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REPORT OF THE CHAIRPERSON OF THE COMMISSION
ON THE SITUATION IN SOMALIA

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I. INTRODUCTION

1. At its meeting held on 8 January 2007, Council, having been briefed on the situation in Somalia, agreed to reconvene to finalize the plans for the deployment of an African peace support mission in Somalia, based on proposals to be submitted by the Commission, working closely with IGAD, the Transitional Federal Government (TFG) and other stakeholders.

2. The present report reviews the evolution of the situation in Somalia since the 55th meeting of Council, held on 17 June 2006. It focuses on the efforts undertaken by the AU, IGAD, the League of Arab States, the United Nations and other stakeholders to facilitate political dialogue among the Somali parties and enhance the reconciliation process; it also appraises current efforts for the planned deployment of an AU peace support mission to Somalia.

II. EVOLUTION OF THE SITUATION

3. As indicated in the Information Note to Council's meeting in June 2006, the fighting that broke out in February 2006 between the Alliance for the Restoration of Peace and Counter-Terrorism (ARPCT) and militias loyal to the Union of Islamic Courts (UIC) resulted in the defeat of the ARPCT, in June 2006, with the UIC emerging in control of Mogadishu and its environs. The establishment of the UIC, and its strategy to extend its authority to other parts of the country, constituted a major shift in the balance of power across the country, thus posing challenges to the Transitional Federal Institutions (TFIs), then based in Baidoa.

4. In my report to the Executive Council and the Assembly at their sessions in Banjul, in June 2006, I indicated that, while the overall impact of these developments were yet to be fully assessed, the then prevailing situation demonstrated, more than ever before, the need for concerted support to the TFG to enable it assert its authority and lead efforts to re-establish peace and security in the country. It is against this background that the Assembly adopted a decision on Somalia in which, *inter alia*, it:

- reiterated its full support to the TFIs, in particular the TFG, as the legitimate Government of Somalia, and pledged its commitment to do everything possible to enable the TFIs fulfill their national obligations and responsibilities in bringing about peace and security in Somalia and in undertaking the reconstruction of the country;
- strongly appealed to all concerned within Somalia to refrain from any action likely to aggravate the situation;
- urged the international community to provide the necessary assistance to the TFIs to enable them fully assume their responsibilities; and

- requested the Commission, working closely with IGAD, to take all necessary steps for the early deployment of IGASOM in Somalia, to be subsequently taken over by the AU. In this regard, the Assembly requested the Security Council to provide an exemption to the arms embargo imposed on Somalia by resolution 733 (1992) of 23 January 1992.

5. In the meantime, and given the tension between the TFG and the UIC and with a view to moving forward the peace and reconciliation process, an initiative was taken by the League of Arab States to sponsor an inter-Somali dialogue. At the first Arab League-sponsored meeting, held in Khartoum on 22 June 2006, the parties agreed, *inter alia*, to recognize each other, to refrain from any provocative or hostile action and to continue discussions without pre-conditions.

6. However, soon after the agreement reached in Khartoum, the two parties accused each other of violating the commitments entered into. While the TFG pointed to actions taken by the UIC to assert and expand its authority in the country, the latter accused the Government of inviting Ethiopian troops into Somalia. This led to the postponement of the 2nd round of talks, which was scheduled for 15 July 2006.

7. Furthermore, the period that followed the Khartoum meeting witnessed divisions within the TFG. At the end of July 2006, a number of parliamentarians criticized the leadership of Prime Minister Ali Mohamed Gedi, resulting in resignations of a number of Cabinet ministers. However, the crisis was resolved, thanks to the mediation of Ethiopia. Subsequently, President Abdullahi Yusuf Ahmed announced the dissolution of the Government and asked Prime Minister Gedi to form a streamlined Cabinet, which was announced in mid-August and endorsed by the Transitional Federal Parliament (TFP) in mid-September.

8. The second round of the peace talks between the TFG and the UIC opened in Khartoum on 2 September 2006. On 4 September 2006, the two parties signed an agreement in which they, *inter alia*, agreed to (a) reconstitute the Somali national army and national police force and work towards the re-integration of the forces of the UIC, the TFG and armed militias once an agreement on a political programme was in place; (b) practice the principle of peaceful co-existence between Somalia and its neighbors; (c) discuss remaining aspects, including political, power-sharing and security issues in a third round of talks; and (d) meet in Khartoum for a third round of talks on 30 October 2006.

9. Two weeks after the second round of talks, President Yusuf survived an assassination attempt in the form of a car bomb, following his opening address to the TFP, which was to endorse the new Cabinet. This assassination attempt was widely condemned.

10. The third round of talks took place from 30 October to 3 November 2006. The UIC, while expressing a willingness to rejoin the dialogue, set conditionalities, namely, the withdrawal of Ethiopian troops from Somalia and that Kenya should not co-chair the sessions. The talks were aborted and the AU, along with the international partners, undertook to carry out further consultations to prepare for their resumption.

11. It should be recalled that, soon after the UIC established itself as a political and military force in Somalia, President Abdullahi Yusuf claimed that the Union was linked to international terrorists and was receiving material support from foreign forces. Subsequently, the UIC declaration, in October 2006, of “Jihad” against Ethiopia, together with its aggressive attempts to extend its authority throughout Somalia, including by attacking the areas controlled by the TFG, renewed fears in the international community that a confrontation was increasingly becoming likely, with far-reaching regional implications.

12. It is against this background that the Ethiopian forces intervened in Somalia during the last week of December 2006, in support of the TFG. The Ethiopian Government also indicated that this intervention was an act of self-defense against the UIC. While the fighting between the UIC, on the one hand, and the TFG, with Ethiopian support, on the other, was continuing, I issued a communiqué on 22 December 2006, in which I expressed grave concern at the deteriorating situation in Somalia and deplored the escalation of the fighting. I also expressed my concern at the humanitarian consequences of this upsurge of violence and urged the UIC and the TFG to put an immediate end to the fighting. I urged the UIC and the TFG to fulfill the commitments that they made during their discussions in Khartoum, and to work in earnest towards creating propitious conditions for the speedy resumption of dialogue, under the facilitation of the League of Arab States and IGAD, and within the framework of the Transitional Federal Charter, which remains the only viable framework for achieving lasting peace and reconciliation in Somalia.

13. On 26 December 2006, I issued another communiqué in which I expressed my grave concern over the continuation of the fighting in Somalia between the forces of the UIC and those of the TFG, with the involvement of Ethiopian troops. I reiterated my appeal for the immediate cessation of hostilities, in order to create conducive conditions for the resumption of dialogue between the parties under the auspices of the League of Arab States and IGAD.

14. Subsequently, on 27 December 2006, I convened a consultative meeting on the situation in Somalia at the AU Headquarters in Addis Ababa, with the participation of the Executive Secretary of IGAD and the Deputy Secretary-General of the League of Arab States. Having reviewed the situation in Somalia and deliberated on the urgent steps needed to further the peace process, the meeting, *inter alia*, appealed to all parties concerned to put an end to the fighting and to ensure that an immediate and unconditional ceasefire is in place. The meeting further appealed to the TFG and the UIC to resume, as a matter of urgency, their political dialogue in Khartoum, under the co-chairmanship of the League of Arab States and IGAD. The meeting called for the withdrawal of Ethiopian troops from Somalia; it also called for the withdrawal of other foreign troops and all other foreign elements from Somalia. The meeting agreed that the AU, the League of Arab States and IGAD should undertake the necessary consultations with a view to facilitating the speedy implementation of UN Security Council resolution 1725 (2006), called for substantial international support to the TFG, so as to enable it maintain the security, integrity and sovereignty of Somalia, and appealed to the international community to provide the assistance required to address the humanitarian crisis in Somalia.

15. The TFG has now gained control over the country. However, given the precariousness of the situation, the TFG has requested the Ethiopian Government to keep its troops in Somalia until the full stabilization of the country and the deployment of AU troops. On its part, the Ethiopian Government has made it clear that it would like to withdraw its troops as quickly as possible and, in this respect, has urged the international community to take immediate steps for the deployment of a peace support operation, as called for by IGAD, the AU and the UN.

16. On 1st January 2007, the Somali Prime Minister ordered all illegally armed Somalis in Mogadishu to hand over their weapons within three days, following which a compulsory disarmament was to take place. However, and in view of the problems encountered in this exercise, it was later indicated that the disarmament plan was indefinitely postponed. Subsequently, it was reported that the TFG had reached an agreement with the former warlords and other community leaders in Mogadishu to voluntarily disarm and assist the Government in the re-establishment of security. The former militiamen are to be vetted and integrated into the Somali security forces.

17. On 3 January 2007, the Commissioner for Peace and Security went to Nairobi for consultations with Kenyan officials and Somali leaders on how best to move forward towards the stabilization of Somalia. During his meeting with the Foreign Minister of Kenya, it was agreed that the deployment of a peace support mission should be a priority, so as to enable the TFG consolidate its authority. The Minister stressed the urgency of the deployment, which should be undertaken under the leadership of the AU. The meeting also stressed the importance of early material support for the Somali Government. In this respect, the Minister informed the Commissioner that, as a gesture of support to the TFIs, Kenya would be taking immediate steps to render financial assistance to the TFG. The Commissioner also met with President Abdullahi Yusuf, whom he assured of the commitment of the AU to assist the TFIs in forging ahead with peace and reconciliation and of its readiness to deploy a peace support mission as soon as possible. He also seized the opportunity to convey from me a message of AU support to the TFIs, encouraging the active pursuit of an inclusive dialogue and reconciliation among the Somalis, capitalizing on the existing opportunities. The President, on his part, informed the Commissioner that steps had already been taken to improve the security environment through disarmament, before the deployment of a peace support mission, and to proceed with the reconciliation efforts based on clan structures and broad-based consultations among the domestic stakeholders.

18. On 5 January 2007, the International Contact Group on Somalia met in Nairobi to review the situation in that country. In the communiqué issued at the end of its deliberations, the Contact Group stressed that there was an historic opportunity for the Somali people to reach sustainable political solutions for Somalia, based on the framework of the Transitional Federal Charter. The Contact Group confirmed its readiness to provide immediate support for the stabilization of Somalia, the effective functioning of the TFIs, and to provide humanitarian and development assistance. The Contact Group welcomed the commitment of President Abdullahi Yusuf to inclusive governance and his determination to prevent the resurgence of warlordism. The Contact Group emphasized the urgent need for funding to facilitate the deployment of a stabilization force in Somalia, based on resolution 1725(2006), and noted the important role of the UN in facilitating long-term reconstruction and stabilization in Somalia.

19. On its part, Council met on 8 January 2007 in a briefing session. On that occasion, Council noted that the recent developments in Somalia represented a new and historic opportunity that should be seized by the Somali parties and the international community alike, with a view to fostering peace and reconciliation in Somalia. Council stressed the need for an all-inclusive political process, as provided for in the Transitional Federal Charter of Somalia, in order to consolidate stability, peace and reconciliation in the country.

20. Between 7 and 9 January 2007, it was reported that the United States had launched air attacks on what it claimed to be al Qaeda terrorist targets, near the Somalia/Kenyan border. In view of these reports, I issued a press release expressing my concern over the air attacks and urging all concerned actors to refrain from any action likely to complicate the current situation and to compromise the chances of success of the efforts being deployed by the international community.

21. The recent fighting in Somalia has aggravated the already difficult humanitarian situation in Somalia. The fighting has also impacted on humanitarian access, particularly in south and central Somalia. Some 190,000 people in Kismayo, Jamame, and Jilib districts are in need of urgent food assistance and cannot be reached. The fighting has also led to thousands of refugees crossing into Kenya, where there are already over 250, 000 Somali refugees.

III. DEPLOYMENT OF A PEACE SUPPORT OPERATION AND AU ASSESSMENT MISSION TO SOMALIA

22. The deployment of a peace support operation in Somalia has been on the agenda of IGAD and Council since 2005. While a number of decisions have been taken in this respect, their implementation has unfortunately proved to be difficult. In early July 2006, in a bid to re-launch the deployment process and as a follow-up to the conclusions of the consultative meeting between the AU, IGAD and the international partners on Somalia, held on 19 June 2006, an AU/IGAD fact-finding mission traveled to Somalia, together with representatives of the League of Arab States and the European Union (EU). On their part, the IGAD member states endorsed the IGASOM deployment plan on 5 September 2006, following the meetings of the IGAD Council of Ministers and Chiefs of Defense Staff, held in Nairobi in August 2006;

23. At its 62nd meeting, held on 13 September 2006, Council approved the deployment plan of IGASOM, as reviewed by the AU Military Staff Committee. Accordingly, IGASOM was mandated to undertake tasks aimed at providing security support and institutional capacity building for the TFIs and creating favorable conditions for dialogue and reconciliation in Somalia. Council further requested the Commission, working closely with IGAD, to take all necessary steps, including through consultations with the EU and other partners, in order to mobilize the required funding and logistical support for the deployment of IGASOM in Somalia as soon as possible. Council reiterated its request to the UN Security Council to provide an exemption to the arms embargo imposed on Somalia by resolution 733 (1992) of 23 January 1992 and, in this respect, encouraged IGAD, with the support of the AU, to engage the Security Council.

24. As a follow-up to this decision, the Commission approached notably the EU for the release of the funds earmarked for the envisaged peace support mission in Somalia within the framework of the Africa Peace Facility. On his part, the Kenyan Foreign Minister, in his capacity as Chair of IGAD, met with Security Council members to urge them to grant a partial lifting of the arms embargo on Somalia, to facilitate the proposed deployment of a peace support mission.

25. On 6 December 2006, the UN Security Council adopted resolution 1725 (2006), which, *inter alia*, authorized IGAD and member states of the African Union to establish a protection and training mission in Somalia, to be reviewed by the Security Council after an initial period of six (6) months, with the mandate, *inter alia*, to monitor progress by the TFIs and the UIC in implementing agreements reached in their dialogue; to maintain and monitor security in Baidoa; to protect members of the TFIs and Government as well as their key infrastructure; and to train the TFIs forces. The Security Council further decided that the arms embargo imposed on Somalia by resolution 733(1992) shall not apply to supplies of weapons and military equipment and technical training and assistance intended solely for the support of, or use by, the force to be deployed. The Security Council encouraged member states to provide financial resources for the mission.

26. In its Press Statement of 8 January 2007, Council recalled its earlier decisions on the deployment of a peace support mission in Somalia to undertake tasks aimed at providing security support for the TFIs and institutional capacity building, as well as supporting dialogue and reconciliation in Somalia. In this regard, Council underlined the urgency of the deployment of a peace support mission in order to build on the current momentum to stabilize the situation and the need for continued support by the United Nations and its Security Council, as well as by the other AU partners.

27. On 10 January 2007, the Commission organized a consultative meeting bringing together military officers and other representatives from IGAD, the TFG, Ethiopia and Uganda, as a country that had formally indicated to the Commission its readiness to contribute troops, for discussions on the envisaged deployment of a peace support mission in Somalia, in light of the new developments in that country. At that meeting, it was agreed that an AU technical assessment mission should urgently travel to Somalia to gather additional information that would form the basis of the proposals to be submitted to Council. The technical evaluation mission visited Mogadishu from 13 to 15 January 2007, where it undertook consultations with the TFG and Ethiopian military officers in Somalia.

28. The mission noted that, since its recent arrival in Mogadishu, with the support of Ethiopian forces, the TFG had deployed efforts in pursuit of the following main objectives:

- establishment of its presence and authority in the country, building on its gains in the capital city;
- establishment/re-activation of national administration in the country;

- engagement of dialogue and reconciliation in the country;
- putting in place measures to set up a civilian component on the ground to oversee safety in the capital city and, thereafter, in other parts of the country;
- formation of the security forces (army and police), building on the TFG's existing small number of security forces.

29. According to the TFG officials, their efforts are hampered by several constraints, including the following:

- shortage of funding;
- shortage of trained manpower;
- shortage of equipment and logistics;
- absence of administrative structures and institutions;
- existence of underground residual elements of the UIC.

30. During the mission's visit, mopping up operations were still going on in some parts of Somalia, particularly in Mogadishu and around Ras Kaambooni, close to the Somalia/Kenya border. According to the TFG, about 3,000 elements of the UIC are in hideouts in and around Mogadishu, Kismaayo, Jamaame, Jilib and Dhuusamarreeb, while undisclosed numbers are scattered in other parts of the country, with a suspected strong presence on farms in the lower Shebelle/Juba Valley. The fleeing UIC forces were said to have left sizeable amounts of arms, ammunition, unexploded ordinance, mines and booby traps in some parts of the country, which constitute a serious threat to stability and public safety.

31. Given the inadequate and ill-equipped security forces of the TFG, the potential for resurgence of a major conflict, should the Ethiopian forces withdraw without the deployment of a peace support operation, is assessed to be very high. In these circumstances, the challenge is to build urgently on the achievements of the TFG, by deploying a robust force of an appropriate size and composition, with adequate equipment, logistics, funding and a clear mandate, to help stabilize the situation and assist the TFG in the implementation of the Somali National Security and Stabilization Plan (NSSP) and the related aspects of dialogue and reconciliation.

32. The main military challenges facing Somalia include the following:

- stabilization of the current security situation, including providing support for de-mining and disposal of explosive ordinance device;
- creating conditions for a comprehensive DDR programme as soon as possible to rid the country of illegal arms;

- provision of technical support for the formation of the national army of Somalia by reforming, training and equipping it, in accordance with the NSSP.

33. Based on the above, the mission recommended the following:

a) that an AU peace support mission be deployed in Somalia as soon as possible, with the mandate to provide support to the TFIs in their efforts towards the stabilization of the situation in Somalia and the furtherance of reconciliation and dialogue among Somalis, to facilitate the provision of humanitarian assistance, and to create conducive conditions for long term stabilization and reconstruction of Somalia. In this respect, the proposed peace support mission will perform the following tasks:

- to provide, as appropriate, protection to the TFIs and their key infrastructure, to enable them carry out their functions;
- to assist in the implementation of the NSSP, particularly the effective reestablishment and training of all inclusive Somali security forces, bearing in mind the programs already being implemented by some of Somalia's bilateral and multilateral partners;
- to provide, within capabilities and as appropriate, technical and other support to the disarmament and stabilization efforts;
- to monitor, in areas of deployment of its forces, the security situation;
- to facilitate, as may be required and within capabilities, humanitarian operations, including the repatriation and reintegration of refugees and the resettlement of IDPs; and
- to protect its personnel, installations and equipment, including the right of self-defense.

b) the peace support mission should be undertaken by 9 infantry battalions of 850 personnel each and a police training team, supported by maritime coastal and air components, as well as a civilian component;

c) the initial deployment should involve at least 3 infantry battalions, with adequate arrangements for additional battalions to follow quickly, bearing in mind that even though all parties concerned are expected to cooperate with the mission, the risk of spoilers bent on undermining its operations should be taken into account;

d) the mission should be deployed for a period of six (6) months, aimed essentially at contributing to the initial stabilization phase in Somalia, with a clear understanding that the mission will evolve to a United Nations mission that will support the long term stabilization and post-conflict reconstruction of Somalia;

e) the concept of logistic support for the mission should be based on self-sustenance by the Troop Contributing Countries (TCCs), along the model of the African Union Mission in Burundi (AMIB), which was deployed from April 2003 to May 2004, before its take-over by the United Nations. The Commission will mobilize logistical support for the TCCs, as well as funding from AU members states and partners to reimburse the TCCs for the cost incurred in the course of their deployment, based on AU practice.

34. The proposals thus made are based on a number of assumptions. These include, among others, the pursuit by the TFG of a policy of reconciliation and dialogue involving all groups committed to peace and rejecting violence; the commitment of AU member states to provide self sustaining troops throughout the duration of the mission and other required personnel as well as equipment and services needed for the effective execution of its mandate; the development of a strategic capability for the effective management of the mission, with the full participation of the TCCs; the commitment of the international community to provide, in a predictable and coordinated manner, financial, technical and logistical support to the TCCs; and the transition of the proposed mission to a UN multi-dimensional peacekeeping operation, immediately after the six-month initial stabilization phase.

IV. OBSERVATIONS

35. As indicated by the International Contact Group on Somalia and Council at their meetings held in early January 2007, the recent developments in Somalia represent a unique and unprecedented opportunity to re-establish the structures of governance and further peace and reconciliation in Somalia. The Somali people and the international community alike should seize upon this opportunity. In particular, the international community should not repeat the mistakes made in the past, especially following the conclusion of the Somali National Reconciliation Conference in 2004, whereby the lack of immediate and sustained support to the TFIs, as well as hesitations to provide funding to the then envisaged IGAD peace support operation in Somalia, undermined the results of the conference.

36. It is against this background that I am proposing to Council to endorse the proposals outlined above on the deployment of an AU peace support operation, of a limited duration, to support the ongoing efforts to stabilize the situation in Somalia. In making those proposals, I am fully aware of the challenges facing our Organization. Indeed, unlike the United Nations, the AU does not have a system of assessed contributions to fund its peace support operations; we rely to a very large extent on the support of our partners. This means that the funding of our operations remains precarious. I am also aware of the limitations of the Commission with respect to its management capacity to oversee large-scale peace support operations, as clearly demonstrated by the AMIS operation. Finally, the challenges of an operation in Somalia, a country that has been without central Government for the past 16 years and where security remains precarious, cannot be underestimated.

37. Yet, the African Union cannot abdicate its responsibilities vis-à-vis Somalia and fail its people. The African Union is the only Organization the Somali people could readily turn to as they strive to recover from decades of violence and untold suffering. We have a duty and an obligation of solidarity towards Somalia. Furthermore, enhancing the prospects for lasting peace and reconciliation in Somalia will have a tremendous positive impact on the Horn of Africa as a whole, a region that has been and is still plagued by the scourge of conflict and instability.

38. My proposals have been informed by two considerations: on the one hand, our responsibilities towards Somalia and the need to seize upon the current window of opportunity; on the other, a clear acknowledgement of the numerous and serious constraints facing our Organization. That is why I am recommending that the mission to be deployed by the AU be of a limited duration, ideally not exceeding six (6) months, during which we will attempt to conduct the initial stabilization phase of Somalia and create the necessary conditions for the United Nations to take over the operation and bring in to bear its well established expertise and capacity for multi-dimensional peace keeping operations. That is also the rationale for the proposed concept of logistic support for the mission, which is based on self-sustenance by the TCCs throughout the operation.

39. The funding of the proposed operation will largely depend on the generosity and solidarity of AU member states and partners. As I have had the occasion to inform Council, an amount of 15 million Euro has been earmarked for a peace support operation in Somalia, within the framework of the Africa Peace Facility. The Commission will intensify its efforts for the EU to speedily release the funds. In addition, following the briefing session of Council of 8 January 2007, the Commission formally contacted AU partners to seek their financial and logistical support. I appeal to them to provide predictable and well-coordinated support for this challenging undertaking, building on the lessons learnt from AMIS.

40. Needless to say that there will be no successful peace support operation if AU member states are not prepared to provide the troops, equipment and other services required. Over the past days, the Commission has written to a number of countries, soliciting their support in terms of provision of personnel, equipment and services for the planned operation in Somalia, as was the case for AMIB. I seize this opportunity to urge them to expeditiously and positively respond to the request. More generally, African countries, however symbolic their contributions may be, should provide assistance to Somalia.

41. The Somalis and their leaders have a central role to play. The issues confronting Somalia are first and foremost of a political and governance nature. A peace support operation is indeed needed to address them, but it cannot substitute a genuine commitment to dialogue and reconciliation among the Somalis, including addressing the grievances of groups that may feel left outside of the emerging political dispensation. I am encouraged by the stated commitment of President Yusuf and his Prime Minister to dialogue. I urge them to translate this commitment into concrete action without further delay.

42. The experience of the last decade and half has shown that progress in peace and reconciliation in Somalia can only be achieved if there is a strong cohesion among the countries of the region. The successful outcome of the Somali National Reconciliation Conference is a clear testimony to this. Somalia is today at crossroads. The countries of the region, which have done so much over the past years to bring the conflict in Somalia to a definite end, have, today more than ever before, the duty to collectively assist Somalia regain its rightful place within the IGAD family and the larger international community, and to forge in this respect the necessary regional consensus.

43. Once Council has made a decision on the deployment of an AU peace support mission in Somalia, it is the intention of the Commission to convene a meeting bringing together, under the leadership of the AU, military and security experts from the AU, the TCCs, the TFG and IGAD, with the support of the United Nations and other stakeholders, to develop a detailed operation plan. The Commission also intends to convene another meeting involving the TCCs, on the one hand, the AU member states and partners willing to provide technical, logistical and financial support, on the other, with a view to creating the necessary conditions for the early and effective deployment of the mission.