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**REPORT OF THE CHAIRPERSON OF THE COMMISSION ON THE
IMPLEMENTATION OF THE TRIPOLI AGREEMENT OF
8 FEBRUARY 2006 BETWEEN CHAD AND THE SUDAN**

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I. INTRODUCTION

1. In my reports PSC/PR/2(XLV) and PSC/MIN/2(XLVI) to the 45th and 46th meetings of the Peace and Security Council (PSC) held on 12 January and 10 March 2006 respectively, I gave an account of the deteriorating situation at the border between the Sudan and Chad, the mounting tension between these two countries and the efforts being made to find a solution to the crisis. These efforts resulted in the adoption of the Tripoli Declaration and Agreement on 8 February 2006 during a mini-Summit held at the Libyan Capital (see texts attached herewith). The 46th PSC meeting considered *inter alia* the prevailing situation between the Sudan and Chad. In its communiqué, the Council:

- i) urged the Government of Chad and Sudan to fully implement the commitments made and to facilitate the work of the existing mechanisms that have been agreed upon in the Declaration and Agreement signed in Tripoli in February 2006. Council endorses the Tripoli Declaration and the Agreement;
- ii) requested the Facilitators of the Tripoli Agreement to remain actively engaged in the efforts to defuse the tension on the ground and normalize the relations between Chad and the Sudan and ensure the effective functioning of the existing mechanisms agreed upon in the Tripoli Declaration and Agreement; and
- iii) requested the Commission to take all necessary steps and extend all necessary assistance to contribute to the implementation of the Tripoli Declaration and Agreement. Council also requested the Commission to prepare and submit proposals on how best AMIS can assist in the implementation of the Tripoli Declaration and Agreement, including the necessary adjustment to its current mandate.

2. The present report, being submitted in pursuance of the above-mentioned decision, contains recommendations on the contribution that the AU could make in the implementation of the Tripoli Agreement.

II. PROVISIONS OF THE TRIPOLI DECLARATION AND AGREEMENT

3. As already mentioned, the Tripoli mini-Summit resulted in the adoption of a Declaration and the signing of an Agreement for the settlement of the dispute between the Sudan and Chad. In the Declaration, the Summit, *inter alia*:

- invited both parties to establish a dialogue and bilateral consultations;

- urged both parties to stop interfering in the internal affairs of the other, and to cease support to armed groups in each other's countries;
- decided to set up a ministerial follow-up committee which would meet periodically in order to assess the evolution of the situation, as well as a field information mission and a peace and security force to ensure the security of their mutual border.

4. In terms of the Agreement, the two parties committed themselves *to inter alia*:

- work for the restoration of a climate of confidence, good neighborliness and the co-operation, which has always existed between the two countries;
- a. prevent the use of their respective territories for purposes of subversive activities against the sovereignty and the territorial integrity of the other; and
- b. put an end to the hostile media campaigns and to work toward fraternity and harmony.

5. In implementing the Tripoli Agreement, the Ministerial Follow-up Committee, comprising Libya, the Congo, Burkina Faso, Central African Republic, the Sudan and Chad, with the participation of the AU Commission and the General Secretariat of CEN-SAD, met in Tripoli on 3 March 2006. During the meeting, the Committee considered and approved the minutes of the meeting of the Directors of External Security of the countries signatory to the Tripoli Declaration which was held in Tripoli on 28 February 2006. The meeting's recommendations were *inter alia* on the selection of observation posts to be set up on both sides of the border between the Sudan and Chad as well as in Libya and in Central African Republic.

6. Furthermore, the Ministerial Follow-up Committee decided that a joint meeting of the army Chiefs of General Staff and Directors of Security should be held in Tripoli on 13 March 2006 to consider practical ways of deploying observer teams and the possibility of setting up a Peacekeeping and Security Force to maintain security at the border between the two countries.

7. The report of the meeting of the Ministerial Follow-up Committee is attached to the present document.

III. OUTCOME OF THE MEETING OF THE MILITARY AND SECURITY EXPERTS

8. The meeting of the Chiefs of General Staff and Directors of Security was held in Tripoli on 13 March 2006. All countries signatory to the Tripoli Declaration, as well as the AU Commission and the CEN-SAD General Secretariat, took part in the meeting.

9. The meeting did not consider the issue of establishing a Peacekeeping and Security Force after Libya proposed, and the participants agreed, that consideration

of this issue could be done after observer teams had been deployed. The experts approved the list of observation posts to be established on both sides of the border as well as at Birao in the Central African Republic, and in Libya, in the triangle separating Libya, the Sudan and Chad. The towns, Abeche and El-Fasher, were chosen to serve as administrative and logistics bases. The meeting decided that each of the 10 observation posts would have four (4) military observers and six (6) support staff. The observer teams will comprise representatives of Libya, the Congo, Burkina Faso and Central African Republic. Chad and the Sudan will each provide a liaison officer for the observation posts in their respective territories.

The task of the Observation Mission will include:

- Its deployment along the entire border between the Sudan and Chad; and
- The prompt reporting of any breach of the borders.

10. The meeting of the Chiefs of General Staff and Directors of Security recommended that AMIS should be entrusted with the protection of the observation posts on the Sudanese side, while those on the Chadian side and those along the common border with Central African Republic and Libya should be respectively protected by the Armed Forces of Chad, Central African Republic and Libya. Furthermore, the meeting of experts requested that AMIS should consider the possibility of providing medical, food, air transport, communication and training assistance to the observer teams, within the limits of available resources.

11. Finally, the meeting decided to set up a coordination and follow-up centre in Tripoli to regularly follow up on the actions of the observer teams with a view to reporting to the relevant authorities, accordingly.

12. The minutes of the meeting of the Chiefs of General Staff and Directors of External Security of the countries involved in the implementation of the Tripoli Declaration and Agreement is attached herewith:

IV. OBSERVATIONS

13. Providing security at the border between Chad and the Sudan will help substantially in resolving the crisis between the two countries, as well as in furthering the peace process in Darfour. It is therefore recommended that the PSC, on the basis of its decision of 10 March:

- should readjust the current mandate of AMIS to include protecting the observation posts in the Sudan; and
- should authorize AMIS, within the limits of available resources, to provide the observer teams with medical, food, air transport, communication and training assistance, as defined by the meeting of military and security experts.