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**REPORT OF THE COMMISSION ON CONFLICT AND POST-CONFLICT
SITUATIONS IN AFRICA SINCE THE LAST ORDINARY SESSIONS OF THE
EXECUTIVE COUNCIL AND THE ASSEMBLY OF THE UNION**

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I. INTRODUCTION

1. This report is culled from the activity report of the Commission since the last ordinary session of the Executive Council held last January in Addis Ababa. It covers various conflict and post-conflict situations in the continent.

2. The report is supplemented by two other reports devoted specifically to the situation at the border between the Republic of Djibouti and the State of Eritrea, to developments in relations between the two countries as well as the implementation of the agreement concluded in Djibouti last 9 January between the Transitional Federal Government of Somalia (TFG) and the Alliance for the Re-liberation of Somalia (ARS).

II. DEVELOPMENTS IN FIELD SITUATIONS

a) The Comoros

3. The sessions of the Executive Council and Assembly of the Union held in Addis Ababa in January 2008 took place in a context marked by the rejection by Colonel Bacar, at that time the self-proclaimed President of the Island of Anjouan, of all proposals to end the crisis submitted by the AU, and this in spite of the sanctions imposed by the PSC since 10 October 2007. In his intervention before the Assembly, the Comorian Head of State solicited the support of Member States for his country's efforts to re-establish, in a lasting manner, the authority of the Comorian State in the Island of Anjouan, and announced the determination of his Government to use, to this end, all means at its disposal. In its decision on the situation in the Comoros, the Assembly requested all Member States in a position to do so, to provide all the necessary support to the Comorian Government in its efforts to re-establish the authority of the Union in Anjouan as soon as possible.

4. In implementation of the decision of the Assembly, the Chairperson of the Executive Council, the Minister of Foreign Affairs of the United Republic of Tanzania, to the initiative to convene in Addis Ababa on 20 February 2008, a meeting of the Ministers of Foreign Affairs and Defence, as well as other senior officials of countries that had expressed their readiness to respond positively to the request for assistance made by the President of the Union of the Comoros, namely, Tanzania, Libya, Senegal, and the Sudan. The Government of the Union of the Comoros was also represented at the meeting. The meeting considered the modalities for the implementation of the Assembly decision, and in this regard, decided on the practical, military and security measures. Subsequently, a planning team, composed of Tanzanian, Sudanese, Senegalese and Libyan experts, travelled to the Comoros from 25 February to 5 March 2008, with a view to finalizing the plan for military intervention in Anjouan. On 8 March 2008, Ministers and other representatives of the four

countries mentioned above, as well as the Comoros, met in Dar-es-Salaam, and on that occasion, endorsed the report of the team of military and security experts. The next day, the Ministers and other representatives of the African coalition travelled to Moroni in order to inform the Comorian President of the results of the meeting held in Dar-es-Salaam.

5. At the Ministerial Meeting of the countries of the region on the Comoros held in Addis Ababa on 28 January and 1 February 2008, in the sidelines of the 12th Ordinary Session of the AU Executive Council, the principle of a high-level international mission to Anjouan, lead by the AU and comprising representatives of the United States of America and France, was agreed on. The aim was to convince the illegal authorities of Anjouan to abide by the framework for the resolution of the crisis in Anjouan, as decided on by the AU. It was in this spirit that an international mission called the “last chance mission”, composed of the Head of the AU Liaison Office in Moroni, the Ambassador of France to the Comoros, the Chargé d’Affaires of the American Embassy in Madagascar and a representative of the League of Arab States, visited Anjouan on 27 February 2008. The mission came up against the intransigence of Colonel Bacar. In the meantime, the 111th Meeting of the PSC held on 18 February 2008 decided to extend, for an additional period of two months, the sanctions imposed against the illegal authorities of Anjouan, as well as the mandate of the AU Electoral and Security Assistance Mission to the Comoros (MAES).

6. In conformity with the intervention plan agreed upon during the Dar-es-Salaam meeting, the Tanzanian troops to participate in the military operation in Anjouan started arriving as from 11 March 2008. They were joined shortly after by the Sudanese troops. Libya provided transport for the Sudanese troops; in addition, it provided assistance in terms of equipment to the AND. It should also be pointed out that France provided logistic support for the operation. The invasion of Anjouan called “Operation Democracy in the Comoros”, started on 25 March 2008. The following day, the Island was under the full control of the coalition, which did not suffer any losses. This intervention was welcomed with joy in Anjouan, where the population fraternized with the coalition forces, and in the rest of the Archipelago.

7. On 31 March 2008, the Authorities of the Union of the Comoros carried out the official installation of the Interim Chief Executive of the Island, in charge of the day-to-day management and the organization of elections for the new President of the Autonomous Island of Anjouan, scheduled to be held on 15 and 29 June 2008. In early April, the Comorian Head of State paid a visit lasting several days, to Anjouan. On that occasion, he called on the Anjouanese, and the Comorians in general, to lay to rest, once and for all, the separatism advocated by Colonel Bacar.

8. In a letter addressed to the outgoing Chairperson of the Commission on 7 April 2008, President Sambu, after reiterating his thanks and gratitude to the AU for the determination with which it accompanied the Comoros in its struggle against separatism, stressed that the hope arising from the re-establishment of the authority of the State in Anjouan could only endure if the many problems confronting the Island, which statistically, remains the poorest in

the Archipelago, were considered and resolved. He made a solemn appeal to the international community as a whole to support, with the same determination, the reconstruction work that had to be undertaken in Anjouan.

9. At its 124th Meeting held on 30 April 2008, the PSC, *inter alia*, renewed the mandate of the MAES for an additional period of 6 months and called on all AU Member States and the international community as a whole, to provide all the necessary support for the organization of the upcoming presidential elections in Anjouan, as well as the consolidation of peace, stability and reconciliation in the Comoros.

10. Pursuant to this decision, and the above-mentioned letter from President Sambi, the Commission dispatched to the Comoros, from 14 to 18 May 2008, a delegation comprising officials of the different Departments concerned and representatives of the AU's partners involved in providing assistance to the ongoing efforts in the Comoros, namely, the United Nations, the European Union, the League of Arab States, the International Organization of the Francophonie and the Indian Ocean Commission. The mission had a double objective: first to assess the situation in the Archipelago in order to better understand the challenges posed in the consolidation of peace and stability in the Comoros; and secondly, to make recommendations on the type of support that the AU could provide to the Comoros in this crucial stage of its political development.

11. On the basis of discussions that the mission had, it would appear that although the re-establishment of State authority in Anjouan marked a turning point in the recent history of the Comoros, many challenges still remain to be addressed in order to render the progress irreversible. In the short term, the focus will be on the effective conduct of the polls for the election of the new President of the Island of Anjouan; in the medium and long terms, efforts should focus on seeking a solution to the institutional dysfunctions of the New Comorian Entity (NEC) and improving the political and socio-economic governance of the Archipelago.

12. At the time of finalizing this report, the Commission was taking the necessary measures to support, in collaboration with the partners of the AU, the organization of elections to select the President of the Island of Anjouan, by providing financial assistance and sending observers, as well as security assistance for the elections. Beyond these elections, the AU will assist the Comorian parties in the consolidation of the achievements made in the process for stabilizing the Archipelago. The strengthening of the civilian component of MAES to enable it to successfully fulfil the various parts of its mandate comes under this context.

13. The Commission wishes to seize this opportunity to commend the determination of President Sambi and at the same time express its most sincere gratitude to Tanzania, and to the Sudan, as well as Libya and Senegal, for having provided the necessary assistance to the Government of the Union of the Comoros, in conformity with the decision of the Assembly. The Commission also wishes to express, once again, its gratitude to the countries of the region, which under the leadership of South Africa, over the past ten years, spared no

efforts to come to the aid of the Comoros and support the reconciliation efforts there.

b) Somalia

14. The period under review witnessed sustained efforts to promote an all-inclusive political process and national reconciliation, in line with the recommendations of the National Reconciliation Congress (NRC) held in Mogadishu in July – August 2007 and the programme of work of the Transitional Federal Government (TFG). This programme aims at furthering reconciliation, promoting peace and security, strengthening the Somali institutions and ensuring accountability in government revenue collection, as well as at implementing key transitional tasks relating to the Constitution and electoral issues.

15. From 11 to 13 March 2008, in Cairo, Egypt, and as part of the efforts to support dialogue between the TFG and the Alliance for the Re-liberation of Somalia (ARS), diplomats from some of the AU partners met with representatives of the ARS. While putting forward some preconditions to any dialogue with the TFG, the ARS delegation indicated that its objective was not to bring down the TFG. It also expressed its commitment to the promotion of good relations with all of Somalia's neighbours, based on international law.

16. On 23 March 2008, the African Union Mission in Somalia (AMISOM) facilitated, at its Headquarters in Mogadishu, a meeting between Prime Minister Nur Hassan Hussein and Mr. Mohammed Hassan Haad, Chairman of the Hawiye Tradition and Unity Council. The meeting was part of the efforts aimed at putting an end to the violent activities of the armed elements opposed to the TFG in and around Mogadishu. Earlier on, on 22 February 2008, the Special Representative of the Chairperson of the Commission held talks in Mogadishu successively with the TFG Prime Minister and President Abdullahi Yusuf Ahmed, seizing the opportunity of that meeting to reiterate the need for an all-inclusive political process. Both Somali leaders reaffirmed their commitment to the reconciliation process.

17. In early April 2008, in Nairobi, a delegation of the ARS led by Sheikh Sherif Hassan, Chairman of the Alliance, met with several members of the international community, including representatives of the United Nations, the League of Arab States and the AU. The visit of the ARS delegation to Nairobi followed an appeal by the TFG Prime Minister to all Somalis to resort to dialogue to resolve the crisis in their country and a subsequent invitation by the Special Representative of the United Nations Secretary-General.

18. It is against this background that inter-Somali talks took place in Djibouti from 10 to 15 May 2008, at the invitation of the Special Representative of the UN Secretary-General. The talks were attended by representatives of the TFG and the ARS. The AU, together with other members of the international community, was also represented and played an active role in the talks. At the end of the talks, which were conducted separately as the UN Special Representative shuttled between the two delegations, the parties agreed to meet again in Djibouti for further discussions. At its 132nd meeting held on 29

May 2008, the PSC welcomed the convening and outcome of these talks, and encouraged the parties to pursue their efforts in a spirit of compromise and mutual accommodation, while urging Somali non-participating parties to consider joining the process. The PSC called on the members of the international community and on the countries of the region, in particular, to fully support the talks.

19. As scheduled, the parties met again in Djibouti from 31 May 2008 to 9 June. The AU attended this second round. In a sign of further support to these talks, the Commissioner for Peace and Security, Ambassador Ramtane Lamamra, traveled to Djibouti to attend the opening ceremony and consult with the Somali and international stakeholders. It should also be noted that a delegation of the Security Council visited Djibouti in early June for consultations with the Somali parties. The Commissioner seized the opportunity of his presence in Djibouti to also meet and brief the Security Council delegation and offer the views of the AU on both the political process and the stabilization efforts in Somalia.

20. On 9 June 2008, the TFG and the ARS reached an Agreement. This document, which is due to be formally signed in Saudi Arabia, provides for the termination of all acts of armed confrontation by the parties, 30 days from its signing. Furthermore, the parties agreed:

- to request the United Nations, consistent with Security Council resolution 1814 (2008) and within a period of one hundred and twenty (120) days, to authorize and deploy an international stabilization force from countries that are friends of Somalia, excluding neighbouring states;
- that within a period of 120 days of the signing of the Agreement, the TFG will act in accordance with the decision that has already been taken by the Ethiopian Government to withdraw its troops from Somalia after the deployment of a sufficient number of UN forces; and that
- that the ARS shall, through a solemn public statement, cease and condemn all acts of armed violence in Somalia and dissociate itself from any armed groups or individuals that do not adhere to the terms of this Agreement.

21. This Agreement marks a significant step in the efforts aimed at promoting an all-inclusive political process and bringing about lasting peace and stability. The Commission hails the sense of responsibility and the spirit of compromise demonstrated by the two parties, and strongly urges all other relevant Somali actors to join this process. It is the Commission's hope that, with this Agreement, the international community will lend increased support to the efforts aimed at bringing to a definite end the violence that has plagued Somalia for nearly two decades. The AU will spare no effort in contributing to the successful implementation of this Agreement, whose principles and objectives are consistent with the efforts it has been making in the political process as well as in stabilizing the situation in Somalia through the deployment of AMISOM.

22. During the reporting period, the security situation in Somalia has continued to be of great concern. In Mogadishu, incidents are recorded almost daily. The insurgents have also continued to spread their activities in the countryside. In addition, there have been a number of attacks against AMISOM personnel. The Commission strongly condemns these attacks and, once again, pays tribute to AMISOM personnel for its commitment and sacrifice. In response to the prevailing situation, the TFG forces, with the help of the Ethiopian army, carry out regular search and cordon operations and other counter-insurgency measures aimed at routing out the armed elements from their hideouts. While some gains have been made, the overall situation remains difficult, especially in view of the many constraints facing the TFG army and security forces.

23. Piracy off the coast of Somalia continues to be a major problem, threatening both the delivery of humanitarian supplies - over 80% of the assistance to Somalia by the World Food Programme (WFP) is delivered by sea - and other maritime activities. It is against this background that the Security Council, in resolution 1816 (2008) adopted on 2nd June 2008, decided that the states cooperating with the TFG would be allowed, for a period of 6 months, to enter the territorial waters of Somalia and use all necessary means to repress acts of piracy and armed robbery at sea, in a manner consistent with relevant provisions of international law.

24. The prevailing security situation and the general lawlessness have taken a heavy toll on the civilian population and further compounded the humanitarian situation. Other factors at play in the worsening of the humanitarian situation are linked to record-high food prices, hyperinflation and drought in many parts of the country. In spite of the very challenging environment in which they are operating – precarious security situation, targeting of aid workers, threat of abduction and actual kidnapping and looting of food relief, the UN agencies and NGOs continue to make sustained efforts to respond to the needs of displaced and vulnerable groups. On its part, AMISOM continues to provide limited humanitarian support to the civilian population, including medical services, such as treatment for common illness, surgery, gunshot wounds, pregnant women and children, and provision of water to communities located near its Headquarters.

25. During the period under review, no significant progress has been made regarding the deployment of AMISOM, whose mandate was extended by the PSC last January for a further period of six months. As at June 2008, the strength of the Mission stood at about 2,600 troops (two Ugandan battalions and one Burundian battalion), which is about 30 per cent of the authorized total of 8,000. The second battalion pledged by Burundi is ready to be deployed as soon as the required equipment and logistical support is secured. Nigeria, which pledged a battalion of 850, completed a one-week reconnaissance mission to Mogadishu in March. No new pledge of troops has been recorded during the period under review.

26. As Council is aware, AMISOM is confronted with serious financial and logistical constraints. The total budget for a fully deployed AMISOM, using United Nations standards, for a period of one year, amounts to US\$

817,500,000. On 20 February 2008, and in pursuance of the request made by the PSC at its 105th meeting held on 18 January 2008, the then Chairperson of the Commission wrote to the UN Secretary-General for the United Nations to put in place a financial, logistical and technical support package for AMISOM, covering the various needs of the Mission. In response, the UN Secretary-General, in a letter dated 23 April 2008, indicated the readiness of the United Nations to undertake a two-pronged approach, namely, building AU capacity to address the challenges related to the deployment and sustainment of AMISOM through the provision of additional UN technical advisors; and the enhancement of coordination between the AU, donors and Troop Contributing Countries (TCCs), with a view to ensuring that sufficient and qualitative bilateral partner funding and support is secured for AMISOM. In the meantime, the Mission has continued to provide support to the TFG, notably by securing major infrastructure. AMISOM also provides humanitarian assistance to populations in its immediate environment. In addition, AMISOM has established close contacts with key influential Somalis with the view to facilitating dialogue and reconciliation.

27. In mid-March 2008, the United Nations Secretary-General submitted to the Security Council a report containing a number of options leading to the possible deployment of a UN peacekeeping operation in Somalia. In his observations, he encouraged those Member States with the capabilities to take the initiative in the deployment of an international stabilization force to facilitate the withdrawal of foreign forces and prevent a vacuum thereafter. He further indicated that, in the meantime, contingency planning for an integrated peacekeeping operation should be continually updated so that the UN is prepared for deployment as soon as the conditions allow. At the same time, he stressed that an increased presence of UN personnel on the ground would assist the parties in the political process. In its resolution 1814 (2008) adopted on 15 May 2008, the Security Council gave support to the proposals put forward by the Secretary-General for an increased presence of UN personnel on the ground, in Somalia.

28. While the security and humanitarian situation remains of great concern, it is nonetheless encouraging to note the progress made in the promotion of an all inclusive process, as demonstrated by the recently concluded Agreement between TFG and the ARS. There is need to encourage the TFG and all the Somali stakeholders to vigorously pursue their efforts towards genuine reconciliation and lasting peace, and provide all the support required to that end.

c) Peace process between Eritrea and Ethiopia

29. During the period under review, no progress has been made in the border dispute between Eritrea and Ethiopia and the overall implementation of the peace process. As Council will recall, in early September 2007, at The Hague, the Eritrea-Ethiopia Boundary Commission (EEBC) met with the parties. In view of the lack of progress in overcoming the difficulties impeding the implementation of the April 2002 Delimitation Decision, the EEBC reminded the parties of its statement of 27 November 2006, in which it gave them one year to settle their differences, after which, if no agreement is reached on how to

proceed with the demarcation, “the boundary will automatically stand as demarcated by the boundary points listed in the Annex hereto and the mandate of the Commission could then be regarded as fulfilled.” Accordingly, the EEBC officially terminated its activities at the end of November 2007.

30. Eritrea declared the border demarcated by its acceptance of the EEBC November 2007 “virtual demarcation” decision. On 24 May 2008, President Isaias Afewerki, on the occasion of the 17th anniversary of the independence of his country, stated “our border has now been delimited and the file closed, thanks to the Commission’s virtual demarcation decision”. Hence, he continued, “there is no remaining issue at all, other than the withdrawal of the invading Ethiopian forces from sovereign Eritrean territories. The UN Security Council is duty bound to live up to its legal and moral obligation to put an end to such invasion and its dangerous consequences”.

31. Ethiopia, on its part, has maintained its rejection of the “virtual demarcation” decision, dismissing it as “legal fiction” and insisting on the need to physically demarcate the border on the ground. It has also demanded that the legal sanctity of the Temporary Security Zone (TSZ) be restored and respected by the immediate and unconditional withdrawal of Eritrean troops inducted into the Zone and that of their heavy equipment, as well as by the lifting of the restrictions imposed by Eritrea on the United Nations Mission in Eritrea and Ethiopia (UNMEE).

32. As Council will recall, UNMEE has, since early 2004, been faced with increasing restrictions that made it difficult for the Mission to perform its mandate. The situation reached a critical point in December 2007, when all fuel supplies to the Mission in Eritrea were stopped. As a result, UNMEE was compelled to temporarily relocate its military personnel and equipment from Eritrea and to suspend the implementation of its operations on that side of the border.

33. In view of this situation, the UN Secretary-General, in his report to the Security Council dated 7 April 2008, submitted a number of options for the future of UNMEE, whose mandate is due to expire on 31st July 2008. These are as follows:

- bring UNMEE back in its full force, should Eritrea reconsider its position, resume fuel supplies to the Mission, lift all restrictions on its operations and allow it to continue to perform the tasks originally envisaged in the Agreement on Cessation of Hostilities;
- terminate the mandate of the Mission in the absence of the conditions necessary for it to carry out its mandate;
- deploy a small observer mission in the border area, which would endeavour to defuse tensions, serve as the eyes and ears of the international community, and continue to report to the Security Council on the situation;

- establish Liaison Offices in Asmara and Addis Ababa to maintain UN readiness to assist the parties in the implementation of the EEBC demarcation decision and the Comprehensive Peace Agreement of December 2000.

34. In a statement by its President dated 30 April 2008, the Security Council noted that the continuation of Eritrea's obstructions towards UNMEE had reached a level so as to undermine the basis of the Mission's mandate and had compelled UNMEE to temporarily relocate. The Security Council noted the underlying fundamental issues, and indicated that it stands ready to assist the parties to overcome the current stalemate, taking into account the interests and concerns of both of them. The Security Council stressed that it would, in the light of consultations with the parties, decide on the terms of a future United Nations engagement and on the future of UNMEE.

35. Against this background, the Commission cannot but reiterate AU's deep concern at the continued stalemate in the Ethio-Eritrea peace process and at its implications for peace, security and stability in the region as a whole. Once again, the need for more sustained and coordinated efforts to help the parties overcome the current stalemate in the demarcation process and normalize their relations should be emphasized. As in the past, the AU stands ready to assist Eritrea and Ethiopia in such endeavour.

d) Djibouti – Eritrea Relations

36. On 24 April 2008, Djibouti's Minister of Foreign Affairs and International Cooperation sent a letter to the Chairperson of the PSC for the month of April 2008 informing him that since 16 April 2008, Eritrea has been occupying part of Djibouti territory, in the Ras Doumeira area. The Minister also stated that Eritrea was strengthening its military presence in certain areas along the common border between the two countries.

37. The 121st meeting of the PSC held the same day made a review of the situation. In follow-up to the meeting, and at the request of the PSC, the Commission, on 1 May 2008, formally seized the authorities of Djibouti and Eritrea to inform them that the PSC intended to meet the following day to consider the situation and, where necessary, take any decision deemed appropriate. In this respect, and in a bid to facilitate the deliberations of the PSC, the Commission requested the two countries to submit to it all information at their disposal, including any contacts that could have been made to solve the problem amicably. Djibouti replied the same day, forwarding to the Commission a document on the chronology of events and a copy of the letter sent on 18 April 2008 by the Djibouti Minister of Foreign Affairs to his Eritrean counterpart relating to the presence of Eritrean military forces in Djibouti territory.

38. As expected, the PSC met on 2 May 2008. At the meeting, the PSC noted that the Commission had formally written to the two countries, on 1 May 2008. It urged the two countries to show the greatest restraint and to use dialogue to settle any dispute between them, based on the principles laid down in the Constitutive Act of the African Union and other relevant AU instruments, including respect for borders existing at the time they gained independence and

the promotion of good neighbourliness. The PSC encouraged the Commission to remain in close contact with both countries and to monitor developments in the situation so that any action deemed appropriate can be taken. This would include sending a mission, at the right moment, to evaluate the situation in the field and hold consultations with the competent authorities of both countries. The Commission formally forwarded copies of the Communiqué to the authorities of Djibouti and Eritrea. It also availed itself of that opportunity to inform the Eritrean Ministry of Foreign Affairs that it was still awaiting the information requested on 1 May 2008, which would be transmitted to the PSC.

39. On 12 May 2008, the Permanent Mission of the State of Eritrea to the United Nations in New York issued a Communiqué on the accusations by Djibouti, in which the Eritrean Government declared that it was perplexed by Djibouti's unfounded accusations. While stating that only time and other additional facts may enable full understanding of the grounds on which the accusations are founded, the Eritrean government stated that all of them had the ingredients of a deliberate attempt to trigger a new crisis in the region. The Communiqué concluded that in any case, the Government of Eritrea was not ready to get involved in futile, acrimonious accusations at that stage. The Commission forwarded the Communiqué to members of the PSC for information.

40. During the extraordinary session of the Executive Council held in Arusha on 6 and 7 May 2008, the Commissioner for Peace and Security met the Djibouti Foreign Minister with whom he held consultations on relations between Djibouti and Eritrea. Unfortunately, he was not able, as he had hoped, to meet the representative of Eritrea since that country did not attend the Executive Council meeting. For his part, the Chairperson of the Commission held a telephone conversation with President Omar Guelleh of Djibouti, and made contacts with other members of the international community on the situation in order to harmonize efforts towards finding a peaceful and early solution to the conflict.

41. On 23 May 2008, the Embassy of Djibouti in Addis Ababa forwarded a « Note on the crisis at the border between Djibouti and Eritrea » to the Commission. In the Note, the Government of Djibouti affirmed that Ras Doumeira and the Island of Doumeira were still under occupation and that the military engineering corps of the Eritrean forces was intensifying work, while there was increasing tension in the field where Djibouti and Eritrean military forces were facing each other and all initiatives for dialogue made by Djibouti had failed. The Government of Djibouti stated that it « will not bear responsibility for what will happen » if the crisis persists. In such conditions, Djibouti deemed it was necessary to urgently send an investigation mission to the AU. At the request of Djibouti, the Note was communicated to members of the PSC.

42. At its 130th meeting held on 26 May 2008, the PSC once more considered the situation, and underscored the urgent need for the envisaged mission to be sent to Djibouti and Eritrea. Thereafter, the Commission sent messages to the authorities of Djibouti and Eritrea informing them that it was taking the necessary steps to send the envisaged mission which will evaluate

the situation and consult with the two countries. On 2 June 2008, Djibouti indicated its readiness to receive the AU mission at the dates proposed, namely 5 to 9 June 2008.

43. Accordingly, a mission from the Commission visited Djibouti during the abovementioned period. As stated, the mission was also expected to visit Eritrea, but by the time this report was finalized, Eritrea had not yet indicated its readiness to receive them.

e) **Burundi**

44. Concerning Burundi, the first half of 2008 was marked by the relaunch of the process to implement the Comprehensive Ceasefire Agreement of 7 September 2008. Indeed, since January, dialogue between the Facilitator, Charles Ngakula, South African Minister of Security and Safety and the Palipehutu-FNL has resumed, paving the way for the extension by the Regional Peace Initiative, of the Facilitator's mandate for one more year (January to December 2008). In order to carry through the process during the period assigned him, the Facilitator initiated what he called « Programme of Action to further the Burundi Peace Process ». The Programme was endorsed by the Special Envoys and Representatives, including Ambassador Mamadou Bah, Special AU Representative to Burundi, during a seminar organized in Cape Town, South Africa, on 22 to 23 February 2008, and then by the Government of Burundi and the Palipehutu-FNL.

45. Under the Programme of Action, it was planned that the deliberations of the Joint Verification and Monitoring Mechanism (JVMM) would resume on 1 April 2008 and that the leader of the Palipehutu-FNL would return in early May. Unfortunately, this schedule could not be respected. Rather, the situation suddenly deteriorated while the Facilitator, with the backing of the Political Directorate, was struggling to get the process back on track, hostilities resumed between the Government Forces and the FNL in the night of 17 to 18 April 2008. Nine positions of the « Force de defense nationale » located in the outskirts of the capital and in the provinces of Bubanza (North Bujumbura) and Kayanza (north-east of the capital) were attacked simultaneously, forcing the government forces to counter attack. It should be recalled here that the Political Directorate, comprising the AU, the UN, the EU, the Ambassadors of Burundi, South Africa, Uganda and Tanzania as well as the representative of the Facilitator, was set up in October 2007 and is responsible for backing up the Facilitator's efforts; it is chaired by the representative of the Facilitator, while the AU Special Representative to Burundi acts as Deputy Chairperson and Secretary.

46. Following the resumption of hostilities, the Chairperson and Deputy Chairperson of the Regional Peace Initiative, Presidents Yoweri Museveni and Jakaya Kikwete, met in Kampala where they decided to request the Palipehutu-FNL leaders to honour their commitment to implement the Cape Town Plan of Action. They therefore mandated their respective Ministers of Foreign Affairs, accompanied by the Facilitator and the South African Minister of Foreign Affairs, to transmit to the Palipehutu-FNL leader the message that he and his associates should prepare to return to Bujumbura by 15 May 2008 latest. In preparation for

this return, the Political Directorate dispatched its technical team to Dar-es-Salaam to finalize the practical modalities.

47. Palipehutu-FNL representatives within the JVMM and the Political Directorate arrived in Bujumbura. With the participation of the Government and the Palipehutu-FNL, the Directorate immediately set to work to bring the hostilities to an end. On 22 May, the parties accepted the principle of a joint declaration on the cessation of hostilities. The declaration was actually signed on 25 May 2008, and according to its terms, this meant that the war was had finally ended and all Burundians can take advantage of lasting peace and stability. In a communiqué issued on 27 May 2008, the Commission commended the signing of the Declaration. It encouraged the JVMM and its ancillary organs to spare no effort in support of the implementation of the Declaration, and reaffirmed the AU's commitment to pursue its assistance to the parties in their endeavours to achieve lasting peace in Burundi. During its 133rd meeting held on 6 June 2008, the PSC also hailed the signing of the Joint Declaration.

48. Since the signature of the Joint Declaration, the Directorate has been at work to mobilize the international community to lend support for the consolidation of the cessation of hostilities, particularly by providing humanitarian assistance to the combatants, even before the commencement of the DDR process. The European Commission and the Swiss Government financed this separate operation. Combatants have started receiving food and medical supplies, notably with the logistic backing of the WFP, GTZ-IS and the ICRC. The AU Mission in Burundi (AMIB) is coordinating the work of the committee in charge of monitoring the assistance. The AU Special Force and Military Observers in Burundi play a vital role in the handling of aid to combatants.

49. The Special Envoys and Representatives held their First Follow-up Meeting from 9 to 10 June 2008 in Magaliesburg, South Africa. The main aim was to inform the international community about developments in the situation and to canvas support. The Meeting produced a declaration according to which the Government of Burundi and the Palipehutu-FNL undertake to renounce violence and settle their disputes through dialogue, and to ensure the implementation of the 2006 agreements within stipulated time-frames.

50. The signature of the Joint Declaration undoubtedly marks a crucial stage in the peace consolidation process in Burundi since it paves the way for the implementation of the 2006 Agreements. It will facilitate the return, already underway, of Burundian refugees, and also enable Burundians to resolutely embark on the task of socio-economic revival. The Commission exhorts the parties to strictly honour commitments made, and assures them of constant AU support.

f) Democratic Republic of Congo (DRC)

51. Last January, the Commission gave a report on the encouraging political trends in the situation in DRC, which resulted from the significant improvement on the regional scene. It also informed the Assembly of the

security and humanitarian situation in the Kivus, which continued posing a threat to the peace process. Since then, the overall situation in the country has been constantly improving.

52. Regarding the situation in the Kivus in particular, it should be recalled that the Government of Congo, from 6 to 23 January 2008, in Goma, organized the Conference on Peace, Development and Security in the Kivus. The Conference brought together Government appointed moderators, representatives of national armed groups operating in the region and civil society organizations from the two provinces. It was facilitated by representatives of the international community (United Nations, African Union, European Union and delegates from many African and foreign countries).

53. The Conference dealt with all issues relating to the situation in the Kivus. The parties reached a consensus which was recorded in two documents: "Acts of engagement of the Parties". The Acts are aimed at restoring peace, security and stability in the two provinces, reinstating State authority and promoting development and reconciliation in the region. The AU signed the Acts as external facilitator, alongside, notably, the United Nations, the European Union, the Government of the United States, and the Executive Secretariat of the International Conference on the Great Lakes Region.

54. Seeking to consolidate the encouraging developments in the country's overall political landscape, the Government of Congo held its Council of Ministers on 21 March 2008 in Matadi, in Bas Congo province. It should be recalled that the election of the Provincial Council of that region was marred by riots instigated by the political/religious/movement known as Bundu Dira Kongo (BDK). Police action to contain the riots resulted in many casualties. The Council of Ministers was chaired by the President of the Republic, and notably instructed the Minister of the Interior to withdraw the permit granted to BDK as a cultural organization. Proceedings were instituted against members of BDK who were presumed responsible for the riots as well as police officers who had acted beyond instructions given. The Council of Ministers took other decisions aimed at operationalizing the "Amani" programme (structure established towards the implementation of the Acts of engagement resulting from the Goma Conference).

55. Furthermore, within the scope of the monitoring of the Nairobi Joint Communiqué, the Joint Group established by the Tripartite Summit held on 5 December 2007 in Addis Ababa met on 2 April 2008 in New York. The meeting, inter alia, noted the engagement made by the Congolese authorities to settle the issue of the "Forces démocratiques de Libération du Rwanda (FDLR) – (Rwanda Liberation Democratic Forces). In such context, the DRC Government took measures to sensitise and encourage FDLR elements to join the DDRRR process. The Government is also contemplating the option of using force, if necessary. Finally, the DRC representative informed the Meeting that an area in Katanga had been placed at the disposal of the DDRRR programme to receive, for from the Rwandan border, FDLR members who may want to remain in Congo. For his part, the Rwandan representative informed the Meeting of the measures taken by his Government to manage as best it can the voluntary returnees. The New York Meeting adopted several other recommendations

aimed at limiting the activities and movements of FDLR members both in DRC and abroad.

56. There has been significant improvement in the security and humanitarian situation in the Kivus and Ituri. The various parties generally respect the ceasefire. The overall situation in Ituri is also under control. Elements of the armed militia continue giving themselves up in great numbers to the MONUC and the Congolese Army. However, Ugandan members of the Lord's Resistance Army (LRA) who have taken refuge in the region continue exacting tolls from the civilian population.

57. At its 119th Meeting held on 11 April 2008, the PSC considered the report of the fact-finding mission on the migration of Mbororo pastoral nomads, which was sent to DRC, CAR, Sudan and Cameroon pursuant to the decision of the 97th Meeting of Council held on 25 October 2007. The Mission met with representatives of the Governments concerned and those of the local populations, parliamentarians, officials of United Nations Missions and agencies, representatives of NGOs and other stakeholder involved. After considering the report and recommendations of the Mission, the PSC admitted the complexity of problems linked to the phenomenon of cross-boundary migration of Mbororo nomads, and underscored the necessity for a concerted regional approach that takes a comprehensive look at the issue so that an appropriate solution can be found. The PSC pledged total support for the holding, as soon as possible of a meeting among the countries concerned, under the aegis of the AU, with the participation of the various stakeholders in view of the promotion of a concerted regional approach.

g) Sudan

i) South Sudan

58. One of the key developments in the implementation of the CPA during the period under review relates to the 5th Sudan National Census that took place from 22 April to 6 May 2008. This followed some disagreements on whether the process should go on or not. Citing a number of reasons, including the non-inclusion of ethnicity and religion in the census questionnaire and the continued war in Darfur, the Government of Southern Sudan (Goss) wanted the process to be delayed. However, on 13 April 2008, the Sudanese parties agreed to have the Census held as scheduled.

59. According to the CPA, and in view of the need to legitimize the arrangements agreed to in the Agreement, fair electoral laws shall be adopted, including the free establishment of political parties. Based on the implementation modalities of the CPA, national elections are supposed to be held no later than 9 July 2008. However, while the political parties' bill has been passed, the national electoral law had not yet been passed as of early June. The electoral law would pave way for the formation of the Electoral Commission, which has a very critical role to play for the successful conduct of the electoral process.

60. As of June 2008, the technical Ad Hoc Border Committee had not yet presented its final report. According to the CPA, the determination of North/South border of 1/1/1956 was supposed to be completed during the pre-interim period after the adoption of the Interim National Constitution. So far, the Committee has drawn up a new time-table to produce its final findings. The determination of the North-South borderline will have bearings on the Wealth Sharing, Power Sharing, as well as the Security Arrangements Protocols.

61. As Council is aware, following the deadlock in the implementation of the Abyei Protocol, the issue was referred to the Presidency. The combined effects of the lack of full military redeployment by the parties, the absence of a civil administration in Abyei and the inadequate capacity of the Joint Integrated Units (JIUs), as well as the activities of other armed groups (OAGs), created further tension in Abyei. Efforts by the Governors of South and North Kordofan, as well as the Ceasefire Joint Military Committee (CJMC), to de-escalate the tension were not successful. Subsequently, fighting erupted in Abyei on 18 April 2008 between the Sudan Armed Forces (SAF) and the SPLA, lasting for a number of days and causing casualties and mass displacement of the civilian population.

62. Following the clashes in Abyei, the Ceasefire Political Commission (CPC) met in a special session on 27 May 2008. The CPC reiterated the commitment of the two parties to the peaceful resolution of the conflict of Abyei and urged the Presidency to expedite the resolution of the issue, according to the Abyei Protocol. Furthermore, the CPC requested the Joint Defence Board (JDB) to reconstitute the Abyei JIUs from the elements not involved in the recent incidents and redeploy it to Abyei as soon as possible. Further progress was achieved on 8 June 2008, when the National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) finally agreed on "The Road Map for Return of IDPs and Implementation of Abyei Protocol". This Roadmap marks a significant milestone towards resolving the Abyei impasse and ensuring the realization of the much needed security in the Abyei area. The Roadmap also sanctioned the appointment of an Interim Abyei Area Administration, and further approved free movement of the United Nations Mission in Sudan (UNMIS) force and free access to the whole of Abyei to carry out its mandate as stipulated by the CPA.

63. In the meantime, from 15 to 20 May, in Juba, the SPLM held its second National Convention. The theme for the convention was "No to war, yes to New Sudan". The Convention, made up of over 1,500 delegates from across the country, unanimously elected Mr. Salva Kiir as its new Chairman.

64. During the period under review, the AU has continued to support the implementation of the CPA. On 15 February, the then Chairperson of the Commission appointed Ambassador Oluyemi Adeniji, from the Federal Republic of Nigeria, as the AU Special Envoy for the implementation of the CPA. At the same time, steps were taken for the opening of the AU Liaison Office in Khartoum, with an office in Juba. From 31 March to 2 April 2008, the AU Ministerial Committee on the Post-Conflict Reconstruction of the Sudan visited the country. The Committee met with President Omar Hassan Al Bashir, the First Vice-President, UNMIS officials, the World Bank and the Assessment and

Evaluation Commission (AEC). The Committee also met with the GoSS in Juba. These meetings also provided an opportunity for the Sudanese parties to further highlight to the Committee areas in which support is needed. From 17 to 19 May 2008, the Chairperson of the Commission, accompanied by Ambassador Ramtane Lamamra, Commissioner for Peace and Security, visited the Sudan. During that visit, he met with the highest Sudanese authorities, assuring them of the commitment of the AU to continue supporting the CPA. He visited Juba on May 19, where he had important exchanges of views with First Vice-President Salva Kiir on the implementation of the CPA, as well as on other issues relating to Darfur and to Sudan's relations with its neighbouring countries.

65. It is worth mentioning that, from 6 to 7 May 2008, the third Sudan Consortium (SC) convened in Oslo. A total of 45 countries and organizations representing donors, international organizations and civil society, including the AU, participated in the meeting. The donor countries pledged a total of 4.8 billion dollars for the reconstruction and development of the Sudan, for the period of 2008-2011. In the meantime, in February 2008, President Al Bashir appointed a British diplomat, Sir Derek Plumbly, as head of the AEC, in replacement of Ambassador Tom Vraalsen of Norway.

66. The implementation process of the CPA has made significant strides. The two parties have demonstrated a clear commitment to dialogue and repeatedly vowed their determination to never resort to war as a way of resolving their differences. At the same time, a number of challenges are yet to be addressed. Hence the need for the parties to make continued and sustained efforts to deal with the outstanding issues in the implementation the CPA.

i) **Darfur**

67. During the period under review, the Joint AU-UN Mediation, under the leadership of the AU and UN Special Envoys, has continued to exert tremendous efforts with the view of starting an all-inclusive process that would lead to the resolution of the long-standing conflict in Darfur. Efforts have also continued towards the full deployment of the AU-UN Hybrid Operation in Darfur (UNAMID).

68. Council would recall that the meetings held in Arusha, in July, and N'Djamena, in August 2007, were meant to serve as platforms for the Darfur Movements to enable them arrive at common negotiating positions, short of agreeing to re-unite their ranks. The envisaged unity did not materialize. Subsequently, and in preparation for the resumption of the Talks, extensive consultations were carried out with several Darfur stakeholders and regional and international partners.

69. As noted in the last report of the Commission to Council, after the adjournment of the Sirte political talks in December 2007, the Mediation had to redefine its strategies and continued to encourage the then ongoing unification efforts in Juba and in the field in Darfur with the same objective of enabling the Movements to come to common positions and negotiating teams. At the same time, intensive consultations continued with the larger civil society, women's groups and tribal leaders. The efforts spearheaded by the SPLM yielded

positive results. They succeeded in reducing the number of the splinter groups present in Juba from 18 to 2 major groupings: the United Resistance Front (URF), with 5 factions, and the Sudan Liberation Movement/Army (SLM-A) – Abdul Shafie, with 11 factions/personalities. After this development, the Mediation and the international partners considered that they could deal with five major coalitions, namely: SLM/A-AW; JEM-KI; URF; SLM/A-Unity and SLM/A-AS.

70. During the meetings held in Sharm-El-Sheikh, on 4 December 2007, and in Geneva, on 17 and 18 March 2008, the Mediation, as well as the regional and international partners, assessed the situation of the peace process in light of the consultations undertaken by the Special Envoys and exchanged views on the way forward. In Geneva, the international community noted the high level of insecurity resulting from renewed clashes between the parties. The meeting expressed concerns about the large number of civilian casualties and of displaced persons, and agreed on the urgent need to reduce the level of violence and create conditions propitious for peaceful negotiations.

71. After additional consultations inside and outside the Sudan, the Mediation decided to call the parties to informal consultations on security-related issues. The aim was to address concerns on security issues raised by various stakeholders, including Mr. Abdel Wahid El Nour, Chairman of the SLM/A. The ultimate objective for the Mediation, after what was considered as a confidence-building exercise, was to bring the parties to gradually agree on cessation of hostilities. The informal consultations scheduled to take place at the end of May, however, had to be postponed at the last minute, as some of the Movements, in particular the SLM/A Abdul Wahid and the JEM-Khalil, after putting several pre-conditions to their participation, opted to stay out.

72. It is evident that the parties are not ready to engage in substantive negotiations at this stage. Continued mistrust between the parties and the Government, lack of strong leadership and a single vision and political structure within the Movements and their preference for a military solution have contributed to such hesitation. In addition:

- SLM/A-AW has continued to insist on the provision of full or minimum security (in both cases, with a full deployment of UNAMID and disarmament of the Janjaweed), return of IDPs and refugees to their places of origin, and payment of compensation, as preconditions for joining the negotiation;
- JEM-Khalil is still insisting on a military solution as its preferred option. This culminated in the attack on Omdurman on 10 May 2008. JEM-Khalil claims that it is the only credible Movement in Darfur and views other Movements as insignificant. JEM insists that it would not negotiate with any other party except the Government, but accepts the auspices of the AU-UN Mediation;
- URF is confronted with splinting moves by the SLM/A-Khamis Abdallah and the URFF, which issued statements announcing their departure from the URF umbrella. The remaining factions

of the URF which expressed their readiness to go to the Geneva meeting, finally retracted;

- SLM/A-AS is having problems to enter Darfur and is stranded somewhere in South Sudan;
- SLM/A-Unity appears to be the only Movement that has continuously expressed its readiness to go anywhere for substantive talks than mere informal consultations on security arrangements;
- the Government of the Sudan, on its part, due to the recent attack on the capital by JEM, has indicated unwillingness to negotiate with this Movement, calling it a terrorist movement.

73. In the face of the current situation resulting from the refusal by some of the Movements to even attend informal consultations on security related matters, the Mediation held consultations with the regional and international partners on 4 and 5 June 2008 in Geneva. The meeting agreed that efforts should be intensified to obtain an all-inclusive cessation of hostilities. It also underlined the need for a holistic approach taking into consideration the national, regional and international dimensions of the Darfur conflict.

74. In the aftermath of the 10 May attack of Omdurman by JEM, the Commission issued a statement strongly condemning it. The Commission further called on all concerned to exercise utmost restraint and to refrain from any action likely to escalate the tension. On 14 May 2008, the PSC was briefed by the Commissioner for Peace and Security on the attack, as well as on the subsequent developments. At the end of its deliberations, the PSC strongly condemned the attack and expressed concern at the escalating tension in the relations between Chad and the Sudan, which resulted in the breaking of diplomatic relations and the closing of the common border.

75. Subsequent to the JEM attack on Omdurman, the Chairperson of the Commission, along with the Commissioner for Peace and Security, undertook visits to Chad and the Sudan from 15 to 19 May 2008. These discussions with the leaders of the two countries were cordial and constructive, highlighting the strong desire shared by all the parties to consistently promote the full realization of the principles and objective of the AU. The discussions also led to a convergence of the positions of the parties towards defusing the current tensions and resorting to peaceful means to resolve the bilateral disputes between the Sudan and Chad, in a spirit of good neighborliness and thorough the scrupulous implementation of the Dakar Agreement and other previous Agreements binding the two countries. Furthermore, these exchanges of views and perspectives provided an opportunity to underline the importance of reactivating the political process in Darfur within the context of the Abuja Agreement, as well as that of enhancing the effectiveness of UNAMID.

76. The general security situation in Darfur during the period under review remained volatile. The most significant clash between the SAF and the armed movements occurred at the beginning of the year when the JEM/Khalil attacked

and occupied three villages in the area of Jebel Moon. Acts of robbery, murder, hijacking of cars, abduction, livestock theft and other activities were also on the increase. The total number of such acts documented so far increased from 130 in January to 325 in April 2008. A total of 113 hijackings of humanitarian vehicles, including WFP contracted vehicles, 10 attacks on other humanitarian convoys and 46 armed assaults against humanitarian compounds have taken place.

77. Despite this situation, some 14,700 humanitarian workers, including approximately 800 international personnel, continue to assist the 4.27 million conflict-affected people, including 2.45 million IDPs. Given the fact that the recent assessment of the food situation indicated that cereal production in Darfur is lower than last seasons, more Darfurians are expected to flock to IDPs' camps for assistance, thus worsening the conditions in the camps.

78. The current UNAMID force strength in Darfur remains at 7,728, out of the 19,555 military strength authorized by United Nations Security Council resolution 1769(2007). Under the current deployment plan, it is envisaged that, at full strength, UNAMID will be composed of 20 battalions. South Africa, Tanzania, Ghana, Malawi and Burkina Faso would each have deployed one battalion. Senegal, Egypt and Ethiopia would have deployed two battalions each, while Nigeria and Rwanda would have deployed four battalions each. While many African countries are ready to participate in the UNAMID, however, most of them need third party support for logistics and the necessary equipment. A battalion from Thailand may also be deployed at a certain stage. It is also envisaged that a Force Reserve Company (Special Forces) will be deployed by Nepal, while the 3 Sector Reserve Infantry Companies will be deployed by Bangladesh, Nigeria and Nepal. It is also envisaged that the 3 Sector Reconnaissance Companies will be provided by Ethiopia, Malaysia and Nigeria.

79. With regard to Force Enablers, 2 of the 3 Multi-Role Logistics units will be provided by Bangladesh and Ethiopia, while the needed 3 engineering units will be contributed to the mission by China, Egypt and Pakistan. Critical gaps continue to exist in the area of Force Multipliers, i.e. aviation units (attack helicopters, utility helicopters and Arial reconnaissance), heavy and medium ground transport units, as well as multi-role logistics units.

80. The established strength of individual Police Officers (IPOs) for UNAMID is 3,772. Out of this, 1,596 elements are deployed in the mission area. Meanwhile, out of the 19 established Formed Police Units (FPU), only one, from Bangladesh, has been deployed in the mission area, and is based in Nyala, South Darfur.

h) Chad – The Sudan Relations

81. The last Ordinary Session of the Council took place in a context fraught with tension in the relations between Chad and Sudan. This tension was the result of the attack carried out against Chad, in particular the capital, N'Djamena, between 28 January and 4 February 2008, by a coalition of rebel movements. Reacting to this situation, the Assembly of the Union adopted a

decision condemning the attack and expressing the AU's rejection of any unconstitutional change. The Assembly mandated President Denis Sassou-Nguesso of the Republic of Congo and the Leader of the Libyan Arab Jamahiriya, Muammar Al-Gaddafi, to make contact with the Chadian parties with a view to bringing an end to the fighting and taking initiatives to find a sustainable solution to the crisis prevailing in the country.

82. Following the Assembly decision, a team of representatives of the two mediators went to N'Djamena, where they met the Chadian Authorities, notably President Idriss Deby Itno, on 13 February 2008. At a later date, at the regional level, an ECCAS Extraordinary Meeting, devoted to Chad, was held on 10 March in Kinshasa, convened by its incumbent President, President Joseph Kabila. The Summit expressed its *"firm condemnation of the resort to arms and other unconstitutional means as a way to seize power, as well as of all destabilisation of democratic institutions which reflect the will of the Chadian people"*. It also called on the parties to *"put all the previous agreements into force, notably those of Tripoli and Riyadh, between the Republic of Chad and the Republic of The Sudan"*. After having commended the Agreements concluded on 13 August 2007 in N'djamena and on 25 October 2007 in Sirte, in the framework of the Inter-Chadian policy dialogue, the Heads of State encouraged the Republic of Chad *"to continue, relentlessly, to put these agreements into force with a view to strengthening the Rule of Law and establishing sustainable and lasting peace in Chad"*.

83. In the framework of looking for a sustainable solution to the crisis involving Chad and The Sudan, President Abdoulaye Wade of Senegal organised, in the margin of the Islamic Conference Organisation (ICO) Summit held in Dakar from 12 to 13 March 2008, a meeting between Presidents Idriss Deby Itno and Omar Hassan El Bashir. The two Presidents signed an agreement known as "the Dakar Agreement" on 13 March 2008, according to which they *"solemnly undertake to forbid all armed group activities and stop the use of their respective territories to destabilise one or the other State"*. In addition, the two Heads of State undertake to honour the commitments made previously. With a view to really implementing these agreements, "the International Community, in general, and in particular, Libya, Congo, Senegal, Gabon, Eritrea, CEN-SAD, ECCAS and the AU," were requested "to take all necessary measures with a view to setting up a Peace and Security Force so as to guarantee and observe the joint operations to secure the common border". In this respect, the Agreement set up a "Contact Group" made up of Foreign Ministers of the above-mentioned countries, so as to monitor its implementation. The Contact Group is jointly chaired by Libya and the Republic of Congo.

84. The first Ministerial meeting of the Contact Group took place in Libreville on 10 April 2008. In the final statement, the participants launched a solemn appeal to all the Chadian political players to persevere on the course of dialogue and negotiation. The Meeting also invited Chad and The Sudan to honour the Peace Agreement signed in Dakar and adhere to the commitments made prior to that. A second Contact Group meeting was held in Tripoli from 12 to 13 May 2008. Prepared by a defence, security and intelligence experts

meeting, that took place in Tripoli on 28 April 2008, the objective of this second meeting was to adopt the training programme for the Border Observation Forces between Chad and The Sudan prepared by the experts.

85. It was in this context that the JEM attack occurred on Omdurman, on the outskirts of Khartoum on 10 May 2008. This attack prevented the Contact Group to consider its Agenda. Indeed, The Sudan accused Chad of complicity with the Rebel Movement and, from 11 May 2008, announced the breaking-off of diplomatic relations with Chad. In a statement on 10 May, the Chadian Government denied *“all involvement in this affair which it unreservedly condemns, whoever the perpetrators may be”* and on 12 May, it decided on *“the sealing off of the border so as to avoid all infiltration and suspicious traffic”*.

86. In view of these events, the Contact Group, noting the absence of The Sudan at the meeting, and after intense consultations, made a public statement in which it *“expressed its very serious concern and firmly condemned this destabilisation attempt made against the Government and legal institutions of The Sudan”*, and expressed its deep solidarity with the country. The Contact Group *invited the PSC to meet as a matter of urgency on the events that took place on 10 May 2008 in The Sudan and carry out a diligent inquiry to identify the attackers and to place the responsibilities.*

87. The attack on the capital of The Sudan was unanimously condemned by many African countries as well as by the rest of the International Community, including the United Nations, the European Union, the Arab League and CEN-SAD. The Commission firmly condemned this attack and launched an appeal to all parties to stop resorting to force and renew their commitment in favour of dialogue as being the only way to put an end to the Darfur conflict and the suffering inflicted on the civil population. On 14 May 2008, the PSC did the same and urged the two countries to show the greatest restraint, resort to dialogue to resolve their differences and renew their commitment for the scrupulous implementation, in good faith, of their obligations contained in the Dakar Agreement and the Agreements prior to that.

88. In order to defuse the rapidly mounting tension between Chad and The Sudan, gather first hand information from the leaders of the two countries, and directly call for calm and restraint by the leaders, the Chairperson of the Commission undertook diplomatic visits between the two countries during the period 15 to 19 May 2008, accompanied by the Commissioner for Peace and Security. The delegation met President Idriss Deby Itno on 15 May 2008. At the end of these meetings, the Government of Chad, in a statement, *commended the endeavours of the African Union which privileged diplomacy and reasserted its commitment to adhere to and apply the Dakar Agreement and previous Agreements.* The delegation met President Omar Hassan Al Bashir in Khartoum, on 18 May 2008, made the same appeasement speech. In its turn, the Sudanese Government declared, in a statement, that The Sudan *“had been the one who had most shown the will to maintain good relations with Chad and accept the mechanisms established to improve relations between the two countries”*. The statement also declared that *“The Sudan remained determined to maintain relations with all its neighbours but would not tolerate interference in*

its internal affairs...” On 19 May, the delegation again went to see President Idriss Deby Itno in N’Djaména, to inform him of the substance of its meetings with President Omar Al Bashir.

89. The Commission urged Chad and The Sudan to continue to show restraint as they had been doing until now and re-establish their diplomatic relations as quickly as possible. It urged them to resume the dialogue they had started so well in the framework of the various agreements they had signed, notably the Dakar Agreement of 13 March 2008. To end, it encouraged the Heads of State to take the necessary initiatives to bring relations between the two countries to normal again.

90. In this respect, the Commission noted with satisfaction that, thanks to the efforts of African leaders in the margin of the TICAD IV meeting in Yokohama, Japan, The Sudan accepted to resume its seat within the Contact Group of the Dakar Agreement, thus enabling the fruitful holding of the third session of this structure, in Brazzaville, on 9 June 2008, which was evidence of the willingness of the two Governments to renew dialogue.

i) Central African Republic (CAR)

91. The situation in the CAR has made very encouraging progress since February 2008. At the political level, the political dialogue process has continued. The Preparatory Committee for the All Inclusive Political Dialogue (PCAIPD) ended its deliberations on 31 March 2008, and submitted its final report to President Bozizé on 25 April 2008. It made several suggestions on the various aspects of its mission. The members of the PCAIPD recommended that the dialogue take place in Bangui, with the understanding that the Central African Authorities would take all the necessary measures, from a judiciary as well as a security point of view. The AU was proposed as international facilitator following the example of the UN and the IOF. The Central African Authorities buckled down to taking the necessary measures to organise the dialogue as such.

92. The People’s Army for the Restoration of Democracy (APRD), which had been until then the most active group in the North of the country, finally joined the PCAIPD and took part in the deliberations. The participation of the APRD in the dialogue was the result of long negotiations with the main leaders of this political and military group, led with the support of the Special Representative of the United Nations Secretary General, head of the United Nations Peace-building Office in the Central African Republic (BONUCA), Mr François Lonsény Fall. These renewed contacts finally led to the signing, in Libreville on 9 May 2008, of a Cease-fire and Peace Agreement between the Central African Government and the APRD, under the aegis of President El Hadj Omar Bongo Ondimba. The Commission commended this Agreement, which enabled the next political dialogue to be contemplated in a calmer environment and on consensual and inclusive bases.

93. Despite the advances thus noted, the CAR remains confronted with the phenomenon of organised crime carried out by the *Zaraguinas*, or highway gangs. The activity of the *Zaraguinas* remains diffuse and difficult to define, but

it tends to be concentrated around farming and mining areas. Indeed, a now chronic insecurity reigns over a large part of the hinterland provinces and on some major highways in the CAR. Confronted with serious constraints in terms of human and material resources, the Central African Government is finding it very difficult to tackle the situation.

94. Under these conditions, the population continued to flee to neighbouring countries, such as Chad and Cameroon, hide in the fields or organise themselves into self-defence groups. Except for the Vakaga prefecture, where a return to the villages had been noted, in the North-Western and Central Northern regions, the humanitarian situation had instead deteriorated. The United Nations High Commissioner for Refugees (HCR) thus noted that between August and October 2007, the number of Central African refugees in Cameroon had increased from 26 000 to 45 192. The overall number of Central African displaced persons was estimated at 197 000.

95. With the organisation in Bangui, from 14 to 17 April 2008, with the support of the UNDP and development partners, of a seminar on the Reform of the Security Sector (RSS), the Central African Government hoped to implement the first pillar of its Poverty Alleviation Strategy. The objective of the seminar was to enable the Central African Government to determine inclusively the main lines of the new national strategy as concerned security, define the implementation modalities of this strategy as well as the coordination mechanisms which took into account the place of sub-regional, regional and international partners, and identify the intervention programmes and priority projects.

96. On the other hand, the CEMAC Multi-national Force (FOMUC) carried on with its activities of securing the country, supporting the Central African Defence Forces. It opened a fourth camp in Paoua, and a Cameroonian 119-men strong contingent has been deployed since 23 May 2008, bringing the total troupe number to nearly 500. Meanwhile, the process of transferring the supervision authority of the Force from CEMAC to ECCAS was at a very advanced stage and should soon be completed.

97. The establishment of the United Nations Mission in the CAR and Chad (MINURCAT) was continuing, and it should very soon set up in Bangui. The European Union (EUFOR) Operation intended to secure MINURCAT had reached its operational capacity since March 2008. In the CAR, the programme of Operation EUFOR had at first been to have the 200-men strong French troupes set up in Birao hand over command to EUFOR. It was planned that the operation would reach its full operational capacity with the deployment of all its strength, that is, 3700 men, by the month of June 2008, which will enable MINURCAT to carry on with the establishment of several police stations, including one in Birao.

98. The major difficulty facing the CAR was of an economic and financial nature. The Civil Servants general strike which took place at the beginning of 2008 showed the fragility of the economic and financial situation in the country. The Government's efforts, notably for the implementation of reform programmes decided upon with the International Monetary Fund (IMF), the World Bank and

the African Development Bank (ADB), with a view to raising the level of tax collection, have not yet enabled sufficient resources to be mobilised to cover the most pressing needs. Admittedly, the country has reached the decision point for a reduction of its debt under the reinforced Initiative in favour of Highly Indebted Poor Countries (HIPC Initiative), following the adoption, in September 2007, of the Strategy Document on Poverty Alleviation (PASD). But for the CAR to receive an irrevocable reduction of its debt leading to the completion of the HIPC Initiative, the Authorities will have to continue and maintain the reforms begun in the framework of the IMF's Poverty Reduction and Growth Facility (PRGF), continue with the implementation of the PAS and complete successfully some key reforms that will enable the management of public finances, governance and transparency, particularly in the mining and forestry sectors to be improved.

99. The Commission continued its activities in support of the Central African Authorities through notably the implementation of the statement of the 67th PSC Meeting on 7 December 2006. It was in this framework that the Commission made a contribution of 50 000 US dollars to help in the organisation of the All Inclusive Political Dialogue. In addition, my Special Envoy, Mr Sadok Fayala, went to Bangui from 3 to 6 March, to consider with the Central African Authorities and other concerned players, the role the AU could play in the organisation of the Dialogue and evaluate the political and security situation in the country. Similarly, the Commission followed the seminar on the reform of the security sector. To end, the Commission maintained a fruitful collaboration with the European Commission, in the framework of the support brought to FOMUC through the African Peace Facility. Discussions were on-going to define the outline of a future joint AU-EU FOMUC evaluation mission.

100. The situation in the CAR was considered by the PSC during its 130th meeting held on 30 May 2008. On this occasion, the PSC encouraged the development partners to continue and strengthen their support with a view to contributing to the consolidation of peace and stability in the CAR, and asked the Commission to continue and intensify their efforts to ensure the adequate follow-up of the conclusions of the Solidarity Conference held in Addis Ababa in October 2007. The PSC also asked the Commission to continue to support the All Inclusive Political Dialogue and the efforts to consolidate peace in the CAR and to take the necessary measures to open a Liaison Office in Bangui.

j) Liberia

101. During the reporting period, President Johnson-Sirleaf and her Government have made tremendous progress in their efforts to consolidate peace and reconstruct Liberia, as it emerges from years of conflict and devastation. Liberia's bid to overcome its past, through relentless efforts to consolidate peace in the country, revitalize the economy, improve governance and the rule of law, and reconstruct, as well as improve infrastructure and basic social services of the country, has gained recognition from the international community. Bilateral and multilateral partners continue to express confidence in the country, as well as lend support through major investments in different sectors of the economy.

102. Currently, Liberia has in place its national police known as the Liberian National Police (LNP) and is in the process of finalizing the training of the Armed Forces of Liberia (AFL). There is relative internal stability compared to the past, while relations with its neighbours are also stable. The recent initiative taken by Côte d'Ivoire to join the Mano River Union (MRU) is highly commendable, as this would go a long way to stabilize the most troubled spots of the West Africa sub-region.

103. Strides have been made on the political front as well, by ensuring that the policies, structures and processes of governance follow the tenets of good democratic governance based on transparent and accountable leadership and the inclusiveness of the citizens in the governance processes of the country. The various arms of government continue to play their respective functions, while the opposition also continues to dialogue with the Government. There are ongoing efforts to fight corruption in the country.

104. The work of the Liberian Truth and Reconciliation Commission (TRC) is steadily progressing, despite some challenges being experienced within the Commission. The issue of access to justice, and delays and corrupt practices in the justice delivery system, however, remain a challenge.

k) Côte d'Ivoire

105. The positive effects accruing from the Ouagadougou Political Agreement and its Additional Agreements made it possible for Côte d'Ivoire to experience a calm political climate. This new context was boosted by the good collaboration between President Laurant Gbagbo and Prime Minister Guillaume Soro, the implication of all political and civil society stakeholders in the process and the consensual approach adopted in Government decision-making.

106. In this context, and with a view to holding elections that would conclude the peace process, the main political parties intensified their activities throughout the country. Thus, from 1 to 3 February, the *Rassemblement des Republicains* (rally of the republicans - RDR) held its 2nd Congress in Abidjan, during which Mr. Alassane Ouattara was re-elected to head the party for another term of five years and was designated as the RDR candidate for the presidential election. For his part, the President of the *Parti Démocratique de Côte d'Ivoire–Rassemblement démocratique africain* (democratic party of Cote d'Ivoire – African democratic rally – PDCI-RDA), spoke at public meetings in several localities, one in April in Soubré, in the Fromager region, which is the Head of State's native region. Also, from 31 March to 26 April, the President of the *Front populaire ivoirien* (Ivorian popular front – FPI) criss-crossed the country's northern regions. From the Fekéssédou Division, the area of origin of the Secretary General of the *Forces nouvelles* (new forces), to those in Korhogo and Boundiali, under the control of the *Forces nouvelles* (new forces), passing through Kong village, the birth place of Alassane Ouattara, the FPI President repeatedly affirmed that the war had ended and urged hesitant civil servants to return to their duty stations.

107. In spite of a number of incidents here and there, as well as of a new wave of crime, mainly in the West, the security situation remained stable during the period under review. In fact, the Secretary General of the United Nations decided to reduce the levels of the security plan by lowering certain zones of the South and the North and in the Bondoukou-Bouna area to phase I and others in Guiglo area in the West to phase III. The level remained unchanged in the rest of the Northern areas of the country.

108. Concerning the humanitarian situation, it was marked the voluntary return by displaced persons to their villages of origin, with assistance from Government, humanitarian agencies and NGOs. However, lingering suspicion, the quest for control over land, mainly in the West, as well as inadequate resources and lack of basic social services still constitute an obstacle to be overcome. National authorities and the humanitarian community have spared no effort in speeding up this movement. It is in that context that seminars and workshops on social cohesion were organized, and a National Reconciliation Charter and an Observatory of solidarity and cohesion were adopted and established respectively to consolidate the dynamic for peace. In the same vein, last January, the AU granted Cote d'Ivoire a financial contribution of 100,000 American dollars through the Office of the United Nations High Commissioner for Refugees (HCR) in Cote d'Ivoire.

109. Concerning the economy, it can be observed that the international financial community is gradually resuming cooperation with Cote d'Ivoire within the context of post-conflict assistance and that there is renewed interest on the part of foreign investors. At the same time, banking institutions are increasingly returning to the centre, northern and western zones.

110. Significant progress was made on the implementation of the Ouagadougou Political Agreement and its additional agreements, though the initial schedule was not respected. Thus, in relation to the identification of persons, public hearings held for the purpose of obtaining remedial orders for birth certificates were properly conducted in all parts of the country. By 15 May, the last day of the operation, a total of 623,363 applications had been received, of which 592,474 had been approved and 28,224 rejected. However, special catch-up operations will be scheduled in localities as would be necessary. Furthermore, preparations for reconstituting lost or damaged civil status registers have been completed.

111. Concerning the electoral process, it is worth mentioning that the Government signed, on 27 March, a 66.7 billion CFA F convention with SAGEM Company for the establishment of an electoral list and voter's cards, in conjunction with the National Institute of Statistics (INS). In line with that agreement and following an extraordinary Council of Ministers meeting on 14 April, President Laurent Gbagbo signed a series of legislative and regulatory instruments necessary for implementing the Agreements, one of which is decree no. 2008-134 to convene the electoral college of the Republic of Cote d'Ivoire for the purpose of electing the President of the Republic on 30 November 2008.

112. As part of the efforts to maintain a calm political atmosphere, a code of good conduct for political parties, groups and forces, as well as for candidates for elections in Cote d'Ivoire, was signed on 24 April at a ceremony attended by the Secretary General of the United Nations. By signing that instrument, the parties undertook, *inter alia*, to support free, open and transparent democratic elections, to respect the verdict of the ballot box and, in case of dispute, to recourse to the law. In the same logic, a guide on media coverage of elections was adopted on 31 May, following the National Forum that examined the mission of the media during elections.

113. Concerning the military aspects, mention should be made of the good understanding between the command headquarters of the two ex-belligerent forces and the smooth functioning of the Integrated Command Centre (ICC), which was responsible for security at the public hearings all over the country. It should also be mentioned that the regrouping of ex-combattants was executed within the stipulated time frame for Government forces, whereas logistical and financial difficulties delayed the regrouping of elements of the New Forces, which began the exercise in a significant manner only in May. Furthermore, the restructuring instruments for FDSCI which should have been available by 15 December 2007, as stipulated in the 3rd Additional Agreement of the Ouagadougou Political Agreement, will have to wait till 20 June. Similarly, in comparison with the provisions of the abovementioned Agreement, the process of disarming and dismantling the militia and the national civic service has been slow.

114. In spite of the difficult working conditions for Prefects and Sub-Prefects, real progress was recorded in respect of efforts to restore State authority and to redeploy the Administration. A large number of civil servants and State employees have returned to their duty stations in the centre, north and west zones, and the process of rehabilitating and equipping public buildings is under way, with donor assistance. Furthermore, it should be mentioned that mixed customs teams of customs employees and elements of the New Forces were being deployed in the centre, north and west zones, as a prelude to redeploying tax and customs administration in application of the single treasury principle.

115. The mechanisms for follow-up and joint action provided for by the Ouagadougou Agreement played an important role in maintaining a serene atmosphere between the main political actors. The Permanent Consultation Framework (PCF) whose members are the Facilitator, the President of the Republic, the Prime Minister, the President of PDCI-RDA and the President of RDR, met on 24 January and 9 May. The Evaluation and Accompaniment Committee (EAC), which is composed of representatives of signatory parties to the Ouagadougou Political Agreement, held meetings on 14 January and 21 March. These meetings, which were attended by representatives of the international community who are members of the International Consultative Organ (ICO), provide the occasion for making progress reports on the implementation of the Agreements and for formulating recommendations.

116. Beyond the praiseworthy efforts made by the Ivorian parties, the crisis exit process in Cote d'Ivoire received the constant attention of the Facilitator, the United Nations, countries and international organizations grouped under the ICO. In fact, in accordance with the Ouagadougou Political Agreement, the Facilitator chaired all PCF and EAC meetings and, considering the inclusive nature of the crisis exit process, other political leaders and representatives of other Ivorian civil society categories also attended regularly.

117. On 15 January 2008, the Security Council adopted Resolution 1795 (2008), which, among others, endorsed the Additional Agreements and extended the mandate of the UN Mission in Cote d'Ivoire (MINUCI) and of the French Forces supporting them, up to 30 July 2008. At the same time, in consultation with the Facilitator and Ivorian parties, the Special Representative of the United Nations Secretary General in Cote d'Ivoire adopted the framework for certifying the electoral process, in accordance with his mandate granted by Resolution 1765 (2007) of 16 July 2007. For their part, during a press conference organized on 7 May, donors announced the mobilization of financial resources to the tune of 11 billion CFA F for the election and of 104 billion CFA Francs for the other crisis exit programmes. The Ivorian Government, however, felt that there were pending financing issues and requested the international community to provide the necessary assistance.

118. During the period under review, and through its Liaison Office in Cote d'Ivoire, the AU continued to encourage Ivorian political forces and civil society to make every effort to consolidate the peace dynamic initiated in the country and to contribute to creating conducive conditions for a proper organization of the presidential election within the agreed time frame. In addition, PSC had, at its 128th meeting held on 26 May 2008, examined the situation in Cote d'Ivoire. On that occasion, the PSC noted with satisfaction the progress made in the peace process, by mutual consent, towards fixing a date for the presidential election on 30 November 2008. At the same time, the PSC urged the Government, the political class and all Ivorian parties to intensify their efforts with a view to speeding up the implementation of the Ouagadougou Political Agreement and its Additional Agreements. The Commission intends to send a multi-disciplinary pre-electoral evaluation mission to Cote d'Ivoire to assess the situation and make recommendations on the nature of the assistance the AU could provide within the electoral process, including observing the elections on the 30 November 2008.

119. In conclusion, the Commission was pleased with the significant progress made in the crisis exit process in Cote d'Ivoire. It encourages the Ivorian parties to persevere in their efforts. The Commission reiterates its appreciation to the Facilitator and assures him, once more, of AU's support. Finally, the Commission appeals to international partners to continue to accompany the Ivorian Government's efforts.

I) Western Sahara

120. Last January, in Addis Ababa, Council was updated on the attempts at direct negotiations between Morocco and the Frente POLISARIO, aimed at breaking the stalemate in the peace process in Western Sahara. It is to be

recalled that, in April and October of last year, the United Nations Security Council adopted resolutions 1754 and 1783, both of which had, in effect, taken note of the proposals put forward by the two parties and called for negotiations, without preconditions and in good faith, with a view to achieving a just and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara.

121. It is on the basis of these resolutions that the UN Secretary-General has organized four rounds of negotiations between the two Parties, in June and August of last year, and then in January and March 2008, in Manhasset, New York. The talks were facilitated by Ambassador Peter van Walsum, the Personal Envoy of the UN Secretary-General for Western Sahara. A fifth round has been agreed upon, but no dates have yet been set for its holding. As Council is aware, Morocco and the Frente POLISARIO had submitted their respective proposals to the UN Secretary-General, with the Kingdom of Morocco offering autonomy, under its jurisdiction, as a solution to the conflict and the Frente POLISARIO proposing a referendum of self-determination, containing three ballot options: integration or autonomy, under Moroccan jurisdiction, as well as independence, with a privileged cooperation with Morocco, as another alternative.

122. So far, the talks, which also covered possible confidence-building measures between the two parties, have not resulted in any progress towards the search for a solution to the long outstanding dispute with respect to the final status of Western Sahara. It is against this background, that the Security Council considered the report of the UN Secretary-General, dated 14 April 2008, on the situation concerning Western Sahara. In its resolution 1813 (2008), adopted on 30 April 2008, the Security Council, inter alia, called upon the parties to continue to show political will and work in an atmosphere propitious for dialogue, in order to enter into a more intensive and substantive phase of negotiations.

123. In the meantime, the Security Council decided to extend the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2009. On its part, the AU Liaison Office in Laayoune (Western Sahara), which is headed by Ambassador Yilma Tadesse, continues to function in the premises of the United Nations Mission for the Referendum in Western Sahara (MINURSO) and full cooperation with MINURSO, and to closely follow the activities covered by MINURSO's mandate.

124. In conclusion, the Commission would like to express the hope that the two parties will seize the opportunity of the planned fifth round of talks to make progress towards a solution consistent with international legality, in particular the principles enshrined in the Charter of the United Nations, as well as in the Constitutive Act of the African Union.