduled, the ICG-M encouraged the Independent National Electoral Commission for the Transition (CENI-T), in close collaboration with the United Nations (UN), to decide on new dates for the elections, bearing in mind the need to recompose and restructure the CES, approve the new list of candidates and comply with the relevant laws of Madagascar.

4. The ICG-M stressed that its members shall not recognize the Malagasy authorities elected in violation of the relevant decisions of both the African Union (AU) and the Southern African Development Community (SADC). It urged the international community as a whole to exert political and diplomatic pressure on the illegal presidential candidates to withdraw their candidatures for the sake of peace and stability in Madagascar and not to recognize election results that include candidates who had submitted their applications in violation of the Constitution and the electoral law of Madagascar. It expressed its support for measures that

Council may wish to take against the concerned Malagasy stakeholders. The ICG-M requested the SADC Mediator, accompanied and supported by representatives of the AU, the European Union (EU), the International Organization of *La Francophonie* (OIF), the UN and the Indian Ocean Commission (IOC), to undertake a mission to Antananarivo, starting on 9 July 2013, to convey these conclusions to the Malagasy parties and to urge them to respond positively to the appeal made to them.

5. As part of the follow-up to the above-mentioned decision of the ICG-M, a delegation led by the Chairperson of the Group, AU Commissioner for Peace and Security, Ramtane Lamamra, and the SADC Mediator in the Malagasy crisis, Joaquim Chissano, and comprising Aicha L. Abdullahi, AU Commissioner for Political Affairs, as well as representatives of the EU, *La Francophonie* and the IOC, visited Antananarivo, from 9 to 13 July 2013.

6. During its mission, the ICG-M delegation held discussions with the Malagasy stakeholders and representatives of some of the Malagasy institutions, as well as with the representatives of the ICG-M local chapter. On the basis of its interactions with the Malagasy stakeholders, the ICG-M recommended that the President of the Transition, Andry Rajoelina, initiates, starting from 13 July 2013 and over a period of two weeks, a process that would make it possible to overcome the difficulties that were being encountered. The proposals of the delegation were formally submitted to the Malagasy parties through an « Aide-mémoire », outlining a seven-point plan to break the impasse in the electoral process in Madagascar. Former President Chissano and Commissioner Lamamara visited Madagascar again on 1 and 2 August 2013, to determine with the Malagasy parties the legal and practical arrangements to be taken towards the successful holding of the elections in the conditions provided for by the Roadmap for a way out of the crisis and the Malagasy Electoral Code.

III. SUBSEQUENT EVOLUTION OF THE SITUATION

7. Following the Council's communiqué of 16 May 2013 and the conclusions of the meeting of the ICG-M of 26 June 2013, as well as the above-mentioned missions to Madagascar, the situation witnessed positive developments. On 9 August 2013, the Malagasy Council of Ministers issued a list of 11 new members of the CES. It also approved a draft Ordinance on an Organic Law modifying and supplementing some of the provisions of the Organic Law No. 2012-015 of 1 August 2012 relating to the election of the first President of the 4th Republic, to enable, on the one hand, the voluntary withdrawal of candidatures or the revision of the list of candidates by the CES and, on the other hand, the submission of a new list of candidates.

8. On 17 August 2013, the new CES removed 8 illegal candidacies from the list of candidates to the presidential election. On 21 August 2013, the CES issued the final list of 33 candidates who met the legal requirements to participate in the presidential election. This decision made it possible to relaunch the electoral process. On 22 August 2013, the CENI-T and the representatives of the UN jointly adopted a revised calendar for the holding of the

forthcoming elections. The 1st round of the presidential election is now scheduled to take place on 25 October 2013 and the 2nd round, coupled with the legislative elections, will take place on 20 December 2013.

9. Throughout this process, the SADC Mediator and the AU Commissioner for Peace and Security have remained in continued contact with the Malagasy stakeholders, including the President of the Transition, to encourage them to move forward and to assist them in overcoming the challenges being faced. Notably, the SADC Mediator travelled to Antananarivo so as to be in the Malagasy capital during the publication of the final list of candidates. On my part, I have, at every step of the process, issued press statements to welcome the progress made; encourage the Malagasy stakeholders to persevere in their efforts; warn the potential spoilers and stress the AU's determination to hold them accountable for their acts; and encourage the international community to provide the necessary support.

IV. OBSERVATIONS

10. The situation in Madagascar has undoubtedly witnessed a positive evolution. Never had the prospects for ending the crisis been as tangible as they are today. I would like to express my gratitude to the President of the Transition, Andry Rajoelina, for the crucial role he has played in initiating the required measures for the relaunching of the electoral process consistent with the relevant Malagasy instruments and the requests of Madagascar's partners, as well as for the full cooperation he extended to the AU and SADC. I reiterate the Commission's support to the decisions taken by the CES, which bear testimony to its professionalism and enhance its credibility. I also would like to express my deep appreciation to the personalities who have accepted the decisions of the CES and, thus, demonstrated a high sense of responsibility and commitment to the rule of law.

11. Against this background, Council may wish to welcome the positive evolution of the situation in Madagascar and urge all the Malagasy political and social stakeholders to positively contribute to the ongoing process, for the benefit of their people who have suffered so much as a result of the political crisis facing Madagascar for many years now. At the same time, Council may wish to strongly warn all those who may be tempted, in the pursuit of narrow interests, to undermine the ongoing process and stress its determination, in collaboration with SADC and with the support of the international partners, to impose individual sanctions, as well as any other appropriate measures, against the concerned actors.

12. It is to be recalled that, in paragraph 8 of its communiqué PSC/MIN/COMM.(CCCLXVIII), adopted at its 368th meeting, held in Dar-es-Salaam, on 22 April 2013, Council had expressed its intention to consider lifting the targeted sanctions imposed on 109 Malagasy political personalities, including the President of the Transition, in pursuance of its communiqués PSC/PR/COMM.1(CCXVI) and PSC/PR/COMM.1(CCXXI) adopted during its 216th meeting, held on 19 February and 17 March 2010, as soon as significant progress has been made in the crisis exit process. In view of the latest developments in Madagascar, I recommend

to Council to lift the sanctions imposed on these 109 personalities, on the understanding that the resumption of Madagascar's participation in the AU's activities will only take place after the holding of the presidential election and the assumption of duty of the elected President, in line with paragraph 10 of communiqué PSC/MIN/COMM.(CCCLXVIII).

13. Council may also wish to urge the Member States in a position to do so, as well as the international partners, to extend all the necessary financial, logistical and technical support to the ongoing process, in order to facilitate the holding of free, fair, transparent and credible elections. On its part, the Commission is making all necessary arrangements to deploy election observers as early as possible. It is equally important that the international community extends the necessary support for the socio-economic recovery of Madagascar.

14. I would like to reiterate my appreciation to former President Chissano and to SADC for their commitment and for their cooperation and coordination with the AU. The close interaction and complementarity between the regional and continental bodies greatly contributed to the progress that has been recorded. I also thank the international partners acting within the framework of the ICG-M. This coordinated support by the international community is critical for the success of the joint AU and SADC efforts.

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