

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

**ASSEMBLY OF THE UNION
TWENTY FIRST ORDINARY SESSION
26 – 27 MAY 2013
ADDIS ABABA, ETHIOPIA**

Assembly/AU/5(XXI)
Original: English/French

**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. The report of the Peace and Security Council (PSC) on its activities and the state of peace and security in Africa is submitted pursuant to article 7(q) of the Protocol Relating to the Establishment of the PSC of the African Union (AU). In addition to an overview of the peace and security challenges on the continent on the occasion of the 50th anniversary of the Organisation of African Unity/AU (OAU/AU), the present report covers issues relating to the signature and ratification of the Protocol, membership of the PSC and rotation of its chairmanship, as well as the activities undertaken by this organ in the pursuit of its mandate. The report also provides an overview of the state of peace and security on the continent during the period from January to May 2013. It concludes with observations on the way forward.

II. CHALLENGES TO PEACE AND SECURITY AT THE START OF THE 50TH ANNIVERSARY OF THE OAU/AU

2. The present report is submitted at a time when the continent is celebrating the 50th anniversary of the inception of the OAU/AU. This is an auspicious occasion for African leaders to assess the progress made, identify the challenges to be addressed and agree on the best means and ways to expedite the attainment of the goal of a conflict-free Africa.

Undeniable Progress ...

3. There is no doubt that during the past half century, the continent has made significant progress in the area of peace and security. At the institutional level, the OAU and then the AU established structures that enhanced the capacity of the continent to prevent crises and conflicts and to manage and resolve them when they occur. Notably, the initiatives taken by the OAU led to the adoption, in June 1993, of the Cairo Declaration establishing the Mechanism for Conflict Prevention, Management and Resolution. Subsequently, and as part of the transition from the OAU to the AU, this Mechanism gave way to the Protocol Relating to the Establishment of the PSC, which was adopted in Durban in July 2002, and came into force in December 2003. Important strides have been made in the operationalization of the African Peace and Security Architecture (APSA) provided for in the Protocol, as evidenced by the establishment of the PSC and the Panel of the Wise and, recently, the “PanWise” Network, consisting of the Panel and similar structures at regional level and other actors involved in conflict prevention and mediation. Essential components of the Continental Early Warning System (CEWS) and the African Standby Force (ASF) have also been put in place. In conformity with the letter and spirit of the AU Constitutive Act, the relevant AU policy organs have, over the years, adopted a number of instruments on human rights, governance, democracy, security sector reform and good neighborliness. These instruments constitute a consolidated set of norms and principles, whose observance will significantly reduce the risk of conflict and violence on the continent and consolidate peace where it has

been restored. Partnerships have been established with major international stakeholders, both bilateral and multilateral, such as the United Nations and the European Union (EU).

4. On the ground, the AU has demonstrated renewed dynamism in addressing issues of peace and security on the continent. There is hardly a crisis and conflict situation with which the AU is not seized, thus giving greater consistency to the principle of non-indifference that underpins the APSA. Major initiatives have been launched regarding conflict prevention and peacemaking, as well as peace support operations. On this last point, the AU has been innovative, taking the necessary decisions to contribute to the emergence of peace, rather than wait for the hypothetical advent of the latter in order to 'maintain' it. This pro-activeness admittedly has been costly in terms of human lives, but the positive effects on the ground are indisputable, as attested by the evolution of the situation in Somalia since the deployment of the AU Mission in that country (AMISOM).

5. With the progress achieved in conflict resolution in Africa, the AU has paid increasing attention to post-conflict reconstruction and development. The adoption in Banjul, in June 2006, of a Policy Framework in this area was a major step. In addition to the quick-impact project launched in various African countries to provide them with symbolic support, one should add, since July 2012, the African Solidarity Initiative (ASI), whose objective is to mobilize, on behalf of Member States emerging from conflict, multifaceted support from within the continent. In so doing, the aim is to give full meaning to African solidarity within the framework of innovative formulae of mutual assistance and sharing.

But persistent challenges

6. While the results obtained thus far are a legitimate source of pride, the continent, nevertheless, continues to face serious challenges in the field of peace and security. Indeed, Africa still faces persistent conflicts, insecurity and instability in different regions of the continent, with the attendant humanitarian and socio-economic consequences. New crises have broken out, such as in Mali and in the Central African Republic (CAR), while others, such as the conflict in Western Sahara, the dispute between Ethiopia and Eritrea and between Eritrea and Djibouti, have until now thwarted all efforts at peacemaking. Moreover, the progress made to resolve conflict remains particularly fragile, with a high risk of reversal, whether in Mali, the Great Lakes region, Somalia, Darfur or in the relations between Sudan and South Sudan. Those situations require constant attention and sustained commitment. Africa continues to dominate the agenda of the UN Security Council, and is host to more peacekeeping or peace support operations than any other continent.

7. Significantly, a little more than two decades after the continent agreed to delegitimize unconstitutional changes of Government, Africa continues to grapple with this scourge. The coups d'état and other forms of illegal seizure of power that have occurred in the CAR, Guinea-Bissau, Madagascar and Mali, illustrate the limitations of the mechanisms put in place. A related development of particular concern is the now frequent recourse to armed rebellion to further political claims, as illustrated by recent events in eastern DRC, northern Mali and the CAR. There is no greater threat to peace, security and stability on the continent than these armed rebellions. They cause serious abuses against civilian populations, including looting,

raping and other violations of human rights as was the case in CAR following the entry into Bangui of the Seleka rebel group. Armed rebellions undermine the idea of non-violent struggle to advance democracy, eventually implant in the minds of people the notion that the only way to be heard in the political arena is to take up arms, and undermine the fragile progress made since the launch of the democratization processes in the early 90s.

8. In spite of the progress achieved so far, the APSA has not yet been fully operationalized. The relations with the Regional Economic Communities/Regional Mechanisms for Conflict Prevention, Management and Resolution (RECs/RMs) have not yet reached the degree of harmony and coordination prescribed by the PSC Protocol. It should be recalled that the APSA is based on AU's primary responsibility in the promotion of peace and security on the continent. The RECs/RMs are, in fact, designed as building blocks of the Union whose action they should facilitate and whose positions they should promote. The ASF may only be fully operational in 2015, yet situations on the ground require immediate response. The inability of the AU to intervene in Mali in mid-January 2013, to counter the offensive then launched by the criminal and terrorist groups against the positions of the Malian army, is indicative of the long way we still have to go. The looming disaster was averted thanks to the French operation 'Serval'. Many Africans thought, and rightly so, that this operation could have and should have been undertaken by African troops.

The need for a more sustained commitment

9. It is in this context that, on 30 April 2013, the Commission submitted to the meeting of Defense Ministers held in Addis Ababa, a report recommending the establishment of an African Capacity for Immediate Response to Crises (ACIRC), on an interim basis, pending the operationalization of the ASF and its Rapid Deployment Capability (RDC). The objective is to provide Africa with a mainly military capability that is able to respond swiftly to emergency situations upon a political decision. In other words, the aim is to establish an effective, robust and credible force, rapidly deployable, capable of carrying out operations of limited duration and objectives or to contribute to the creation of conducive conditions for the deployment of AU and/or UN peace operations of wider scope. The ACIRC would consist of military capabilities, force multipliers and enablers and resources from the continent. To this end, units that meet the standards of training, evaluation and certification required for immediate deployment would be identified within willing Member States. Their use would be based on existing AU decision-making processes. No time is more appropriate than the celebration of the fiftieth anniversary of the OAU/AU to adopt the decisions required by the realities on the ground.

10. Beyond the specific case of Mali, the ambition of Africa to own peace efforts on the continent and to exercise *leadership*, without which no lasting solution is possible, is challenged by at least two factors. The first relates to the insufficient funding by the continent of the initiatives of the Union and its Regional Mechanisms. External assistance is certainly welcomed on account of the indivisibility of international peace and security, but it cannot be a substitute to Member States' responsibility. The second factor relates to the shortcomings of the partnership with the United Nations, in particular with regard to consultation with the AU before decisions on issues of fundamental importance to Africa are made by the Security Council. There are many examples, in recent years, which illustrate this regrettable

situation, sometimes reducing the continent to being a mere spectator in the shaping of its own destiny, whose outlines, if not actual details, are determined elsewhere with agendas that are not always in harmony with Africa's concerns.

11. In view of the foregoing, the celebration of the fiftieth anniversary of the OAU-AU offers an ideal opportunity to give a new impetus to the continent's peace efforts and provide the necessary orientations for the phase ahead. The task is huge, but the priorities are clear. From the acceleration of efforts towards the full operationalization of the APSA to the enhancement of the continent's ownership and leadership of peace efforts, to a greater dedication to conflict prevention, particularly through the implementation of the numerous commitments made by Member States in the area of governance, human rights and democracy, and enhanced solidarity with African countries emerging from conflict, the urgency is undeniable. An effective response requires a strong political will and an unflinching commitment. Much as the duty of the OAU Founding Fathers was to complete the liberation of the continent, that of the current generation of African leaders is, to end the scourge of conflicts and respond to demands for democracy, which is the necessary condition for lasting peace.

12. In this context, one can only recall the relevance and validity of the Declaration adopted by the Heads of State and Government at their Tripoli Special Session on the Consideration and Resolution of conflicts, held on 31 August 2009 and whose paragraph 9 reads as follows: "*... We are determined 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 not opportunity to push forward the agenda of conflict prevention, peacemaking, peacekeeping and post-conflict reconstruction. We, as leaders, simply cannot bequeath the burden of conflicts to the next generations of Africans*". This paragraph eloquently summarizes the task before the African States.

III. SIGNATURE AND RATIFICATION OF THE PSC PROTOCOL

13. Since its entry into force, in December 2003, fifty-one (51) Member States have signed the PSC Protocol, while forty-seven (47) have both signed and ratified it. The following Member States have signed the Protocol, but have not yet ratified it: CAR, DRC, Liberia, Seychelles and Somalia. Two Member States are yet to sign and ratify the Protocol, namely Cape Verde and South Sudan.

IV. MEMBERSHIP OF THE PSC AND ROTATION OF THE CHAIR

14. As stipulated in article 5 (1) of the Protocol, the PSC is composed of fifteen (15) members with equal rights, who are elected as follows: 10 members elected for a two (2) year term and five (5) for a three (3) year term. The current list of PSC members in the English alphabetical order is as follows: Algeria, Angola, Cameroon, Congo, Côte d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Gambia, Guinea, Lesotho, Mozambique, Nigeria, Tanzania and Uganda.

15. In conformity with Rule 23 of the Rules of Procedure, which provides for the monthly rotation of the PSC Chair following the English alphabetical order of the names of the PSC members, during the period under review, the chair of the PSC rotated as follows:

- February 2013 Lesotho;
- March 2013 Nigeria;
- April 2013 Tanzania;
- May 2013 Angola 2013.

V. ACTIVITIES OF THE PEACE AND SECURITY COUNCIL

16. In discharging its mandate during the reporting period, the PSC engaged in sustained efforts to address conflict and crisis situations in the continent, in close cooperation with relevant stakeholders, including other AU organs, Regional Economic Communities/Regional Mechanisms for Conflict Prevention, Management and Resolution (RECs/RMs), the United Nations, the EU, and other AU partners. The PSC also addressed thematic issues relevant to its mandate. The PSC held a total of twenty-one (21) meetings during the reporting period, including one at the ministerial level, held in Dar-es-Salaam, United Republic of Tanzania, on 22 April 2013, to consider the situation in Madagascar. The countries and other stakeholders concerned with the situations and issues discussed were invited, in conformity with the provisions of the PSC Protocol and in line with the established practice of the PSC. The PSC also carried out other activities.

i) Activities related to specific crisis and conflict situations

17. During the reporting period, the PSC considered the following crisis and conflict situations:

- Abyei (374th meeting, held on 7 May 2013);
- CAR (362nd meeting, held on 23 March 2013, 363rd meeting, held on 25 March 2013, 366th meeting, held on 16 April 2013, and 375th meeting, held on 10 May 2013);
- Darfur (371st meeting, held on 25 April 2013);
- DRC (356th meeting, held on 27 February 2013, 371st meeting, held on 25 April 2013, and 375th meeting, held on 10 May 2013);
- Guinea Bissau (361st meeting, held on 22 March 2013, and 372nd meeting, held on 26 April 2013);
- Mali (358th meeting, held on 7 March 2013, 371st meeting, held on 25 April 2013, and 376th meeting, held on 16 May 2013);
- Madagascar (355th meeting, held on 13 February 2013, 368th meeting, held on 22 April 2013, and 376th meeting, held on 16 May 2013); and
- Somalia (356th meeting, held on 27 February 2013, and 375th meeting, held on 10 May 2013).

18. At each of these meetings, the PSC adopted communiqués or press statements, through which it pronounced itself on the matters under consideration and agreed on the way forward. These documents have been circulated, by the Commission, to all Members States and other stakeholders. The Commission also took steps to ensure follow-up, as appropriate.

ii) Activities relating to the consideration of thematic issues relevant to peace and security

19. The PSC also held meetings on thematic issues falling under its mandate and relevant to the overall objective of promoting lasting peace, security and stability on the continent. During the period under review, the PSC considered the following thematic issues:

- elections on the continent (355th meeting, held on 13 February 2013, and 372nd meeting, held on 26 April 2013);
- preventive diplomacy (360th meeting, held on 22 March 2013);
- women and children in situations of violent conflict in Africa: contribution and role of women (342nd meeting, held on 26 March 2013); and
- operationalization of APSA, including the ASF RDC (370th meeting, held on 24 April 2013).

iii) Field missions undertaken by the PSC

20. During the period under review, the PSC undertook two field missions, namely, to Darfur, Sudan, from 17 to 19 March 2013, and to the DRC, from 11 to 14 May 2013. The objective of the mission to Darfur was to assess the situation in that region and the implementation of the mandate of the AU-UN Hybrid Operation in Darfur (UNAMID), as well as the prospects for lasting peace, security and stability, in light of the ongoing efforts to implement the Doha Document for Peace in Darfur (DDPD). The PSC delegation met with the Sudanese authorities in Khartoum and in Darfur, the leadership of UNAMID, as well as with local stakeholders. Subsequently, at its 371st meeting, held on 25 April 2013, the PSC considered its mission report and adopted a communiqué on the matter.

21. The objective of the PSC mission to the DRC was to seek first-hand information on the prevailing situation, particularly in the eastern part of that country, and have a better appreciation of the ongoing efforts to stabilize eastern DRC and promote lasting peace and security in the Great Lakes region, particularly following the signing of the Framework Agreement for Peace, Security and Cooperation for the DRC and the Region. The PSC delegation was received by Congolese authorities both in Kinshasa and Goma. It also met with the leadership of the United Nations Stabilization Mission in the DRC (MONUSCO), as well as civil society organizations. The mission report is being finalized.

iv) PSC retreat on its working methods and activities of the PSC Committee of Experts

22. From 9 to 10 February 2013, the PSC convened a Retreat in Djibouti, to review its working methods, with a view to enhancing its effectiveness in the discharge of its mandate. This was a follow-up to an earlier retreat held in Yaoundé, Cameroon, from 15 to 16 November 2012, which reflected on the implementation of the Conclusions of the PSC retreat held in Dakar, Senegal, from 5 to 6 July 2007. The streamlined working methods are being implemented.

23. In the discharge of its mandate, the PSC is supported by a Committee of Experts made up of representatives of PSC members. On 15 May 2013, the Committee of Experts met to review its Draft Rules of Procedure. This document will be submitted to the PSC, for consideration and approval.

v) Participation of the PSC in the activities of other AU Organs dealing with peace and security

24. In his capacity as Chairperson of the PSC for the month of April 2013, the Ambassador of Tanzania participated in the second retreat of the AU Panel of the Wise held in Addis Ababa, from 11 to 12 April 2013. He addressed the opening session of the meeting.

25. In his capacity as Chairperson of the PSC for the month of May 2013, the Ambassador of Angola was invited by the President of the Pan-African Parliament (PAP) to address the PAP, on 8 May 2013. He made a presentation on conflict and crisis situations in Africa.

VI. ACTIVITIES OF THE PANEL OF THE WISE

26. The Panel of the Wise is mandated to support the efforts of the PSC and those of the Chairperson of the Commission, particularly in the area of conflict prevention. During the period under review, the Panel convened its second retreat with similar organs within the RECs/RMs, with the participation of other stakeholders and experts, in Addis Ababa, from 11 to 12 April 2013. The retreat, which was a follow-up to the one held in Ouagadougou from 4 to 5 June 2012, resulted in the adoption of the Framework for the Operationalization of the Pan-African Network of the Wise (Pan-Wise) and a Plan of Action for the period 2013 – 2017. The objective of Pan-Wise is to strengthen, coordinate and harmonize the activities of structures and actors involved in prevention and peacemaking efforts in Africa, under a single umbrella, in order to maximize the positive effects of coordination and synergies at continental level, based on bottom-up interactions and complementarities.

27. The Panel of the Wise convened its 13th meeting in Addis Ababa, on 13 April 2013. On that occasion, the Panel reviewed the peace and security situation on the continent, on the basis of the briefing provided by the Commissioner for Peace and Security; updated its programme of activities for the rest of 2013, with particular focus on pre-election and fact-finding missions; and reviewed progress made in finalizing its thematic report on 'Women and Children in Armed Conflict'. Earlier on, on 13 February 2013, the delegation of the Panel that undertook a pre-election joint assessment mission to Kenya, together with the Committee of Elders of the Common

Market for Eastern and Southern Africa (COMESA), in January 2013, briefed the PSC on its findings and recommendations.

VII. STATE OF PEACE AND SECURITY

28. The following paragraphs provide an overview of the situations prevailing on the ground. They also cover thematic issues relevant to the promotion of peace, security and stability on the continent.

i) Situations on the ground

a) Madagascar

29. The period under review was marked by continued efforts to implement the Roadmap for ending the crisis in Madagascar, which was signed on 17 September 2011. New problems also emerged, which are likely to undermine the progress achieved to date.

30. The Assembly will recall that significant progress had been made in the implementation of the Roadmap, as evidenced notably by the establishment of the main transitional institutions, even if they continue, for various reasons, to be boycotted by the political camps of former Presidents Albert Zafy and Didier Ratsiraka. Progress was also made in the electoral process. Indeed, the Independent National Electoral Commission of the Transition (CENI-T) and the United Nations have indicated that they are technically and financially ready to organize the forthcoming elections, scheduled for 24 July 2013 for the first round of the presidential election, 25 September 2013, for the second round, which will be accompanied by the legislative elections, and 23 October 2013, for the local elections. Similarly, and as part of the confidence-building measures, four close relatives of former President Marc Ravalomanana, including his wife, son and daughter, returned to Antananarivo.

31. However, some provisions of the Roadmap have not been implemented, while others have been implemented only partially. These relate in particular to the neutral, inclusive and consensual nature of the Transition process, confidence-building and national reconciliation, including respect for fundamental freedoms, the granting of amnesty and unconditional return to the country of all political exiles, as well as support by the international community to the implementation of the Roadmap. Another source of concern arises from the Malagasy internal dialogue, which began on 18 April 2013, with a meeting conducted by the World Council of Christian Churches in Madagascar (FFKM), and concluded on 5 May 2013. While this process is provided for by the Roadmap, some of the recommendations of the meeting, particularly those relating to the launching of a new Transition, are of concern, as they clearly deviate from the path being followed in the process for ending the crisis in Madagascar.

32. It is against this background that, on 3 May 2013, the Special Electoral Court (CES) published the list of candidates for the presidential election, which include, among others, the President of the Transition, Andry Rajoelina, the wife of former President Marc Ravalomanana and former President Didier Ratsiraka. Obviously, the decision of Mr. Rajoelina to stand for the presidential election is a breach of the commitment that he had made, following the decision of Mr. Ravalomanana not to be a candidate for the presidential election. This decision also contradicts the

recommendation made by the Southern African Development Community (SADC) extraordinary summit, held in Dar-es-Salaam, on 7 and 8 December 2012, calling on these two personalities not to stand for election. This situation seriously undermines the process of ending the crisis and threatens the stability of Madagascar.

33. In line with the communiqués of the PSC meetings held in Dar-es-Salaam, on 22 April 2013, and in Addis Ababa, on 16 May 2013, and the communiqué issued, on 10 May 2013, by the Troïka of the SADC Organ, the Assembly may wish to reiterate the AU's position on the non-participation of the aforementioned political personalities in the presidential election and request for strict compliance with the Roadmap. It may also wish to issue a warning to all individuals who, through their actions, further complicate the efforts to end the crisis.

b) The Comoros

34. The period under consideration saw the celebration of the fifth anniversary of operation "Democracy in The Comoros", launched on 28 March 2008, which enabled the restoration of State authority on the Island of Anjouan. The celebration took place in a context marked by continued progress in peace building and national reconciliation, in spite of persisting difficulties.

35. Among the initiatives taken by the Commission to support the ongoing efforts in the Comoros, it is important to underline the dispatch, from 7 to 12 February 2013, of a joint mission led by the AU and including representatives of the World Bank, the UN and *La Francophonie*. This mission was in response to the request made, on 2 December 2012, by the Head of State of the Comoros, Dr. Ikililou Dhoinine, to both the Chairperson of the Commission and the UN Secretary-General, seeking assistance in the area of judicial and police investigation in connection with the murder, in May 2010, of a senior officer of the Comorian army. The mission made recommendations on the additional measures to be taken to enhance stability, including the reform of the defense and security sector, and address the socio-economic development challenges. In this regard, it should be pointed out that, after the positive evaluation given by the International Monetary Fund (IMF), last December, following Comoros' eligibility to the Initiative of Heavily Indebted Poor Countries (HIPC), and the resulting good prospects regarding the cancellation of the Comorian debt and access to external funding, an IMF assessment mission visited Moroni, from 12 to 14 March 2013. It seized the opportunity to reiterate its congratulations to the Comorian Government for the positive results obtained in the implementation of structural reforms.

36. On 20 April 2013, the Comorian Government announced the unearthing of a plot involving both Comorian and foreign nationals. This development highlights the need to continue to monitor the situation in the Comoros, more especially as the archipelago has witnessed, in the past, many unconstitutional changes of government perpetrated with the support of foreign mercenaries. Furthermore, the number of people drowning as they try to reach the Comorian Island of Mayotte, which became a French Department in March 2011, continues to grow. A new incident occurred on 18 March 2013, with the sinking, off the coast of the Island of Anjouan, of an artisanal boat that had forty people on board.

37. In conclusion, the Assembly may wish to welcome the overall positive development of the situation in the Comoros and stress the need for the pursuit of the ongoing efforts. Similarly, the Assembly may wish to condemn the attempted destabilization suffered by the Comoros. Finally, the Assembly may wish to stress the need to resolve the question of the Comorian Island of Mayotte within the framework of international legality.

c) Somalia

38. Since the last Ordinary Session of the Assembly of the Union, the situation in Somalia has continued to improve, albeit with some challenges. On the political front, the Federal Government of Somalia (FGS), under the leadership of President Hassan Sheikh Mohamud, continued to implement its Six-Pillar Plan. During the reporting period, the FGS adopted a national stabilization plan with a roadmap for the establishment of local administrations across the country, particularly in those towns recently liberated by the Somalia National Security Forces (SNSF), with the support of AMISOM. In this regard, Prime Minister Abdi Farah visited Galgaduud, Puntland, Lower Juba, Gedo and Middle Shabelle regions, as part of his “national listening tours”.

39. Although the Prime Minister’s “listening tours” have been largely successful, the process of establishing a local administration for Jubbaland remains challenging. The process for the establishment of the Jubbaland state, comprising Gedo, Middle Juba and Lower Juba, began in Nairobi, in late June 2012, under the IGAD Grand Stabilization Plan, adopted in Addis Ababa in January 2012. However, following the election of President Hassan Sheikh Mohamud, the FGS declared that the process to establish regional administrations should be Government-led and should be expanded to ensure inclusivity.

40. On 28 February 2013, more than 500 delegates gathered in Kismayo, Lower Juba region, to discuss and plan the proposed formation of the Jubbaland state. On 26 March 2013, Somali Prime Minister Abdi Farah Shirdon travelled to Kismayo and informed the Jubbaland political, clan and religious leaders that the Jubbaland state Conference was unconstitutional and unilateral. He directed that the Conference be disbanded, the Kismayo air and sea ports be handed over to the FGS, and all militias be integrated into the SNSF. Further, the FGS insists that all areas still under Al Shabaab control in the region must be recovered before the state can be formed, on the understanding that it will, thereafter, appoint regional Governors for Middle, Lower Juba, and Gedo. However, the delegates gathering at the Jubbaland State Conference continued with their deliberations, insisting that the process was legal under the provisional Constitution of Somalia. At their extraordinary summit, held in Addis Ababa on 3 May 2013, the IGAD Heads of State and Government stressed that all ongoing processes to establish regional administrations must be anchored on a set of principles, notably leadership by the FGS, inclusivity and respect for the Somalia Constitution. On 15 May 2013, delegates at the Jubbaland state Conference elected Raas Kamboni militia leader, Sheikh Ahmed Mohamed Islam Madobe, as President of Jubbaland. Shortly thereafter, former Somali Minister of Defence, Colonel Barre Adam Shire Hirale, was also declared President by a separate group of elders in another process. There are fears that fighting could erupt between supporters of the two camps if an agreement is not reached swiftly. These disagreements highlight the need for more consultations on the structuring of

Somalia's territorial administration, to ensure balanced relations between the central/federal level and the state, regional and local levels.

41. Overall, however, the security situation continues to improve, although Al Shabaab retains the capability to carry out attacks against the FGS, civilians and AMISOM. Concerted efforts must continue in order to disrupt, dismantle and defeat the extremist group. Since January 2013, AMISOM forces have focused on consolidating their control over the recovered areas. There have been no major advances to recover more territory from Al Shabaab. This is due mainly to both operational and resource limitations, linked mainly to inadequate force enablers and multipliers. The 6th ordinary meeting of the Military Operations Coordination Committee (MOCC), held in Addis Ababa on 10 April 2013, provided an opportunity to review the situation on the ground, particularly in the light of the withdrawal of Ethiopian forces from some areas, as provided for in the AMISOM January 2012 Strategic Concept for future Operations in Somalia. The meeting agreed on a number of steps to address this situation.

42. The Assembly will recall that the AMISOM Strategic Concept stressed the need for the SNSF and allied forces to be adequately supported in order to facilitate the mobilization of the troops required to liberate Somalia. If the Somali security forces, AMISOM and the Ethiopian contingent are not adequately supported, the hard won gains might unfortunately be reversed. In particular, AMISOM needs to operate alongside a well-trained and equipped national army whose knowledge of local military, cultural, social and political conditions is vital. Specifically, the SNSF fighting alongside AMISOM forces urgently require basic logistics, such as fuel, food and medical evacuation. The international community has yet to come to the realization that AMISOM alone cannot fully liberate Somalia.

43. During the reporting period, the international community continued its engagement in Somalia. On 6 March 2013, the UN Security Council adopted resolution 2093 (2013), extending the mandate of AMISOM until 28 February 2014, as well as the UN support package to the Mission. The Security Council, having welcomed the review by the United Nations of its presence and engagement in Somalia, agreed that the UN Political Office in Somalia (UNPOS) should be replaced by a new expanded Special Political Mission, as soon as possible. On 2 May 2013, the Security Council adopted resolution 2102 (2013) by which it decided to establish the UN Assistance Mission in Somalia (UNSOM) for an initial period of 12 months. Subsequently, Mr. Nicholas Kay, of the United Kingdom, was appointed Special Representative of the Secretary-General and Head of UNSOM, marking the end of the assignment for Dr. Augustine Mahiga, of the United Republic of Tanzania, who efficiently led the UN efforts in Somalia under demanding circumstances. It should be noted that, in its resolution 2093 (2013), the Security Council stated that it was in agreement with the Secretary-General that the conditions in Somalia were not yet appropriate for the deployment of a UN peacekeeping operation.

44. On 7 May 2013, in London, the United Kingdom and Somalia co-hosted the 2nd Somalia Conference, which was attended by fifty-four friends and partners of Somalia, including Chair of the Union, Prime Minister Haile Mariam Desalegn of Ethiopia, some other Heads of State of the region, the AU Commission and the IGAD Executive Secretariat. The Conference agreed that Somalia had made significant progress and that the country requires the sustained commitment of its international

partners, and urged continued results-orientated support. In this regard, Somalia's partners reiterated their determination to support Somalia over the long-term, in all sectors, including institution-building. The PSC reviewed the outcomes of the London Conference and addressed other relevant issues at a meeting held on 10 May 2013.

45. The Assembly may wish to welcome the recent developments in Somalia, particularly the political progress and the efforts being made to resolve outstanding constitutional issues. Furthermore, the Assembly may wish to welcome the FGS's initiatives to engage regional authorities through outreach and dialogue, to foster national reconciliation and unity, as well as the efforts to rebuild the armed forces and integrate militias. Bearing in mind that the Somalis, in particular their political, clan and religious leaders, have the primary responsibility for the consolidation of peace and security in their country, the Assembly may wish to urge the political leadership of Somalia and all other stakeholders, in the best interest of Somalia, to continue to show selfless leadership, resolve and unity of purpose, without which, no amount of external assistance would make it possible to consolidate the gains recorded in Somalia. Furthermore, the Assembly may wish to reiterate its deepest appreciation to AMISOM and its troop and police contributing countries for their continued efforts to further peace, security and stability in Somalia. Finally, the Assembly may wish to call upon the international community, in particular the United Nations, to provide enhanced support to AMISOM, particularly with respect to force multipliers and enablers, to enable the Mission consolidate the progress made on the ground and extend areas under the control of the Somali authorities.

d) Kenya

46. During the reporting period, the Commission closely monitored the situation in Kenya, both before and during the March 2013 general elections. In so doing, the Commission was driven by the desire to contribute to the efforts aimed at averting a repetition of the post-electoral crisis that affected Kenya after the December 2007 presidential and legislative polls. The Commission also aimed at assisting Kenya in enhancing its democratic process.

47. The Assembly will recall that as the violence escalated, in the aftermath of the December 2007 elections, tearing apart the country's social fabric and threatening its long-term stability, the then-Chair of the Union, President John Kufour of Ghana, travelled to Nairobi and met the two principals, President Mwai Kibaki and Raila Odinga, who both agreed to an AU-led mediation headed by Kofi Annan, former UN Secretary-General. The AU's efforts, which also involved President Jakaya Kikwete, as Chair of the Union, resulted in a National Reconciliation Accord, which provided for a coalition Government, with Mwai Kibaki as President and Raila Odinga as Prime Minister. Drawing lessons from this experience, the AU policy organs stressed the need for an in-depth reflection on election-related violence and disputes. The Panel of the Wise took up the task and elaborated a report on this subject, with wide-ranging recommendations, which were endorsed by the Assembly of the Union at its Sirte ordinary session, in July 2009.

48. In the run-up to the 2013 general elections, the AU took a number of preventive steps. These included the deployment of a joint AU-COMESA pre-election assessment mission headed by the AU's Panel of the Wise; and, for the first time, the fielding by the Commission of a long-term observation mission, which was followed

by a short-term observation mission headed by former President Joaquim Chissano and the AU Commissioner for Political Affairs. On the eve of the election, the Chairperson of the Commission travelled to Kenya to deliver a message of solidarity from Africa to the people of Kenya and to impress upon them the need to ensure the holding of credible elections, as well as to avoid a repeat of the violence that had characterized the 2007 elections. Eventually, and to the credit of the Kenyan people and leaders, the elections were conducted peacefully and in a transparent manner according to all observer missions, including the one fielded by the AU. Prime Minister Raila Odinga, who came second to Uhuru Kenyatta, challenged the results proclaimed by the Independent Electoral and Boundaries Commission (IEBC) in the Supreme Court. He later gracefully conceded after the Court decision confirming the victory of his rival in the first round, with 50.01% of the vote.

49. During the campaign period, one of the burning issues, on which some foreign Governments expressed views, was the International Criminal Court (ICC) indictment of the Jubilee coalition's presidential candidate, Uhuru Kenyatta, and his running mate, William Ruto, for alleged crimes against humanity in the aftermath of the December 2007 elections. Both have denied the accusations and pledged to cooperate with the ICC, to clear their names. However, as in other instances elsewhere on the continent, the ICC proceedings have the potential of complicating the long path to national reconciliation and healing the Kenyans must embark upon, to consolidate peace and stability in their country, thereby creating conditions that are conducive for its development and the consolidation of its democratic institutions. The AU, which is committed to the fight against impunity, has repeatedly stressed the need to ensure that the quest for justice, through judicial processes, and the imperative of reconciliation are pursued in a mutually reinforcing manner. Against this background, the Assembly may wish to provide guidance on the best way forward for the AU in addressing this issue, with a view to helping the Kenyan people achieve their long cherished goal of peace, justice, democracy and development.

e) Peace process between Eritrea and Ethiopia

50. In its decision on the report of the PSC on its activities and the state of peace and security in Africa, the last Ordinary Session of the Assembly of the Union expressed concern at the continued impasse in the peace process between Eritrea and Ethiopia and reaffirmed the AU's appeal for an intensification of efforts by Africa to help the two countries overcome the current difficulties, normalize relations and lay the foundations for sustainable peace and security in the region. During the reporting period, no progress was made in the peace process between Eritrea and Ethiopia. The issue featured regularly in the consultations between the Commission and international partners, such as the United Nations and the EU.

51. Against this background, the Assembly may wish to re-emphasize the need for renewed efforts, to help the two countries overcome the difficulties facing the peace process, normalize their relations and lay the foundation for lasting peace in the region. In this respect, the Assembly may wish to request the PSC to be actively seized of the matter and to review it on a regular basis.

f) Relations between Djibouti and Eritrea

52. In its decision on the report of the PSC on its activities and the state of peace and security in Africa, the last Ordinary Session of the Assembly of the Union reiterated the urgent need for the effective and scrupulous implementation of the 6 June 2010 Agreement between Djibouti and Eritrea. It also requested the PSC to actively follow-up the matter and report thereon.

53. During the reporting period, the Commission did not receive any written updates from Djibouti and Eritrea regarding the evolution of their relations and the implementation of the Agreement signed between the two countries. The Commission and the UN Secretariat reviewed the situation, and are considering a joint interaction with the Government of Qatar on how best to speed up the latter's mediation efforts. The PSC also intends, in due course, to review the situation. In the meantime, the Assembly may wish to reiterate the AU's call for the scrupulous implementation of the 6 June Agreement, in order to address all the outstanding issues and consolidate the normalization of the relations between the two countries.

g) Horn of Africa – regional approach

54. As indicated last January, the Assembly of the Union has, over the past few years, stressed the need to develop a regional approach to the challenges of peace and security in the Horn of Africa. Accordingly, it has encouraged the Commission, in collaboration with IGAD, the EU, the UN and other stakeholders, to initiate a process of consultations which would lead to a regionally-organized endeavor for peace, security, cooperation and development in the Horn of Africa. During the period under review, the Commission continued to reflect and consult on the best ways and means of initiating the proposed consultation process. As requested in the January Assembly decision, the Commission is preparing a report on the issue to be submitted to the PSC.

h) Sudan (Darfur)

55. The reporting period saw some progress towards finding a peaceful solution to the Darfur crisis. Negotiations between the Government of Sudan (GoS) and the Justice and Equality Movement-Sudan (JEM-S) led to the signing of a peace agreement, under the framework of the Doha Document for Peace in Darfur (DDPD), which made the latter the third signatory party to the DDPD. However, on 12 May 2013, a convoy of the JEM-S, travelling from Chad to Darfur, was ambushed in the border area. The leader of the Movement, Commander Mohamed Bashar, and his deputy, together with other members of the JEM-S were killed. This heinous act, allegedly committed by the main JEM, was a serious blow to the Darfur peace process.

56. On 7 and 8 April 2013, a well-attended Donor's Conference was held in Doha, during which an amount of US\$ 3.6 billion was raised in pledges and donations by various countries and organizations for the reconstruction and development of Darfur. Prior to this, and in compliance with the provisions of the DDPD, the Darfur Regional Authority (DRA) Legislative Council was inaugurated on 16 January 2013, in Nyala, South Darfur. During the ceremony, the Government of Sudan announced the provision of 800 million Sudanese Pounds (SDG) to be paid to the Darfur

Reconstruction and Development Fund, in partial fulfillment of its \$200 million pledge to the Fund in July 2011. The legislation for the establishment of the Darfur Reconstruction and Development Fund, is before the Sudan National Assembly. In February 2013, the Ministry of Finance provided a letter of credit to the DRA for 800 million Sudanese Pounds (US\$ 165 million).

57. As part of the Darfur Internal Dialogue and Consultations (DIDC) process, the DRA, with the assistance of UNAMID and other partners, has continued to engage actively with civil society organizations and Internally Displaced Persons (IDPs), with a view to making the process as inclusive as possible. On 25 and 26 March 2013, the DRA organized an IDPs and Refugees Conference in Nyala, with participants from all the five regions of Darfur and neighboring countries, in order to solicit their inputs on the Darfur Joint Assessment Mission (DJAM) report, prior to the Doha Donors' Conference. A DIDC strategy document has been developed for the full implementation of the process. Furthermore, and in accordance with provisions of the DDPD, the Special Prosecutor for Darfur has continued to investigate cases of massive violations of human rights, with a view to bringing their perpetrators to justice.

58. During the reporting period, the security situation in Darfur remained a major concern. Clashes between the hold-out armed movements and the Sudan Armed Forces (SAF) have been on the increase, which consequently resulted in further displacements. Resource-based and tribal clashes in January and February 2013 also resulted in deaths and displacements. In spite of this challenging environment, the AU-UN Hybrid Operation in Darfur (UNAMID) continued to discharge its mandate. The newly-appointed AU/UN UNAMID Joint Special Representative (JSR), Dr. Mohamed Ibn Chambas of Ghana, assumed duty in early April 2013, and has since held a number of consultations with the concerned Sudanese actors, as well as with the leadership of the AU Commission. Equally significant is the field mission to Darfur undertaken by the PSC, from 17 to 19 March 2013.

59. The Assembly may wish to note with satisfaction the progress made in the Darfur peace process, as well as the successful convening of the Doha Donors' Conference. The Assembly may also wish to express support to the JSR and to the AU High-Level Implementation Panel (AUHIP) in their efforts aimed at promoting peace, security and stability in Sudan. At the same time, the Assembly may also wish to express concern at the recent clashes in some parts of Darfur, strongly condemn the killing of the leader of the JEM-S and other members of the Movement, and impress upon the armed groups that have not yet done so to join the peace process without any further delay.

i) Implementation of AU Roadmap on Sudan-South Sudan

60. The Assembly will recall that, on 27 September 2012, following months of intensive negotiations, Sudan and South Sudan signed a Cooperation Agreement, as well as eight additional Agreements covering cooperation in specific areas. However, implementation of the Cooperation Agreement was delayed, over disagreement on specific elements in the Agreement on Security Arrangements. In the current reporting period, the situation between Sudan and South Sudan has witnessed significant improvements.

61. On 7 March 2013, the AU High-Level Implementation Panel (AUHIP) convened an extraordinary meeting of the Joint Political and Security Mechanism (JPSM) in Addis Ababa. This led to the signing, on 8 March 2013, of the Implementation Modalities for Security Arrangements. These Modalities consist of a detailed plan and timetable for the full implementation of all the elements of the Agreement on Security Arrangements. They commit the two countries to a set of actions beginning on “D-Day”, 10 March 2013, including unconditional withdrawal of all forces to their side of the Safe Demilitarized Border Zone (SDBZ) and the deployment of the Joint Border Verification and Monitoring Mechanism (JBVMM), with logistical support and force protection to be provided by the United Nations Interim Security Force for Abyei (UNISFA). The two Governments committed themselves to implement these steps in an unconditional and coordinated manner. In order to fulfill its additional obligations, it was determined that UNISFA would require an additional 1,126 personnel. A request has since been made to the UN Security Council to authorize this increase of force strength. At the time of compiling this report, the Security Council was yet to adopt the resolution authorizing the additional force strength.

62. The AUHIP subsequently convened two further extraordinary meetings of the JPSM, which assessed progress in the implementation of all the agreed steps. UNISFA was able to confirm that both countries had withdrawn their forces as agreed, and had redeployed outside the SDBZ. In those cases where either side had complaints against the other, UNISFA was unable to verify on the ground, as the additional forces required by UNISFA had not yet been authorized by the UN Security Council.

63. On 10 March 2013, the AUHIP convened the Lead Negotiating Panel (LNP) to consider the Implementation Matrix for all the Agreements signed on 27 September 2012. The LNP adopted the Implementation Matrix for the Agreements between the Republic of Sudan and the Republic of South Sudan, on 12 March 2013. The Matrix confirmed 10 March 2013 as D-Day for the commencement of implementation of all Agreements. Following the signing of the Matrix, both Governments gave immediate instructions to the oil companies to begin oil production. On 11 April 2013, the first oil flowed from South Sudan into Sudan, through the pipeline on the way to Port Sudan.

64. The conclusion of the Implementation Matrix has led to a marked improvement in relations between the two states. On 12 April 2013, President Omar Hassan al Bashir made his first official visit to South Sudan since the latter had attained its independence in July 2011. President al Bashir and his delegation were warmly received by President Salva Kiir Mayardit and senior officials from the Government of South Sudan. The two Heads of State reiterated their commitment to the full implementation of the Cooperation Agreement and, to this end, directed that all Joint Mechanisms and Committees to accelerate their efforts. They also agreed to establish a High Ministerial Joint Committee to be chaired by the Vice- Presidents of the two countries, to facilitate speedy decision-making regarding the enhancement of their relations. Steps have since been taken to ensure the required follow-up.

65. Three critical issues remain outstanding in the implementation of the AU Roadmap. These are the resolution of the Abyei question, disputed and claimed border areas, and the conflict in the Two Areas of Sudan. Regarding Abyei, the

Parties are deadlocked both over the implementation of the Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area (Abyei Temporary Arrangements Agreement), as well as the final status of Abyei. While the Parties have agreed on the membership of the Abyei Administration, they are yet to agree on the distribution of seats in the Abyei Area Council (AAC), as well as on the composition and size of the Abyei Police Service (APS).

66. Unfortunately, the deadlock has led to a vacuum in the administration of Abyei, while the security situation continues to be of particular concern. Ngok Dinka residents, who were displaced by the fighting in 2011, have been returning to the area at an increasing rate, and the seasonal migration of the Misseriya pastoralists through Abyei, on their way back from South Sudan to Sudan, continues apace. In April 2013, it became evident that cattle rustling incidents were on the rise, leading to tribal clashes. An extraordinary meeting of the Abyei Joint Oversight Committee (AJOC) was held on 2 and 3 May 2013, which agreed on a number of steps aimed at averting an escalation of the situation. It is against this background that, on 4 May 2013, UNISFA accompanied a delegation of the Ngok Dinka, led by the Ngok Dinka Paramount Chief Kuol Deng Kuol, on a visit to northern Abyei. The convoy was surrounded by a group of armed Misseriya. In the ensuing stand-off, the Paramount Chief, as well as a UNISFA soldier, were shot dead. At the time of compiling this report, the situation was still very tense, and all Parties were working to prevent an escalation of the situation and damage to the progress already made in the relations between Sudan and South Sudan.

67. The Assembly will recall that, in August 2012, the Parties agreed to appoint an AU Team of Experts (AUTE) to give an authoritative but non-binding opinion on the status of the five disputed border areas. During the period under review, the AUTE engaged the Parties in their capitals and received oral submissions. At the time of finalizing this report, the AUTE was expecting to receive written submissions by the Parties, to enable it finalize its report. In their January 2013 Summit, the two Presidents agreed to revisit the matter of claimed border areas after resolution of the disputed areas.

68. With regard to the situation in the Two Areas, and following the conclusion of the Implementation Modalities on Security Arrangements under the facilitation of the AUHIP, the GoS and the Sudan Peoples' Liberation Movement-North (SPLM-N) met in Addis Ababa from 24 to 26 April 2013. The Parties agreed to adjourn the negotiations, to consult with their principals, and to resume discussions in May 2013. Immediately following the adjournment of the negotiations, the SPLM-N and its military allies in the Sudan Revolutionary Front (SRF) launched an attack on Um Ruwaba, in Northern Kordofan, which, until then, had been spared by the fighting. The humanitarian situation remains a source of grave concern.

69. The Assembly may wish to commend Sudan and South Sudan for the progress made and to urge them to expedite their efforts towards the resolution of the remaining outstanding issues. In particular, the Parties should expedite the establishment of the Abyei institutions, as well as the process for the resolution of the final status of Abyei, given the volatility of the situation in that area. The Assembly may wish to strongly condemn the killing of the Paramount Chief of the Ngok Dinka, and urge that, as requested by the PSC at its meeting held on 7 May 2013, credible investigation be conducted, with a view to ensuring that all those responsible for this

dastardly act are brought to justice. At the same time, the Assembly may wish to call on the leaders of Sudan and South Sudan to take all necessary steps to ensure that the current situation does not spiral out of control and that Abyei is a “weapon-free-area”. The Assembly may also wish to condemn the attack in North Kordofan, call on the GoS and the SPLM-N to pursue the negotiation process and to extend the necessary cooperation to the AUHIP, in order to facilitate the resolution of the conflict in the Two Areas and, in the meantime, to facilitate humanitarian access. Finally, the Assembly may wish to reiterate AU’s deep appreciation of, and support for, the relentless efforts of the AUHIP members and the Panel’s support team.

j) Democratic Republic of the Congo and the Great Lakes Region

70. The period under review was marked by significant developments with respect to the situation in eastern DRC, which is affected by the activities of many armed groups, including the M23, as well as by the efforts undertaken by both the region and the larger international community to pave the way for lasting peace in the region. One of the notable developments in the period under review was the signing, at the AU headquarters in Addis Ababa, on 24 February 2013, of the Peace, Security and Cooperation Framework for the DRC and the Region, by eleven members of the International Conference on the Great Lakes Region (ICGLR) and SADC, as well as by the UN Secretary-General, the Chairperson of the AU Commission, the ICGLR and SADC current Chairs, as witnesses and guarantors of its implementation. The Framework articulates a set of commitments made by the DRC Government, the countries of the region and the international community. Following the signing of this Agreement, the UN Secretary-General appointed Mrs. Mary Robinson as his Special Envoy for the Great Lakes Region. From 28 April to 5 May 2013, she paid a visit to the DRC, Rwanda, Uganda, Burundi and South Africa. On that occasion, she held talks with the Chairperson of the Commission and her Special Representative for the Great Lakes Region, Ambassador Boubacar Gaoussou Diarra. The inaugural meeting of the Oversight Mechanism for the implementation of the Framework is scheduled to be held at the AU headquarters in Addis Ababa on 26 May 2013, under the joint auspices of the AU and the UN.

71. Another positive development relates to the adoption by the UN Security Council on 28 March 2013, of resolution 2098 (2013). Among others, the Security Council decided in this resolution that the UN Mission for Stabilization in the DRC (MONUSCO), whose mandate was extended until 31 March 2014, shall, for an initial period of one year and within the authorized troop ceiling of 19,815, include an “Intervention Brigade”, responsible for the neutralization of armed groups, with a view to reducing the threat posed by these armed groups to state authority and civilian security in eastern DRC and to enable stabilization activities. This resolution marks a welcome development in the UN doctrine on peacekeeping operations - even if for the Security Council, the decision was made on an exceptional basis and without creating a precedent. Its adoption took place following the initiatives taken by the ICGLR and the AU, including the ministerial meetings that were organized by the AU, in Addis Ababa, on 27 and 28 December 2012 and on 8 January 2013, to agree on the modalities for the deployment of a Neutral International Force (NIF), as originally proposed by the ICGLR. These meetings facilitated the emergence of a consensus on the modalities for the integration of such a Force within MONUSCO and on the mandate to be given to it.

72. The Assembly will recall that, as part of the follow-up to the relevant decisions of the ICGLR, as supported by the PSC, negotiations were launched in Kampala on 9 December 2012 between the Congolese Government and the M23, under the auspices of Uganda in its capacity as the ICGLR Chair. These discussions were briefly affected by the split that occurred, at the end of February 2013, within the M23 and the clashes between the political wing of the Movement, led by Jean Marie Runiga, and the military wing, led by General Sultani Makenga. Furthermore, General Bosco Ntaganda, who was the subject of arrest warrants issued by the International Criminal Court (ICC), surrendered to the U.S. Embassy in Kigali in March 2013, before being transferred, at his request, to the ICC to answer charges leveled against him.

73. The Assembly may wish to welcome the positive developments witnessed during the period under review. In this respect, it may note with satisfaction the signing of the Framework and the renewed commitment of all the countries concerned to work towards its implementation, as well as to encourage them to persevere in their efforts. The Assembly may wish to underscore the importance of ownership of the implementation process of the Framework by the countries of the region, as well as the need to involve civil society organizations in the countries concerned. Furthermore, the Assembly may wish to welcome the ongoing efforts by the policy organs of the Economic Community of the Great Lakes Countries (CEPGL) for the revitalization of this organization, which is called for by the Framework and will contribute to the efforts aimed at economic integration and stabilization in the region. The Assembly may wish to reiterate the importance of close coordination among the AU, the UN, the ICGLR and SADC, to provide coordinated support to the efforts of the countries of the region. The Assembly may wish to welcome the adoption of resolution 2098 (2013) and the commitment of Malawi, South Africa and Tanzania to contribute troops to the Intervention Brigade. The Assembly may also wish to congratulate Tanzania for the timely deployment of its contingent on the ground. Finally, the Assembly may wish to reiterate its support to the Congolese Government's efforts to restore its authority over the areas still under the control of the M23.

k) Central African Republic

74. The period under review was marked by the 24 March 2013 coup d'état against President François Bozizé, perpetrated by an armed rebellion spearheaded by a coalition of political and military groups called Seleka. The coup was followed by several weeks of looting, destruction and serious violations of human rights. The country is now headed by the leader of Seleka, Michel Am Nondroko Djotodia. However, the security and political situation is unstable and uncertain. The humanitarian situation is also alarming.

75. The Assembly will recall that its last ordinary session took place against the backdrop of the unilateral resumption by the Seleka rebellion of its military offensive on the ground that the Libreville Agreements of January 2013, negotiated under the auspices of the ECCAS Heads of State and Government, had not been honored. At that time, the AU, both through the Commission and the PSC, had warned against the dangers inherent in the actions taken by Seleka and endeavored to mobilize the international community to weigh in to facilitate a negotiated solution to the difficulties

faced in the implementation of the Libreville Agreements and avoid the advance of the rebellion in Bangui. Unfortunately, these efforts were unsuccessful.

76. In defiance of the appeals made by ECCAS, the AU, the UN and other members of the international community, Seleka continued its offensive, taking control of the capital Bangui and overthrowing the regime of President François Bozizé on 24 March 2013. The coup d'état, which has been strongly condemned by the international community and the PSC, leading to the suspension of CAR's participation in the AU activities and the imposition of sanctions against the main leaders of the rebellion, has plunged the CAR in a particularly worrying situation.

77. By their magnitude, duration and severity, the looting and destruction of property, following the illegal seizure of power by Seleka, are described as unique in the annals of the history of the CAR. For several weeks, the home of nationals and expatriates, public administration and the premises of private companies were completely looted and ransacked. Places of worship were not spared, raising fears of religious conflict in the country. Large-scale violations of human rights were recorded not only in Bangui, but also in the countryside. The regular defence and security forces collapsed, leaving security in the hands of the Seleka elements, most of whom are uncontrollable and act as they please. The consequences of weeks of violence and destruction have been disastrous for the country: 206 000 internally displaced persons and 49000 refugees in neighboring countries; hospitals lacking medicines and sometimes closed; schools, administrative and public services abandoned or closed; an economy in free fall.

78. The combined efforts of the ECCAS Heads of State and Government, the AU, UN and CAR partners have helped to initiate a fragile stabilization process in the country. Thus, elements of a Roadmap for the Transition (lasting 18 months) have been articulated. A Government of National Unity (GUN) and a National Council of the Transition (CNT), replacing the dissolved National Assembly, have been established. A Transitional Charter and a Transition Constitutional Court (CCT) are expected to be established. Similarly, a Constitution will be prepared and adopted during the Transition period, which will culminate in the holding of general elections.

79. Pursuant to the decisions of the PSC and the Conclusions of the 4th ECCAS Summit, an International Contact Group on the CAR (ICG-CAR) has been established. The ICG-CAR held its inaugural meeting in Brazzaville, on 3 May 2013, under the chairmanship of the Commission and President Denis Sassou Nguesso of the Republic of Congo, Chairman of the Libreville Agreements Follow-up Committee, with the participation of President Jacob Zuma of South Africa. Furthermore, the Commission dispatched to Bangui, from 2 to 6 May 2013, a joint AU-UN-ECCAS-OIF mission to assess the needs of MICOPAX in terms of strength, equipment and financing, as well as facilitate force generation, based on appropriate concept of operations and concept of logistics support. At the time of compiling this report, the Commission was fine-tuning the recommendations to be submitted to the relevant AU organs.

80. The gradual calm that seems to be returning to Bangui and the rest of the country remains very fragile. Return to normalcy will require significant support from the region, the AU and international partners. The ICG-CAR meeting made it possible to identify the urgent and priority actions that need to be taken. In addition to

expanding the GUN and the CNT to make them more inclusive, the first steps involve the restoration of security and public order throughout the country, the cantonment and disarmament of the Seleka elements and the establishment of a nucleus defence and security force for the protection of the civilians. More generally, the CAR urgently needs substantial financial assistance, particularly through the Trust Fund whose establishment was proposed by the ICG-CAR Fund.

81. Once again, the situation in the CAR brought to the fore the recurrence of unconstitutional changes of government in Africa, in spite of the numerous instruments with always enhanced provisions that have been adopted by the relevant AU organs. This situation has also revealed, in all its magnitude, the danger posed by armed rebellions on the continent. Clearly, these rebellions must be fought with greater vigor and determination. Besides the reaffirmation of the relevant AU principles, the expression of its deep concern about the situation and the unequivocal condemnation of the coup d'état, the Assembly may wish to underscore the AU's determination to hold perpetrators of the crimes committed in the CAR accountable for their actions. The Assembly may also wish to express its support for the efforts made by the Commission and ECCAS, within the APSA framework, and call upon the international community to provide them with all the necessary support.

I) Implementation of the Regional Cooperation Initiative for the Elimination of the LRA

82. During the period under review, a number of steps were taken towards the implementation of the Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army (RCI-LRA), which brings together the CAR, the DRC, South Sudan and Uganda. From 11 to 12 February 2013, the AU Commission and the UN Secretariat organized a joint meeting at Entebbe, Uganda, on the regional strategy for addressing the threat and impact of the LRA activities. On 13 February 2013, the DRC handed over a light infantry battalion of 500 troops to the Regional Task Force (RTF), which is coordinating the fight against the LRA from its Headquarters in Yambio, South Sudan. This paved the way for the operationalization of the Dungu Sector in the DRC, following those of Nzara in South Sudan, and Obo in the CAR, and brought the total number of troops committed by the concerned countries to 3,350.

83. From 26 March to 4 April 2013, the AU Special Envoy for the LRA Issue, Francisco Madeira, and the UN Special Representative for Central Africa, Abou Moussa, undertook a mission to the DRC, South Sudan and Uganda, to evaluate the progress made in the implementation of the Initiative and the way forward regarding military operations by the RTF. The mission to Bangui was eventually cancelled due to the then prevailing situation in the country that resulted in the entry into the capital of the Seleka rebel elements and the overthrow of the CAR constitutional Government.

84. On 24 April 2013, in Addis Ababa, the Commission convened the third ministerial meeting of the Joint Coordination Mechanism (JCM) for the RCI-LRA, to review the implementation of the Initiative. The meeting was held against the background of the developments in the CAR, which negatively affected the efforts to fight the LRA, as they caused the disintegration of the CAR contingent previously assigned to the RTF, in addition to increasing the likelihood of a confrontation

between uncontrolled Seleka rebel elements and the RTF contingent in the Obo Sector. In early May, the Special Envoy for the LRA Issue and the UN Special Representative visited Bangui, where they met with the *de facto* authorities to discuss the continuation of the RCI-LRA operations in the CAR. At the inaugural meeting of the ICG-CAR, held in Brazzaville on 3 May 2013, the participants requested the transitional authorities in the CAR to honor their commitments under the RCI-LRA. Also on 24 April, the Commission convened the 1st meeting of the Support Forum for the RCI-LRA, in pursuance of the relevant PSC decisions, with a view to mobilizing additional financial and logistical support for the implementation of the RCI-LRA.

85. Encouraging progress has been made in the counter-LRA operations. Notably, considerable military pressure is being exerted on the LRA, resulting in the surrender of some of its elements and the neutralization of key commanders. The Assembly may wish to welcome this progress and the renewed commitment of the RCI-LRA member countries to enhance their efforts. The Assembly may also wish to appeal to AU Member States and partners, notably the United Nations, to extend the necessary financial and logistical support for the successful implementation of the RCI-LRA.

m) Liberia

86. Efforts at peace consolidation have continued in Liberia under its current Vision 2030, which is being driven mainly by the Agenda for Transformation (AfT) and the Strategic Roadmap for National Healing and Reconciliation, all of which were launched by President Ellen Johnson-Sirleaf in December 2012. Significant progress has been made in the areas of democracy, development of infrastructure and macro-economic management. However, the country is still grappling with a number of challenges, including with respect to social cohesion, the fight against corruption and security problems linked to criminal activities along the border with Côte d'Ivoire.

87. The Assembly may wish to commend the Government of Liberia for its leadership and commitment to sustaining the achievements made since the end of the civil war in 2003, and encourage it to persevere in its efforts, including through the expeditious implementation of the Roadmap for National Reconciliation. The Assembly may also wish to reiterate its call to AU Member States and the larger international community to continue to support the Government of Liberia, to enable it successfully to address all the challenges that have the potential to derail the hard-won peace and stability in the country.

n) Côte d'Ivoire

88. Côte d'Ivoire has finalized the process of institutional normalization with the municipal and local elections organized on 21 April 2013. The *Front populaire ivoirien* – Ivorian Popular Front (FPI) boycotted the elections. On the other hand, significant progress continues to be made in terms of peace and security thanks, particularly, to the establishment, on 8 August 2012, of the National Security Council (NSC) and the Disarmament, Demobilization and Reintegration Authority (ADDR), and the adoption, in September 2012, of a security sector reform (SSR) strategy and the mobilization of the necessary resources. As regards national reconciliation, the Dialogue, Truth and Reconciliation Commission (CDVR), set up to establish the conditions for forgiveness and reconciliation, but without impunity, continued its work, through the deployment of its local committees and the preparation of investigations and hearings.

Simultaneously, the Government maintained political dialogue with the opposition to reach consensus on the main issues at hand. Progress is also noted with regard to economic recovery and post-conflict reconstruction, within the framework of the National Development Plan, covering the period 2012-2015. The economic growth rate for the financial year 2012 was 9.6% and is expected to remain at that level or improve over the next three years.

89. The Assembly may wish to welcome the continued positive developments in the situation in Côte d'Ivoire and encourage the Ivorian authorities to continue and intensify their efforts. Similarly, the Assembly may wish to urge the Ivorian stakeholders, particularly the FPI, to join the reconciliation process and contribute positively to the ongoing peace consolidation efforts. The Assembly may also wish to reiterate the AU's appeal to the international partners to continue and increase their support to the efforts of the Ivorian authorities and request Member States, within the framework of the African Solidarity Initiative, to lend their support to the ongoing processes.

o) Guinea

90. The period under review was marked by tension linked to the conclusion of the Transition begun in December 2009. Indeed, the legislative elections intended to end the Transition, and which were to be organized within six months of the inauguration of the President-elect on 21 December 2010, have not yet taken place, due to a lack of consensus on contentious issues among the political actors, in general, and between the Government and the Opposition, in particular.

91. Originally, the main sticking points revolved notably around the voter registration, the choice of a technical operator for the revision of the electoral list, the establishment of a Joint Independent National Electoral Commission (CENI), the vote of Guineans living abroad and political dialogue. Following the acts of violence recorded during demonstrations in February 2013, amid high tension between the Government and the Opposition, a political dialogue framework was established, under the direction of a College of Facilitators. On 23 April 2013, the Government, the political parties of the presidential camp and those of the Opposition signed a Declaration on Non-violence, under the auspices of the College of Facilitators, coordinated by the Special Representative of the UN Secretary-General for West Africa, Saïd Djinnit. However, the demonstrations of the Opposition continued, resulting in several incidents and the loss of lives in Conakry. The Opposition demands the annulment of the decree of 13 April 2013, which convenes the electorate on 30 June 2013, the suspension of the activities of CENI and the release of detained persons, and threatened to resume demonstrations. It is in this context that the Supreme Court authorized the CENI to extend the deadline for the filing of candidates of political parties to the legislative elections until 19 May 2013.

92. The Assembly may wish to appeal to the Guinean stakeholders to exercise restraint and show a sense of responsibility, and urge them to work resolutely for the preservation of peace, security and stability in their country. The Assembly may also wish to underscore the imperative for the Guinean parties to resort to dialogue without delay, in order to create conditions conducive to free, fair and credible legislative elections, whose results will be accepted by all the political actors and contribute to the entrenchment of the democratic process in Guinea. The Assembly

may wish to express its full support for the College of Facilitators, coordinated by the Special Representative of the UN Secretary-General for West Africa, and affirm the AU's readiness to help to overcome the current difficulties.

p) Guinea-Bissau

93. The Commission and the PSC have continued to monitor closely the situation in Guinea-Bissau. On 17 January 2013, the African Party for the Independence of Guinea and Cape Verde (PAIGC), the Democratic Alliance (AD), the New Democracy Party (PND) and the United Social Democratic Party (PUSD) signed the Pact of Transition and the Political Agreement concluded on 16 May 2012. In so doing, these parties expressed their formal adherence to the transition process. In Yamoussoukro, on 27 and 28 February 2013, the 42nd Ordinary Session of the ECOWAS Authority of Heads of State and Government decided to extend the transition period in Guinea-Bissau until 31 December 2013, taking into account the launching by the Bissau-Guinean stakeholders in the National People's Congress of the process of drafting the Transition Roadmap. On 30 April 2013, the Government, the military hierarchy, the political parties and civil society signed an agreement of principle confirming that the transitional period will run until 31 December 2013, the elections would be organized in November 2013, the acceptance of an inclusive Government and the election of the Chairman of the National Electoral Commission, upon recommendation by the Supreme Council of the Judiciary.

94. Among the other major developments during the reporting period, mention should be made of the opening, on 12 March 2013, at the Bissau Regional Military Court, of the trial of Captain Pansau N'Tchama and 16 other individuals accused of being involved in the attack, on 21 October 2012, on the Bissalanca base. On 3 April 2013, Rear Admiral Jose Americo Bubo Na Tchuto, former Chief of Staff of the Navy, was arrested along with four others, in international waters, in an operation carried out by officers from the U.S. Drug Enforcement Agency (DEA). On 18 April 2013, General António Indjai, Chief of Staff of Guinea-Bissau Armed Forces, was indicted by the Attorney for the Southern District of New York for narco-terrorism and use of his position as the head of the Guinea-Bissau army, to purchase and import weapons for the benefit of the Revolutionary Armed Forces of Columbia (FARC). An international arrest warrant was issued against him. Finally, on 8 May 2013, after a seven-month stay in the premises of the EU Delegation, in Bissau, where they had sought refuge following the attack, in October 2012, on the military camp of Bissalanca, Ibraima Sow, former Minister of Education, and Tomas Barbosa, former Secretary of State for Fisheries, returned to their residences. This departure was the result of the mediation efforts led by the AU Special Representative in Guinea-Bissau, at the request of the EU Delegation. Only General Melciades Fernandes still remains in those premises.

95. The Assembly would recall that, as part of the enhancement of coordination of efforts within the international community with respect to Guinea-Bissau, a joint assessment mission, led by the AU and including ECOWAS, the Community of Portuguese Speaking Countries (CPLP), the UN and the EU, visited the country in December 2012. The report of the mission was considered by the PSC, on 22 March 2013. After welcoming the conclusions of the mission, the PSC called for continued efforts to build an international consensus and promote collective action in support of the efforts of the Bissau-Guinean stakeholders and urged the five organizations

concerned to continue their coordination. Subsequently, the AU and UN Special Representatives in Guinea-Bissau travelled to The Gambia, Senegal and Cape Verde, from 7 to 13 April 2013, and then to Mozambique in its capacity as Chair of the CPLP, from 15 to 19 April 2013. These visits provided an opportunity to highlight the need for a more sustained international action to enable Guinea-Bissau successfully to carry out the Transition and address the numerous challenges facing the country.

96. The Assembly of the Union may wish to urge the Bissau-Guinean stakeholders to accelerate the preparation and adoption of the Transition Roadmap and the "*Pacte de Régime*", as well as the formation of an inclusive Government. The Assembly may also wish to stress the need for the elections that will mark the restoration of constitutional order to be held before 31 December 2013. It is also important for the Assembly to reaffirm the imperative for a resolute fight against drug trafficking, including measures against all individuals, civilian or military, involved in this traffic, as well as against illegal fishing whose persistence compromises the prospects for socio-economic development in Guinea-Bissau. Finally, the Assembly may wish to encourage the five organizations to continue to coordinate their efforts, under the AU auspices, including the dispatch of a second joint assessment mission to Bissau-Bissau.

q) Mali and the Sahel

97. The Ordinary Session of the Assembly of the Union, in January 2013, held important discussions on the situation in Mali, and provided an opportunity for other Member States to show their solidarity with Mali. The Assembly adopted a Solemn Declaration on the Situation in Mali, endorsing the PSC summit communiqué of 25 January 2013, which was followed, on 29 January 2013, by the Donors Conference organized by the AU and ECOWAS Commissions, to mobilize resources for the African-led International Support Mission in Mali (AFISMA) and the Defense and Security Forces of Mali (FDSM).

98. During the period under consideration, the situation in northern Mali evolved positively, thanks to the action of the FDSM, AFISMA and the French Forces, building on the achievements of operation Serval, which foiled the offensive of the terrorist and criminal groups and made it possible to begin the process of liberating the northern part of the country. Significant progress has been made in dismantling the logistical bases of the terrorist groups and ensuring security in northern Mali. The gradual deployment of AFISMA and the positive evolution of the security situation enabled France to begin withdrawing its troops. However, the terrorist threat remains high, especially in Gao, Timbuktu and Kidal. Furthermore, mention should be made of the rivalry between the different armed, terrorist and criminal movements, whose fighters clash intermittently around Timbuktu and Kidal. Taking advantage of the improved security situation, the Malian authorities, with the support of the international community, are gradually redeploying state administration in the liberated territories, so as to create an environment that is conducive for the return to normal life and the voluntary repatriation and resettlement of refugees and internally displaced persons, who have already started returning to their areas of origin.

99. On 29 January 2013, the Malian National Assembly, upon the recommendation of the Transition Government, endorsed the Roadmap for the Transition. Thereafter, on 6 March 2013, the Government established the Dialogue and Reconciliation Commission, and appointed its Chairman, two Vice-Chairmen and 30 other members. It should be stressed that the inclusive dialogue, which is the focus of the work of the Commission, is based on the principles and criteria contained in the Roadmap, namely, respect for the unity and territorial integrity of Mali, as well as for the secular and republican nature of the State, the renunciation of armed struggle and respect for the Malian Constitution.

100. Following the adoption of the Roadmap, the Interim President, Dioncounda Traoré, pledged to hold free, fair and credible elections starting from July 2013. In this regard, the transitional authorities worked out, in detail, the various preparatory phases of the electoral process, especially the completion of the census and preparation of biometric voter cards. The Government affirmed its determination to spare no efforts to ensure the return of the administration and other State institutions to the northern regions, especially Kidal, depending on the security conditions. It should be noted that the issue of deployment of the Malian army and administration in Kidal remains a source of deep concern for the PSC, which, on several occasions, demanded the unconditional disarmament of all non-state entities in Mali, in particular the National Movement for the Liberation of Azawad (MNLA), and the adherence of this group to the respect of the unity and territorial integrity of Mali, as a prerequisite for its participation in the political process. The Support and Follow up Group on the Situation in Mali expressed similar concerns during its meetings held in Brussels, on 5 February 2013, and in Bamako, on 19 April 2013.

101. At the time of compiling this report, initiatives were underway, under the leadership of the AU High Representative and Head of AFISMA, former President Pierre Buyoya, in close cooperation with the Special Representative of the UN Secretary-General for West Africa, Said Djinnit, the UN Office in Mali, the ECOWAS Commission and the EU. It is in this context that, along with representatives of other concerned stakeholders, he travelled to Ouagadougou on 2 and 10 May 2013, to consult with President Blaise Compaoré of Faso, ECOWAS Mediator in the Malian crisis, and the MNLA leadership, which expressed its readiness to hold dialogue with the Government of Mali in order to find a solution to the issue of Kidal.

102. As part of the efforts to ensure AFISMA's adaptation to the new security environment arising from the offensive of the terrorist and criminal armed groups and the subsequent Franco-Malian intervention, the Commission, pursuant to the communiqué of the 353rd meeting of the PSC and the afore-mentioned Solemn Declaration of the Assembly and in close coordination with ECOWAS, the core countries, the UN and other partners, actively contributed to the revision of AFISMA harmonized Concept of Operations (CONOPS). The revised draft CONOPS was endorsed by ECOWAS, at the 42nd Ordinary Session of the Authority of Heads of State and Government, held in Yamoussoukro, Cote d'Ivoire on 27 and 28 February 2013, and by the PSC on 7 March 2013. The revised CONOPS provides, in particular, for an increase in AFISMA's authorized force strength, which thus increased from 3,300 to 9,620 personnel, including 171 elements belonging to the civilian component, 8,859 military personnel and 590 police personnel. The Chairperson of the Commission appointed former President Buyoya as Special Representative and Head of AFISMA, while Ambassador Aboudou Cheaka Touré,

the ECOWAS Special Representative, was appointed as his Deputy. Arrangements were also made by the AU and ECOWAS to establish the AFISMA headquarters.

103. It is in this context that the Security Council, at the request of the Malian transitional authorities, supported by ECOWAS and the AU, requested the UN Secretary-General to submit a report on the transformation of AFISMA into a UN operation. In anticipation of this report, the PSC, in the communiqué adopted at its above-mentioned 358th meeting, stressed the need, within the framework of this transformation, to take into account the central role that the AU and ECOWAS should play, especially in the political process in Mali; the importance of continuity in the leadership of the then planned Mission; and support to efforts at regional cooperation in the area of security. On 25 April 2013, the Security Council adopted resolution 2100 (2013) authorizing the deployment of a UN Integrated Multidimensional Mission for Stabilization in Mali (MINUSMA), which should take over from AFISMA as of 1 July 2013. Its mandate includes the stabilization of the main northern cities and support for the restoration of state authority, support for the implementation of the Roadmap, the protection of civilians and the promotion of human rights. At the same time, the resolution authorizes the French troops to carry out offensive operations in support of MINUSMA, at the request of the Secretary-General. In the communiqué of its 371st meeting held on 25 April 2013, the PSC noted with concern that Africa had not been adequately consulted in the process that led to the adoption of resolution 2100 (2013), stressing that this situation was not in conformity with the spirit of partnership that the AU and the UN have endeavored to build over the past years. The PSC also noted that the resolution did not take into account the concerns formally expressed by the AU and ECOWAS and the proposals they submitted in a constructive spirit to facilitate coordinated support to the ongoing efforts by the Malian stakeholders.

104. In view of the planned transformation of AFISMA into MINUSMA, the AU, ECOWAS and the UN held discussions in Addis Ababa on 8 and 9 May 2013, to agree on the modalities for this transition. In addition, the AU and ECOWAS Commissions initiated consultations on the proposed establishment of a joint presence in Mali to continue to support the efforts of the Malian Government and actors and enable Africa to play its rightful role in this regard.

105. The Commission continued to mobilize the support of the international community for Mali. In this regard, it facilitated, together with the ECOWAS Commission and the UN Secretariat, the convening of two meetings of the Support and Follow-up Group, in Brussels and Bamako, on 5 February and 19 April 2013, respectively. These meetings provided an opportunity to assess the situation and reach agreement with the Malian authorities on the way forward. Initiatives were also taken with regard to regional security cooperation. Thus, in Nouakchott, on 17 March 2013, the Commission organized a ministerial meeting on the enhancement of security cooperation and operationalization of APSA in the Sahelo-Saharan region. This was followed by a meeting of the Heads of Intelligence Services of the countries of the region, in Bamako, on 18 April 2013. This meeting is to be convened every two months.

106. The Assembly may wish to welcome the positive developments in Mali and encourage the Malian actors to spare no effort to successfully complete the Transition and organize, under the required conditions of transparency and fairness,

presidential and legislative elections which will ensure the full restoration of constitutional order. The Assembly may also wish to stress the commitment of Africa to continue to support the Malian actors and, in this regard, underline the importance of a strong African presence in Mali. While noting the timeliness of the deployment of MINUSMA, the Assembly may wish to express the determination of Africa to play a substantive political role in the conduct of the peace and stabilization process in Mali, as well as in the completion of the restoration of the constitutional order in that country. Finally, the Assembly may wish to welcome the success of the donors conference organized in Brussels, on 15 May 2013, under the auspices of the Malian and French Governments, as well as the EU, which made it possible to mobilize more than 4 billion dollars of pledges in favor of Mali.

r) Western Sahara

107. The dispute between the Kingdom of Morocco and the POLISARIO Front over Territory of Western Sahara continues to be a matter of deep concern to the AU. No progress was recorded in addressing this situation during the period under review.

108. Within the context of his consultations on the issue, the Personal Envoy of the UN Secretary-General, Ambassador Christopher Ross, undertook his sixth tour of the region, from 20 March to 4 April 2013. In addition to Rabat, Tindouf, Algiers and Nouakchott, he also visited Western Sahara for the second time, including Dakhla, the second largest town in the Territory. The visit enabled him once again to meet and interact with a wide spectrum of local interlocutors, from human right defenders, self-determination advocates and local authorities to supporters of the Moroccan proposal of autonomy. On 22 April 2013, the Personal Envoy briefed the UN Security Council on his assessment, derived from his latest round of consultations.

109. On 8 April 2013, the UN Secretary-General submitted his latest report on Western Sahara to the UN Security Council. He indicated that "*the negotiating process remained at a stalemate because the two Parties have refused to move beyond presenting and defending their respective proposals*". He further indicated that his Personal Envoy intends to subsequently hold bilateral discussions with the Parties, "*with the goal of helping them design the contents of an acceptable compromise*". Furthermore, he stated that, as the negotiations move forward, his Personal Envoy would engage with other countries of the region and with regional organizations, including the Arab Maghreb Union and the African Union.

110. On 25 April 2013, the Security Council, having considered the report of the Secretary-General, unanimously adopted resolution 2099 (2013) by which it welcomed the Parties' commitment to continue the preparations for a fifth round of negotiations, and recalled its recommendation that realism and spirit of compromise were essential to achieve progress in the negotiations. The Security Council again called upon the two Parties to continue negotiations under the auspices of the Secretary-General without pre-conditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, 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. While extending the mandate of MINURSO to run through 30 April 2014, the Security Council was again this year unable to agree on the expansion of MINURSO's

mandate to include human rights monitoring, despite the Secretary-General's supportive position on the need for sustained and comprehensive monitoring of the human rights situation in the Territory and the refugee camps in Tindouf.

111. The Assembly would recall that in paragraph 8 of decision 758(XXII), adopted at its 22nd Ordinary Session, the Executive Council requested the Commission to take all necessary measures for the organization of a referendum for the self-determination of the people of Western Sahara, in compliance with the relevant decisions of the OAU and United Nations resolutions. In follow-up, the Chairperson of the Commission addressed a letter to the UN Secretary-General, to stress the need for renewed efforts by the international community to overcome the current impasse and to invite his Personal Envoy to visit Addis Ababa for consultations with the Commission on the way forward. She also wrote to the Foreign Ministers of the Kingdom of Morocco and the Saharawi Arab Democratic Republic. In those letters, she expressed AU's concern at the continued stalemate in the conflict and requested them to apprise the Commission of their respective views on the prevailing situation and prospects for its resolution. Furthermore, the Chairperson has submitted to the Executive Council her first progress report on the situation in Western Sahara. Another report will be submitted in due course, to provide an update on the situation and AU's efforts, including interaction with the UN, with a view to helping overcome the current impasse.

112. The Assembly may wish to reiterate the AU's concern at the lack of progress in the resolution of the conflict over Western Sahara, almost four decades after its onset. The Assembly may also wish to welcome the efforts of the Chairperson of the Commission and to encourage her to pursue them, notably through enhanced interaction with the Parties, the United Nations and other international stakeholders, in order to contribute to renewed international engagement towards the resolution of the conflict on the basis of relevant AU and UN resolutions that provide for the self-determination of the people of Western Sahara.

s) Tunisia

113. The transition and transformation process is continuing in Tunisia, in spite of the difficulties faced. On 6 February 2013, Mr. Chokri Belaid, an eminent political personality, was assassinated by extremist elements. This was followed by demonstrations during which a police officer was killed. The different stakeholders, including the President and the then Prime Minister, Hamadi Jebali, strongly condemned the assassination. The Chairperson of the Commission also strongly condemned this criminal act. Measures were also promptly taken by the Tunisian authorities to find the perpetrators of the assassination and have them tried in court.

114. The period which followed was marked by the unsuccessful attempt by the former Prime Minister, Hamadi Jebali, to form a government of "technocrats not belonging to any political party", which led to his resignation on 19 February 2013. He was replaced by Ali Larayedh, who formed a new Government on 8 March 2013. Since its establishment, the new Government is working towards the creation of conditions for the organization, before the end of 2013, of the legislative and presidential elections that will mark the end of the transition. In this respect, efforts have continued to be made for the finalization of the drafting of the new Constitution.

In March, the Constituent Assembly adopted a tentative timetable fixing 27 April 2013 as the date for the submission of the draft Constitution. A draft Constitution was made public on 22 April 2013 and submitted to a Committee of Experts, appointed by the Constituent Assembly. Once the text has been revised and a final version adopted by the Constituent Assembly, the draft will be submitted to a referendum that is scheduled to take place in July 2013.

115. The Tunisian authorities have continued with their efforts to achieve the objectives of the Revolution, particularly in the economic and social fields. Similarly, they have endeavored to address the insecurity and violence arising from acts perpetrated by extremist groups, including through operations conducted by the army and the security services in the western part of the country.

116. The Assembly may wish to reiterate the AU's support to the efforts of the Tunisian authorities and encourage all stakeholders to work together, in full respect for the rule of law, towards the successful conclusion of the Transition. The Assembly may also wish to renew its appeal to the international community to provide the necessary economic and financial support to enable Tunisia successfully complete the transition in the best possible conditions.

t) Libya

117. During the reporting period, the Libyan authorities continued to work towards the completion of the transition, against the backdrop of significant challenges. On 6 February 2013, the General National Congress (GNC) passed a decision endorsing elections as the process by which the 60 members of the Constituent Assembly (20 members from each of the three regions of Cyrenaica, Fezzan and Tripolitania) will be chosen. On 13 February 2013, the GNC approved the creation of a committee to draft the electoral law for the Constituent Assembly.

118. Starting from 28 April 2013, armed militias, consisting of elements who participated in the Revolution, besieged the Foreign and Justice Ministries, demanding notably the adoption, by the GNC, of the "Political Isolation Law". On 6 May 2013, the GNC passed this law, which bans officials of the previous Qaddafi regime from holding political office and provides for the establishment of a Special Commission for its implementation. Subsequently, the militias withdrew from the compounds of the concerned Ministries. The period under review was also marked by an upsurge of terrorist attacks, mainly in Tripoli and Benghazi.

119. Against this background, the Government has pursued its efforts to improve security. In this respect, measures are being taken to follow-up on the conclusions of the international ministerial conference co-hosted by the Libyan and French Governments in Paris, on 12 February 2013, which provide for a set of measures to be taken with respect to disarmament, demobilization and reintegration of former revolutionaries, border control, and proliferation of weapons.

120. The Assembly may wish to encourage the Libyan authorities and stakeholders to pursue their efforts aimed at successfully concluding the transition period. In this respect, the Assembly may wish to emphasize the importance of upholding the rule of law, promoting national reconciliation, and pursuing efforts to stabilize the security situation in the country. The Assembly may also wish to stress the need for continued

engagement between Libya and its neighbors to address common security and related challenges, including the prevention and combating of terrorism, notably through the effective implementation of relevant African and international instruments.

u) Egypt

121. The transition and transformation process continued in Egypt. Following the adoption of the new Constitution through a referendum held in December 2012, President Mohamed Morsi signed it into law in January, and ratified a new Election Law in February 2013. He then issued a decree for the holding of elections for the dissolved Lower House of Parliament, to be held in four stages on 22 April 2013, so that the House may be in place by July 2013. However, on 6 March, the Administrative Court of Cairo decided that the polls should be delayed until the Supreme Constitutional Court (SCC) has ruled whether or not the amendments it had ordered Government and the Shura Council (Upper House of Parliament) to be made to the new Election Law had been faithfully made, according to the newly-adopted Constitution. The SCC later considered that the substance and process of the new Election Law had violated provisions of the Constitution. The concerned parties must now revise the Election Law or draft a new one according to the injunctions of the SCC, a process that had not been completed at the time of finalizing this report.

122. Meanwhile, opposition movements continued their protests against the Government, while social protest movements at times resulted in confrontations with security forces. In view of this, the Chairperson of the Commission, on 1 February 2013, issued a communiqué in which she called on all the Egyptian stakeholders to exercise restraint, voice their grievances through peaceful means, and work towards consensus-building for the resolution of the problems facing the country.

123. The Assembly may wish to reiterate AU's support to the on-going efforts to address the challenges at hand and urge all stakeholders to privilege dialogue in order to overcome their differences and ensure that Egypt moves forward in a peaceful and consensual atmosphere to successfully complete the transitional period and attain the stated objectives of the Revolution. The Assembly may further wish to call on the international community to extend the necessary financial and economic support to Egypt.

ii) Thematic Issues

a) UN Security Council resolution 1540 (2004) and the weapons of mass destruction nonproliferation regime

124. At its 20th Ordinary Session, the Assembly, *inter alia*, requested the Commission to take the necessary steps, in collaboration with the 1540 Committee and all other stakeholders, to further promote and enhance the implementation of UN Security Council resolution 1540 (2004) in Africa. The Commission has since engaged in consultations with the 1450 Committee and the UN Office for Disarmament Affairs towards the convening, in September 2013, of a follow-up workshop that is expected to address practical issues relating to the implementation of, and reporting on, resolution 1540, with the objective of equipping AU Member States with practical knowledge and tools to enable them achieve concrete progress

in meeting their obligations. It should be recalled that resolution 1540 aims to prevent the proliferation of nuclear, chemical and biological weapons, and their means of delivery, to non-state actors, including through enhanced implementation of the multilateral non-proliferation instruments and establishment of appropriate legislation and domestic controls over related materials.

125. The Assembly may wish to call upon member states to implement fully resolution 1540, as well as ratify the regional and international non-proliferation instruments, particularly the African Nuclear Weapons Free Zone Treaty (Treaty of Pelindaba), the Chemical Weapons Convention (CWC), the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the Biological and Toxins Weapons Convention (BWC), all of which form an integral part of global efforts to further disarmament and peace. The Assembly may also wish to welcome the successful conclusion, on 19 April 2013, of the Third Review Conference of the Chemical Weapons Convention with the adoption, by consensus, of the political declaration that confirms the unequivocal commitment of the State Parties to the global chemical weapons ban.

b) Terrorism and violent extremism

126. The continent continues to be confronted with the threat of terrorism and violent extremism. During the period under review, attacks occurred in Kenya, Libya, Mali, Nigeria, Somalia and Tanzania, claiming the lives of many and causing damage to infrastructure and property. This situation highlights the need for renewed efforts to address the scourge of violent extremism and terrorism, as well as the conditions conducive to their spread.

127. In this respect, the ratification and implementation of relevant AU and international instruments remains critical. It is a matter of concern that the 2004 Protocol to the 1999 OAU Convention on the Prevention and Combating of Terrorism has not yet entered into force. The Protocol will enter into force 30 days after the deposit of the 15th instrument of ratification. To date, 14 Member States are parties to this instrument. Equally important is the need for States Parties to the relevant African and international instruments to take the necessary steps to adopt the required national legislation. In this regard, the Assembly may wish to encourage Member States to fully take advantage of the African Model Law on Counter-Terrorism developed by the Commission, to enhance and update, as appropriate, their national legislations.

128. During the reporting period, a number of steps were taken to enhance security cooperation and the operationalization of the APSA in the Sahelo-Saharan region. Notably, and as a follow-up to the relevant PSC decisions, the Commission organized a ministerial meeting of the countries of the region in Nouakchott, on 17 March 2013. The meeting agreed on specific short, medium and long-term measures that address border security, intelligence sharing and the establishment of communication infrastructure to facilitate secure intelligence sharing among all stakeholders. Subsequently, in Bamako on 18 April 2013, the Commission convened a follow-up meeting of the Heads of the Intelligence Services of the countries of the region, which reviewed the security situation in the region, assessed the capacity building needs of existing national and regional structures and identified modalities for enhanced cooperation and sharing of intelligence, including in support of the implementation of the mandate of AFISMA. The next meeting of the Heads of

Intelligent Services is due to be convened in mid-June, in the region. The Commission also participated in the 10th session of the Conference of the Committee of Intelligence and Security Services of Africa (CISSA), which took place in Harare, Zimbabwe, from 1 to 8 May 2013, and had on its agenda, among others, the enhancement of cooperation against terrorism. The Assembly may wish to welcome and support these efforts, as well as to call on the United Nations to extend the necessary assistance, where appropriate.

VIII. CONCLUSION

129. The past months have been characterized by sustained efforts in the area of peace and security. Progress has been made. It is worth mentioning here the pursuit of the reconciliation and stabilization process in Somalia; the resolution of most of the outstanding issues in the post-secession relations between Sudan and South Sudan; the broadening of the peace process in Darfur, following the decision of the JEM-S to join the DDPD; the signing of the Peace, Security and Cooperation Framework for the DRC and the Region, with new prospects arising from its effective implementation; the remarkable improvement in the situation in Mali, with the liberation of the northern part of the country and the ongoing preparation for the holding of the elections that will mark the completion of the restoration of constitutional order; and the progress that countries emerging from conflict continue to make, particularly Burundi, the Comoros, Côte d'Ivoire and Liberia, both in terms of peace-building and economic recovery.

130. However, there are still many challenges to be addressed. On the one hand, it is necessary to consolidate the gains made, given their fragility, as evidenced by the recent developments in Abyei, with the assassination of the Ngok Dinka Paramount Chief and the tension that ensued; the attack against a JEM-S delegation on its way to Darfur, resulting in the assassination of its leader and undermining the peace efforts in the region; and the decision of the President of the Transition in Madagascar to stand for presidential elections, which breaches the solemn commitment he made and creates new uncertainties in the crisis exit process in the country. On the other, it is important to strive to resolve the new crisis in the CAR, as well as older situations, such as those between Eritrea and Ethiopia, Eritrea and Djibouti and Western Sahara. Moreover, the continent continues to grapple with the scourge of terrorism and transnational crime.

131. In view of the foregoing, the present session of the Assembly may wish thoroughly and objectively to consider the current crises and their underlying causes, in order to master the necessary political will to consolidate the progress made and open real prospects for resolving the outstanding situations. Special effort should be devoted to the structural prevention of conflicts, through the implementation of AU instruments in the areas of democracy, governance and human rights, for, as stressed by the PSC during its open debate on preventive diplomacy, many conflicts on the continent derive from governance deficits. Equally important are the underlying economic and social causes, including youth unemployment and those inherent in the balance between unity and diversity.

132. The Assembly may also wish to take concrete measures to enhance AU's capacity to address the crises facing the continent, especially when sudden developments occur that require urgent and decisive action. In this regard, it is

important to effectively draw lessons from the African experience in the management of the Malian crisis. Support may be lent to the establishment of an immediate and flexible African response capacity, taking into account the prospects for the full operationalization of the ASF RDC. Such a capacity will judiciously enhance the range of tools available to the AU, which the recent establishment of Pan-Wise has enriched. More generally, the session may be an opportunity to reaffirm Africa's determination to assert its ownership over the peace efforts on the continent, with the natural corollaries of such an ambition, namely the mobilization of increased resources from within the continent to fund more significantly its own initiatives, and greater unity of purpose and action among the African actors, in order better to be heard by our international partners and to ensure that African concerns are given adequate consideration, particularly by the UN Security Council, whose relationship with Africa should urgently move towards a genuine partnership. The implementation of these measures will greatly contribute to the attainment of the two pronged objectives of the fiftieth anniversary of the OAU/AU, namely the promotion of Pan-Africanism and African Renaissance.

AFRICAN UNION UNION AFRICAINE

African Union Common Repository

<http://archives.au.int>

Organs

Assembly Collection

2013-05-27

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/123456789/9053>

Downloaded from African Union Common Repository