

AFRICAN UNION

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**PROGRESS REPORT OF THE CHAIRPERSON OF THE COMMISSION ON THE IMPLEMENTATION
OF THE TRIPOLI DECLARATION ON THE ELIMINATION OF CONFLICTS IN AFRICA AND THE
PROMOTION OF SUSTAINABLE PEACE AND ON THE TRIPOLI PLAN OF ACTION**

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An update on the Achievements to date and the Challenges ahead

I. INTRODUCTION

1. During the Special Session on the Consideration and Resolution of Conflicts in Africa, held in Tripoli, Libya, on 31 August 2009, the Assembly of the Union, having reviewed the state of peace and security on the continent, adopted two key documents: the Tripoli Declaration and Plan of Action.

2. This report provides an update on the status of implementation of these two documents, which falls within the framework of the Year of Peace and Security in Africam nearly 15 months after their adoption,. The report concludes with recommendations on the challenges that lie ahead and the measures that should be taken in this regard.

II. TRIPOLI DECLARATION

3. In the Tripoli Declaration, the Heads of State and Government reaffirmed their commitment to redouble efforts to promote sustainable peace, security and stability on the continent. Significantly, in paragraph 9 of the Declaration, they stated their "*... determination to deal once and for all with the scourge of conflicts and violence on our continent, acknowledging our shortcomings and errors, committing our resources and our best people, and missing no opportunity to push forward the agenda of conflict prevention, peacemaking, peacekeeping and post-conflict reconstruction. We, as leaders, simply cannot bequeath the burden of conflicts to the next generation of Africans*".

4. More specifically, the Declaration covers a number of aspects relating to both the institutional capacity of the AU, as well as the structural prevention of conflicts, post-conflict reconstruction and development, terrorism, strengthening of the capacity of African universities, the role of civil society, resource mobilization in support of AU peace efforts, partnership and Africa's leadership. The Declaration concludes with the decision to declare 2010 the Year of Peace and Security in Africa. The following paragraphs provide a brief overview of progress made and difficulties encountered in the implementation of each of the components of the Tripoli Declaration.

(a) Operationalization of the African Peace and Security Architecture (APSA)

5. In the Tripoli Declaration, the Heads of State and Government recommitted themselves to accelerate the full operationalization of the APSA, including the further refinement of existing provisions, where necessary, to facilitate their implementation. Since then, the

Commission has continued to make efforts towards the achievement of this objective. Among the major developments in this respect, mention should be made of the following:

- (i) the Command Post Exercise AMANI Africa, conducted in Addis Ababa from 13 to 29 October 2010. The objectives of the Exercise were to rehearse AU procedures for mandate development and evaluate the capacity of the Commission to plan, deploy and manage multidimensional Peace Support Operations (PSOs);
- (ii) the strengthening of the Panel of the Wise, which has a key role to play, particularly in conflict prevention. The 15th Ordinary Session of the Assembly of the Union, held in Kampala, Uganda, from 25 to 27 July 2010, endorsed the recommendations made by the Commission to enhance the capacity of the Panel to more effectively engage in operational prevention, through the establishment of a team of “Friends of the Panel of the Wise” [Assembly/AU/Dec.310(XV)];
- (iii) the initiation, by the Commission, of the steps required towards the establishment of AU Liaison Offices to the Regional Economic Communities/Regional Mechanisms for Conflict Prevention, Management and Resolution (RECs/RMs), as provided for by the Memorandum of Understanding on Cooperation in the Area of Peace and Security between the AU and the RECs/RMs. So far, 7 RECs/RMs have established Liaison Offices to the AU. The Commission conducted a study earlier this year, and intends to start the implementation process in April 2011; and
- (iv) the conduct, as part of the Africa-European Union (EU) partnership, of an assessment study on the APSA to review progress made and the challenges ahead. On the basis of the assessment, the AU and the RECs/RMs, as well as the EU, have agreed on an indicative roadmap that would serve as a basis for further support by the EU, within the framework of the Africa Peace Facility (APF), and by other partners.

6. Efforts have continued to be made with respect to the Continental Early Warning System (CEWS). Most of the technical requirements having been put in place, emphasis is now on the recruitment of the required human resources to enhance the analytical capability of the Commission.

7. The full operationalization of the APSA requires that the Commission substantially enhance its human resources. As part of the ongoing restructuring exercise of the Commission, proposals have been made in this respect. In reviewing these proposals, it is important that Member States keep in mind the commitment made by the Assembly in Tripoli. More generally, it is necessary to enhance the capacity of the Peace and Security Department through delegation of administrative and financial authority to enable it deal with the flexibility and speed required with the conflict and crisis situations facing the continent.

(b) Structural prevention of conflicts

8. As indicated in my report to the Tripoli Special Session, the AU has, over the past two decades, adopted several instruments designed to facilitate the structural prevention of conflicts. These instruments relate to human rights, governance and the fight against corruption, democratization, disarmament, terrorism, and the prevention and reduction of interstate conflicts. They represent a consolidated framework of commonly accepted norms and principles, whose observance would considerably reduce the risk of conflict and violence on the continent and consolidate peace where it has been achieved. In their Tripoli Declaration, the Heads of State and Government undertook to make renewed efforts to address the root causes of conflicts in a holistic and systematic manner, including through implementing existing instruments.

9. Clearly, progress has been made in the signature and ratification of the above-mentioned instruments. The entry into force of the AU Non-Aggression and Common Defence Pact, on 18 December 2009, as well as the subsequent convening, in Addis Ababa, on 27 October 2010, of the 1st meeting of the State Parties to the Pelindaba Treaty, which entered into force on 15 July 2010, represented a milestone in the overall efforts for the prevention and reduction of interstate conflicts and the establishment of a Nuclear-Weapon-Free Zone in Africa. However, I note with concern that key AU instruments are yet to enter into force. This is the case of the AU Charter on Democracy, Elections and Governance, adopted on 30 January 2007 and which, so far, has been ratified by only seven Member States, while fifteen ratifications are required for its entry into force. Also worth noting is the status of signature and ratification of the 2004 Protocol to the OAU Convention on the Prevention and Combating of Terrorism, ratified so far by 10 Member States. I cannot but echo the call made by the Tripoli Special Session for all Member States that have not yet done so to speedily sign and/or ratify those instruments. Equally important is the need for Member States to comply with the commitments they enter into, for lack of follow-up and implementation undermines the credibility of the processes our continent has embarked upon. Significantly, in its decision Assembly/AU/Dec.269(XIV) Rev.1 on the Prevention of Unconstitutional Changes of Government and Strengthening the Capacity of the AU to Manage such Situations, the 14th Ordinary Session of the Assembly of the Union, held in Addis Ababa, from 31 January to 2 February 2010, reiterated the need for Member States to uphold the rule of law and abide by their own Constitutions, especially with regard to constitutional reforms, bearing in mind that failure to respect these provisions could lead to situations of tension which, in turn, could trigger off political crisis. I earnestly hope that the forthcoming Ordinary Session of the Assembly devoted to the theme of shared values will mark a watershed in our overall efforts to turn into action the many instruments we have adopted over the years.

10. On its part, the Commission will enhance its capacity to actively monitor the implementation of these instruments, as well as take all necessary steps to sensitize the Member States concerned. I also intend, as requested by Decision Assembly/AU/Dec.269(XIV) Rev.1, to speedily appoint an independent Rapporteur, who will prepare a report on the progress made in the democratization processes on the continent, for consideration by Council,

as part of the powers entrusted to it by Article 7(m) of the Protocol Relating to the Establishment of the Peace and Security Council.

(c) Post-conflict Reconstruction and Development (PCRD)

11. In the Tripoli Declaration, the Heads of State and Government committed themselves, within the framework of the AU Policy on Post-Conflict Reconstruction and Development (PCRD), to show the required solidarity with the African countries emerging from conflicts, and to assist them in consolidating their hard-won peace and avoiding relapse into violence. In the coming months, the Commission intends to organize Solidarity Conferences with a number of African countries emerging from conflicts, in particular Burundi and the Democratic Republic of Congo (DRC), as a follow-up to the multi-disciplinary assessment mission that visited those two countries from 21st January to 22 February 2010, as well as the Sudan, which received a delegation of the AU Ministerial Committee on Post-conflict Reconstruction and Development, from 23 to 26 October 2010. I appeal to Member States, in line with the pledge made, to seize the opportunity of the planned Conferences to contribute to post-conflict endeavors in those countries. Other steps are planned by the Commission, including the sharing of experiences in the area of governance among countries emerging from conflicts, building on the outcome of the workshop organized by the Commission on the lessons learnt from Liberia's Governance, Economic and Management Assistance Programme (GEMAP), in Freetown, Sierra Leone, from 16 to 19 August 2010.

(d) Prevention and combating of Terrorism

12. Since the Tripoli Special Session, the Commission has taken a number of steps to address the issue of terrorism. Among others, mention should be made of the submission to the 249th meeting of Council held on 22 November 2010, in pursuance of decision Assembly/AU/Dec.311(XV) adopted by the 15th Ordinary Session of the Assembly of the Union, of a report outlining measures that could be taken to strengthen counter-terrorism cooperation and the adoption by that meeting of a decision on this matter, the appointment of an AU Special Representative for Counter-Terrorism Cooperation, and the finalization of a draft anti-terrorism model law. Efforts continue also to be made to cut off the sources of funding for terrorism, in particular those originating from the payment of ransom in situations of hostage taking.

(e) Enhancement of the capacity of African Universities and Research Institutes

13. In the Tripoli Declaration, the Heads of State and Government, having stressed that making and sustaining peace and security is also an intellectual challenge, undertook to build the capacity of African universities and research institutes to explore the nature of African conflicts, to investigate what succeeds and what fails in conflict resolution efforts, and to arrive at African-centered solutions. It is within this context that the Commission extended support to the *Institute for Peace and Security Studies* (IPSS) of the Addis Ababa University, to offer extensive training and undertake research in the field of peace and security. Steps are also underway for the establishment, within the Addis Ababa University, of an AU Endowed Chair,

whose major objective will be to provide a distinctive African scholarly perspective on pressing issues in peace and security, socio-economic integration and other relevant matters. It is also within this context that the Assembly of the Union, at its Kampala Session, in decision Assembly/AU/Dec.295(XV) on my progress report on the Year of Peace and Security, welcomed the initiative by the *Institute for Security Studies* (ISS), to contribute to the launching of a Peace Academy, an important tool for the enhancement of Africa's capacity in the area of peace and security. Furthermore, the Commission is working with the *African Centre for the Constructive Resolution of Disputes* (ACCORD) on training in mediation. These efforts will be intensified in order to engage other stakeholders on the continent.

(f) Role of Civil Society

14. In the Tripoli Declaration, the Heads of State and Government called on the African civil society to continue to play its role in promoting peace, security and stability as partner of Governments. In the context of the Year of Peace and Security, the Commission endeavored to mobilize the African civil society and to build a strong partnership with it. I am pleased to note that a number of African civil society organizations have responded to this call for partnership, including ACCORD, *Femmes Africa Solidarité* (FAS), IPSS, ISS and the Cairo Regional Center for Conflict Resolution and Peacekeeping in Africa. Next year, the Commission intends to convene a Conference that will bring together African civil society organizations working on peace and security issues to facilitate networking among them, cooperation with the AU and the enhancement of their capacity.

(g) Mobilizing resources for AU's Peace efforts, partnerships and Africa's leadership

15. In Tripoli, the Heads of State and Government committed themselves to increase substantially Member States' contribution to the Peace Fund, for Africa to truly own the ongoing efforts to promote peace, security and stability on the continent. In this respect, they requested the Commission to take the necessary preparatory steps for the increase of the statutory transfer from the AU regular budget to the Peace Fund from 6 to 12%. They also encouraged all Member States in a position to do so to make voluntary contributions to the Peace Fund. Subsequently, the relevant AU policy organs decided to gradually implement this increase over a period of three years, starting from 2011 [Decision Assembly/AU/Dec.287(XIV) on the budget of the African Union for the 2010 Financial Year, adopted by the 14th Ordinary Session of the Assembly of the Union]. At the same time, the Commission has pursued its efforts aimed at securing United Nations support, through assessed contributions, for AU operations undertaken with the consent of the UN, while continuing to rely on the support provided by the EU, under the APF, as well as by other bilateral and multilateral partners.

16. Yet, Africa cannot continue to endlessly and overwhelmingly rely on external support for the promotion of peace and security on the continent, as this situation undermines the effectiveness of AU's efforts, due to the lack of predictability and flexibility inherent to voluntarily contributions, and the true ownership of our initiatives. It is worth recalling here that, in the Tripoli Declaration, the Heads of State and Government, while stressing the need to

continue to strengthen AU's relations with its major partners, also reiterated "...our determination to ensure that these partnerships are fully based on Africa's leadership, because without such leadership, there will be no ownership and sustainability; because we understand the problems far better than those who come from far away; because we know which solutions will work, and how we can get there; and because, fundamentally, these problems are ours, and we will live with their consequences". Clearly, more is required from Member States. I will, in due course, submit to the Assembly a comprehensive report on how best to mobilize increased resources from within the continent to support our peace efforts.

(h) Year of Peace and Security

17. In the Tripoli Declaration, the Heads of State and Government declared the Year 2010, to be the Year of Peace and Security (YoPS) in Africa. In Kampala, in July 2010, I submitted a progress report on the implementation of this initiative. Suffice to mention here that the YoPS provided a unique opportunity in terms of outreach, building of partnerships with a variety of stakeholders, and encouraging Member States to organize specific events in commemoration of the YoPS and to rededicate themselves to the objective of a conflict-free Africa. In addition, efforts were made towards the consolidation of the AU normative and institutional framework for addressing the challenges of peace, as well as for the resolution of existing conflicts and the consolidation of peace where it has been achieved.

18. 21st September, the International Day of Peace, marked the culmination of the YoPS, making it possible to further mobilize Member States and African organizations, but also ordinary women and men, civil society and private sector. It was a unique opportunity to bring the call for peace out of the chambers of the UN Security Council and the AU Peace and Security Council, and give voice to the most vulnerable, those who bear the brunt of violence and are often left scarred physically and emotionally, with the hope that, in turn, their cry for peace will echo back to those august Councils, and demand that the highest decision-makers make peace and security a reality, not only a slogan. The Commission is working on a follow-up and sustainability programme, which will be submitted to the Assembly of the Union, next January.

III. TRIPOLI PLAN OF ACTION

19. In the Tripoli Plan of Action, the Heads of State and Government have identified practical steps for resolving the various crises facing the continent and consolidating peace where it has been achieved. The following paragraphs provide an overview of the progress made and the challenges that lie ahead.

Conflict and crisis situations

(a) The Comoros

20. In the Tripoli Plan of Action, the Special Session reaffirmed the unity and territorial integrity of the Comoros, in conformity with the decisions of the OAU/AU on the Comorian

Island of Mayotte, calling for the re-launching of the Committee of Seven on Mayotte. In this regard, it should be recalled that, in his statement to the United Nations General Assembly in New York, on 24 September 2010, President Ahmed Abdallah Mohamed Sambi stressed that there cannot be lasting stability in the Comoros without a definitive solution to the question of Mayotte; he renewed his proposal of “one country, two systems”, which would guarantee the respect for international law, while allowing France to continue to administer the Comorian Island of Mayotte in a legitimate manner, for a period to be determined on the basis of a common agreement.

21. Significant progress has been made in promoting national reconciliation and stability in the Comoros. Under the auspices of the AU, the Comorian parties signed in Moroni, on 16 June 2010, an Agreement on the Management of the Interim Period, which made it possible to overcome the crisis resulting from the implementation of the institutional reforms introduced by the new Union Constitution, adopted by the referendum on 17 May 2009, at the initiative of President Sambi, whose term of office was due to expire on 26 May 2010. This Agreement provides for the completion of the electoral process leading to the election, no later than mid-January 2011, of a new President, who should originate from the Island of Moheli, in accordance with the principle of rotating presidency enshrined in the Constitution the Union of the Comoros.

22. On 7 November 2010, and pursuant to this Agreement, the primary elections for the presidency of the Union, which took place in the Autonomous Island of Moheli, and the first round of elections for governors of the Autonomous Islands, were held under conditions deemed satisfactory by the international observation mission, including the AU. It is important that the Comorian parties make every effort to ensure the smooth holding, at national level, on 26 December 2010, of the second round of the presidential election that will oppose the three top candidates from the primary elections, as well as the gubernatorial elections in the Autonomous Islands.

(b) Somalia

23. The overall security situation in Somalia remains highly volatile and dangerous. The Armed Opposition Groups (AOGs), led by al-Shabaab and Hizbul Islam, have not relented in their attacks against the Transitional Federal Government (TFG), the Somali population and the AU Mission in Somalia (AMISOM). At political level, while some positive developments are to be noted, in particular the fact that the Transitional Federal Institutions (TFIs) continue to operate from Mogadishu and the efforts by the TFG to reach out to Somalis outside the peace process, resulting notably in the signing of an Agreement with Ahlu Sunna Wal Jama'a (ASWJ), on 15 March 2010, in Addis Ababa, the political process continues to be challenged by recurrent and intermittent wrangling within the TFIs. This state of affairs has eroded the cohesion within the TFIs and seriously undermined their ability to effectively implement their obligations under the Transitional Federal Charter (TFC) and the Djibouti peace process. It is against this background that, on 21 September 2010, Prime Minister Omar Abdirashid Ali Sharmarke decided to resign from his position. He has, since, been replaced by Mohammed Abudllah Mohamed “Farmajo” who formed a new cabinet on 12 November 2010. The TFP is yet to endorse this cabinet.

Against this background, it is imperative that the TFIs demonstrate the leadership and the unity of purpose required to meet the challenges at hand.

24. In line with the Tripoli Declaration and Plan of Action, the Commission has intensified its efforts towards the full deployment of AMISOM. I am pleased to report that the troop strength of AMISOM has increased to 8,000, comprising a total of 9 battalions: 4 from Burundi and 5 from Uganda. The strength of the police component of AMISOM is now 50. On the ground, AMISOM forces have consolidated and expanded their areas of control in Mogadishu, while providing limited humanitarian support to the civilian population. Furthermore, AMISOM and other members of the international community, in support of priorities identified by the TFG, continue to assist in the rebuilding of the Somali Security Forces.

25. In the Tripoli Plan of Action, the Assembly requested Council to review the mandate and strength of AMISOM, to enable it to provide increased assistance to the TFG. On 15 October 2010, and as a follow-up to the IGAD and AU Summits decisions of July 2010, Council endorsed a new force strength of 20,000 for AMISOM, as well as an enhanced police and civilian component, as proposed in my report. The objective is to better support the peace and reconciliation process including the achievement of the remaining transitional tasks, improve the security situation, to enable the TFIs discharge their responsibilities, assist in the establishment of effective governmental institutions, and facilitate peace building, recovery and humanitarian efforts.

26. Council called on the Security Council to take the decisions now required of it, in line with its primary responsibility for the maintenance of international peace and security, by endorsing the revised concept of operations and the newly-authorized strength of AMISOM and authorizing an enhanced support package for the Mission, funded through UN assessed contributions. Council further called on the Security Council to impose a naval blockade and a no-fly zone over Somalia to prevent the entry of foreign elements into the country, as well as flights and shipments carrying weapons and ammunitions to armed groups inside Somalia; ensure the effective implementation of sanctions against all those impeding the peace and reconciliation process; and reaffirm its commitment to deploy a UN peacekeeping operation in Somalia. At the time of finalizing this report, the UN Security Council was yet to respond to the request made by the AU. Needless to stress that time is not on our side, and that any further delay in the provision, by the United Nations, of the support required for the strengthening of AMISOM will further complicate the situation and undermine the prospects for peace and reconciliation in Somalia. It is important that Council strongly urge the Security Council to play the role expected of it. The 16th Extraordinary Session of the IGAD Heads of State and Government meeting, held in Addis Ababa on 23 November 2010, expressed this very concern and made a strong call on the UN Security Council to assume its responsibilities in this regard.

27. Equally important is the need for Member States to provide the required military and other personnel, for AMISOM to reach its newly-authorized strength, bearing in mind the pledge made in Tripoli "...to ensure that sufficient troops and observers are made available for rapid deployment when and where they are required", as well as to contribute to the mobilization of the necessary logistical and financial resources. While reiterating our appreciation to Burundi and Uganda, it is clear that these two countries cannot endlessly

shoulder what is, in actual fact, a continental responsibility. It is imperative that other Member States step in and share the burden of Africa's collective responsibility in Somalia.

28. During the period under review, the Commission has continued to monitor the efforts being made towards combating piracy and armed robbery at sea off the coast of Somalia. In all its interactions with the international partners, the Commission has drawn attention to the relevant provisions of the Tripoli Plan of Action of 31st August 2009, stressing the need for the international community to promote a comprehensive approach to the scourge of piracy.

(c) The Sudan

29. A separate report is submitted on the situation in the Sudan, covering both Darfur and the Comprehensive Peace Agreement (CPA). One of the major events of the period under review was the peaceful holding of the April 2010 General Elections. As Council is aware, the CPA implementation process will culminate with the self-determination referendum for Southern Sudan to be held on 9 January 2010. In June 2010, the Sudanese Parliament approved the appointment of the South Sudan Referendum Commission (SSRC). Following initial difficulties, the SSRC commenced its work. There are, however, a number of outstanding issues in the CPA implementation process relating, *inter alia*, to the question of Abyei, the North-South border, Popular Consultations in the Blue Nile and South Kordofan States, and security arrangements.

30. From 7 to 15 November 2010, and in pursuance of the Memorandum of Understanding (MoU) signed in Mekelle, in June 2010, the Parties to the CPA, under the auspices of the AU High-Level Implementation Panel (AUHIP) on the Sudan, met to negotiate on the outstanding issues in the implementation of the CPA and the post-referendum arrangements. On 13 November 2010, they agreed to a seminal document entitled "Framework for Resolving Outstanding Issues Relating to the Implementation of the Comprehensive Peace Agreement and the Future Relations of North and South Sudan". The Parties agreed that the negotiations on the future of Abyei will continue at the level of the Political Principals, with the participation of the AUHIP.

31. The security situation in Darfur continues to be of concern, with the occurrence of a number of incidents which have led to a considerable loss of human life and new displacements. As for the peace negotiations on Darfur conducted, under the auspices of the State of Qatar, by the AU-UN Joint Mediation, they continue to face serious challenges. At the second meeting of the Sudan Consultative Forum, co-chaired by the AU and the UN and held in Addis Ababa on 6 November 2010, it was agreed that the Doha negotiations should result in an Outcome Document to be completed no later than December 2010, in accordance with the timetable agreed to by the Parties. The Doha outcome will be the point of departure for the initial launching of the Darfur Political Process, which is planned to take place in Darfur, in mid-December, under the auspices of the AUHIP and UNAMID and in partnership with the State of Qatar. This meeting will set the agenda for the Darfur Political Process, which will lead to a Darfur-Darfur Conference to be convened in early 2011, with the objective of concluding an inclusive political settlement. As a follow-up to the SCF meeting, the Joint Mediation will shortly undertake a series of consultations with a broad range of stakeholders in the Sudan, in order to

solicit inputs from civil society on the pending issues in the negotiations, as well as to generate popular awareness and support for the peace process.

(d) Horn of Africa – regional approach

32. In Tripoli, and in view of the need to develop a regional approach to the challenges of peace and security in the Horn of Africa, the Commission recommended the launching by the AU, in collaboration with IGAD, the UN and other stakeholders, of a process leading to a Conference on Peace, Security, Cooperation and Development in the Horn of Africa. On its part, the Special Session requested the Commission, in pursuance of relevant AU and IGAD decisions, and in collaboration with concerned international actors, to continue with efforts of peace-building and reconciliation, in order to foster peace, security, cooperation and development in the Horn of Africa.

33. Accordingly, the Commission will intensify its consultations with IGAD and its Member States in order to determine the best way forward, both in terms of process and content for the proposed regional approach. Consultations will also be undertaken with AU partners, in particular the United Nations, the European Union and the League of Arab States. On this basis, the Commission will submit detailed recommendations to Council.

(e) Relations between Chad and the Sudan

34. The Tripoli Plan of Action identified a number of steps to facilitate the normalization of relations between the Sudan and Chad. In fact, the normalization of relations between the two countries, which began in October 2009 and culminated in the signing, on 15 January 2010, of a peace agreement ("the Peace Agreement on Normalization of Relations between Chad and the Sudan, and the "Additional Protocol on Border Security"), has continued in a satisfactory manner. Officials from both countries have since made multiple gestures of good will that have strengthened their relationship. In this regard, President Idriss Déby Itno, on 8 February 2010, undertook an official visit to Khartoum, where he held talks with his Sudanese counterpart, Omar Hassan Al Bashir. He again visited Khartoum, on 26 May, to attend the swearing-in ceremony of President Bashir. In turn, President Omar Al Bashir visited N'Djamena, on 21 July 2010, on the occasion of the 12th Summit of CEN-SAD.

35. The implementation of the N'Djamena Agreement made it possible to address the problems which embittered relations between the two countries, namely: securing the common border and the recurrent problem of incursions of politico-military groups into Chad. The Protocol on Securing the Common Border addressed the first concern through the establishment of the Joint Observation and Security Force and the effective commencement of its patrols along the common border. Regarding the second point, the two countries have taken appropriate measures to prevent groups or rebel movements from launching hostile activities from either country. Council should congratulate Presidents Idriss Déby Itno and Omar Al Bashir for their courageous political decision to normalize relations between their countries and encourage them again to persevere in the path of dialogue and consultation.

(f) **Central African Republic (CAR)**

36. During the Special Session of the Assembly of the Union, the Heads of State and Government, regarding the Central African Republic (CAR), called for continued and increased support from the international community, in order to consolidate peace in that country. In this context, it should be noted that a number of bilateral and multilateral partners have contributed financial and technical support towards the holding of the presidential and legislative elections planned, after several postponements, for January and March 2011. The AU has also provided financial support, and seconded an election expert to the Independent Electoral Commission (IEC). However, a number of problems still persist, and their early resolution will facilitate the proper conduct of the elections. These difficulties include inadequate funding for the functioning of the IEC and the putting in place of mechanisms to ensure the transparency of electoral operations. Beyond the elections, renewed efforts are needed to complete the disarmament, demobilization programme and reintegration of members of the armed groups and promote sustainable socio-economic development of the country. Increased support from the international community is required in this regard, singularly in view of the consequences of the complete withdrawal of MINURCAT at the end of the current year.

(g) **Great Lakes Region**

i) **Burundi**

37. As a follow-up to the Tripoli Plan of Action, the Commission dispatched, from 13 to 22 February 2010, a multidisciplinary mission to assess the situation in Burundi and make recommendations on areas where the Commission and Member States could provide support to the post-conflict reconstruction and peace building processes in Burundi. The conclusions and recommendations of the mission were submitted to the 230th meeting of the Council, held on 27 and 31 May 2010. The next step will be the organization of an African Solidarity Conference, and the formulation as well as the implementation of a post-conflict support program to consolidate peace in Burundi.

38. It should also be noted that the period under review was marked by the holding a series of polls, which began, on 23 May, with local council elections, followed by presidential elections, on 28 June, parliamentary elections, on 23 July, senatorial elections, on 28 July, and the hills or neighborhoods elections, on 7 September 2010. The AU contributed to this electoral process, including through the observation of the various elections and the granting of financial assistance.

ii) **Democratic Republic of Congo (DRC)**

39. The Tripoli Plan of Action called for the mobilization of greater support from Member States for post-conflict reconstruction and development in DRC. It is within this framework that

the Commission sent a multidisciplinary assessment mission to the country, from 21 January to 13 February 2010. The mission made important recommendations that the Council considered at its 230th meeting. The Commission is working towards the convening of an African Solidarity Conference and the implementation of a post-conflict support program. Also, steps will be initiated to implement the provisions of the Tripoli Plan of Action on the illegal exploitation of DRC's natural resources. Meanwhile, the Commission took part in the Summit organized by the Secretariat of the International Conference on the Great Lakes on this issue.

40. Regarding the other components of the Tripoli Plan of Action, it should be noted that the operations of the Congolese Armed Forces (FARDC), supported by the United Nations, against foreign armed groups (Democratic Forces for the Liberation of Rwanda - FDLR and Lord's Resistance Army - LRA) have enabled the Congolese Government to neutralize a substantial number of the elements of the negative forces. In this regard, and as discussed below, the Commission has taken steps to facilitate a more coordinated regional action to neutralize the LRA and bring to an end its destabilizing activities and atrocities in the DRC, Southern Sudan and RCA. On its part, the Panel of the Wise held its eighth meeting in Kinshasa, in May 2010, to discuss the issue of women and children in armed conflict, which has been the subject of a specific provision in the Plan of Action in relation to the situation in eastern DRC. Finally, the Commission convened in Addis Ababa, on 20 September 2010, a meeting on the issue of nomadic pastoralists Mbororos, brought to its attention by the Congolese Government. The Council will be informed in due course of the steps taken to follow-up on the conclusions of this meeting.

41. The Congolese Government has continued efforts to implement the Agreements of 23 March 2009 signed with Congolese armed groups. The Commission supports this process through its Liaison Office in the DRC. The Commission also actively participated in the consultations initiated in connection with the renewal of MONUC's mandate, in the context of the request made by the Congolese Government for the adoption of a plan for the withdrawal of the Mission. On 28 May 2010, the Security Council adopted a resolution which provides for a drawdown of MONUC, the changing of its name to United Nations Mission for the Stabilization of Congo (MONUSCO) effective from 1 July 2010, and the redefinition of its mandate.

42. The DRC has made remarkable progress in the consolidation of peace and post-conflict recovery. In this context, the general elections scheduled for 2011 are of particular importance. It is imperative that the international community continues to support the ongoing efforts.

iii) Lord's Resistance Army (LRA)

43. The Tripoli Plan of Action underscored the need to redouble efforts, including military ones, to neutralize the LRA. In pursuance of this provision, the Commission held a Consultative Ministerial Meeting on the activities of LRA in Bangui, CAR, on 13 and 14 October 2010. The Ministers responsible for Defence and Security of the CAR, Democratic Republic of Congo (DRC), Uganda, the Sudan, including the Government of Southern Sudan, the UN and other partners attended the meeting. The Conference took a number of steps, including the creation of a Joint Operations Center and consideration of the establishment of a joint brigade to track

the LRA to end its criminal activities. A meeting of Chiefs of Staff and Chiefs of Security Services of the concerned countries is scheduled on 5 December, in Addis Ababa, to follow-up on the recommendations of the meeting. In line with the conclusions of the Bangui meeting, I intend to appoint a Special Envoy on the LRA issues to strengthen cooperation among the concerned African countries, facilitate the involvement and support of the international community, and engage in other related-peace missions.

(h) Côte d'Ivoire

44. The process of ending the crisis in Côte d'Ivoire reached a major milestone on 31 October 2010, with the holding of the first round of the presidential elections that were conducted in good conditions of security and transparency, and with a massive participation of the populations in the polls (more than 80%). Provisional results, announced on 3 November 2010 by the Independent Electoral Commission (IEC), placed the three main political actors on the Ivorian conducted scene in the following order: Laurent Gbagbo (outgoing President) with 38.04%, Alassane Ouattara (President of RDR party) with 32.07%, and Henri Konan Bedie (President of the PDCI-RDA) with 25.24%. The 11 other candidates together accounted for less than 5% of the vote. The second round has been fixed for 28 November 2010 between the two leading candidates of the first round.

45. This progress has been made possible thanks to the spirit of dialogue and consultation, which, in the context of the implementation of the Ouagadougou Political Agreement (OPA), notably led to the adoption by consensus, on 6 September 2010, of the final voters' list by members of the Permanent Consultation Framework. On the other hand, in accordance with the provisions of the OPA, President Laurent Gbagbo, on 9 September 2010, signed a presidential decree authorizing the issuance of national identity cards to those on the final voters' list. It is also worth noting the significant role played by different components of Ivorian society, the facilitation by President Blaise Compaoré, and the contribution of a number of other partners, including the United Nations.

(i) Liberia and Sierra Leone

46. Liberia and Sierra Leone have continued to make sustained progress towards peace building and post-conflict reconstruction, focusing both on the strengthening of national institutions and socio-economic recovery and development. Furthermore, preparations are ongoing in Liberia for the smooth holding of general elections next year. Needless to stress the need for continued support from Africa and the larger international community to help Liberia and Sierra Leone consolidate the remarkable achievements made over the past few years.

(j) Guinea Bissau

47. The Tripoli Special Session took a number of decisions on Guinea Bissau, among which mention should be made of the early deployment of a joint AU-ECOWAS stabilization mission; the conduct of a credible investigation into political killings committed in the country in 2009; and the implementation of security sector reform. In line with these decisions, the Commission

has intensified its efforts to support the stabilization process in Guinea Bissau. In this regard, a joint AU/ECOWAS assessment mission visited Guinea Bissau from 30 October to 10 November 2009. In addition, and in anticipation of the subsequent deployment of the stabilization mission, the Commission has operationalized the AU Liaison Office in Guinea Bissau, headed by a Special Representative in the person of Professor Sebastião da Silva Isata, former Vice Minister of External Relations of Angola.

48. On the spot, my Special Representative, upon taking office on 4 October 2010, launched several initiatives to strengthen the cohesion at the head of the State apparatus, with the improvement of relations between the President of the Republic, Malam Bacai Sanha, and Prime Minister Carlos Gomes Jr., and create the required political conditions for the deployment of the stabilization mission and acceleration of the reform of the security sector. Furthermore, Bissau-Guinean Parliament has accepted the AU proposal aimed, on the one hand, at the adoption of legislation criminalizing the possession, transfer, processing and trafficking of drugs and, on the other, the creation of a Truth and Reconciliation Commission. Finally, the judicial authorities of Guinea-Bissau have shown a renewed determination to carry out criminal investigations into the killings of March and June 2009. Council may wish to encourage the authorities of Guinea-Bissau to continue the efforts that they have so far engaged.

(k) Western Sahara

49. In the Tripoli Plan of Action, the Heads of State and Government expressed AU's support to the UN efforts to overcome the current impasse and to relevant Security Council resolutions. To this end, they called for the intensification of efforts towards the holding of a referendum to enable the people of the Territory to choose between the option of independence and that of integration into the Kingdom of Morocco.

50. Over the past year, the UN Personal Envoy for Western Sahara, Ambassador Christopher Ross, continued his efforts through the mechanism of "informal" talks, endorsed by the Security Council in its resolution 1871. Ambassador Ross recently launched his 4th consultation tour of the region and secured the agreement of the Parties, the Kingdom of Morocco and the Polisario Front, and that of the neighboring countries, Algeria and Mauritania, for the holding of a third "informal" meeting in New York, in November 2010. The informal talks are intended to prepare the ground for the 5th round of the Manhasset talks. The third informal talks convened in New York on 8 and 9 November 2010. However, no progress was made due to Morocco's pre-conditions that its autonomy proposal be the sole basis of discussion, excluding the Frente POLISARIO's referendum proposal that includes the option of independence as well. The Parties have agreed to continue with the informal talks, and meetings in that respect are envisaged in December or early next year. In September, the UN Special Representative for Western Sahara visited Addis Ababa for consultations with the AU Commission on the issue.

51. The tragic events that have unfolded in Laayoune, Western Sahara, on 8 November 2010, as a result of the assault by Moroccan forces against the peaceful encampment of Sahrawis in the outskirts of the city, highlight the need for renewed efforts to find a solution to

the conflict, consistent with the AU position and relevant Security Council and General Assembly resolutions and providing for the self-determination of the people of Western Sahara.

IV. UNCONSTITUTIONAL CHANGES OF GOVERNMENT

(a) Republic of Guinea

52. In line with the Tripoli Plan of Action, the AU and ECOWAS, in particular through the International Contact Group on Guinea (ICG-G), which is co-chaired by my Special Envoy for Guinea and the President of the ECOWAS Commission, have continued their efforts to facilitate the successful conclusion of the transition and the smooth conduct of elections, in close coordination with the Mediator in the Guinean crisis, President Blaise Compaoré of Burkina Faso, and with the support of the UN, through its Special Representative for West Africa. It is within this framework that the two candidates who emerged as the winners of the first round, which took place on 4 June 2010, Cellou Dalein Diallo and Alpha Condé, signed a Memorandum of Understanding on 3 September 2010, in Ouagadougou, under the aegis of President Blaise Compaoré. Subsequently, following consultations initiated by the ICG-G at its 17th meeting held in Conakry on 5 November 2010, the two candidates also signed a Joint Declaration in which they reiterated their commitment to work towards peaceful, free and democratic polls throughout the national territory, in accordance with the Ouagadougou Memorandum of Understanding.

53. The process of restoring constitutional order in Guinea reached a milestone with the holding, on the 7 November 2010, of the second round of the presidential elections, following several postponements. According to the provisional results announced by INEC, Alpha Conde was elected with 52.52% of votes against 47.48% for Cellou Dalein Diallo. The latter has filed complaints with the Supreme Court, which has the competency to decide on the matter within the timeframe legally provided for. To end clashes between supporters of the unsuccessful candidate and law enforcement forces, the President of the Transition, on 17 November 2010, declared a state of emergency throughout the national territory.

54. In this context it is important that the political actors in Guinea demonstrate a high sense of responsibility. They must work to strengthen national unity to enable their country to be in a better position to address the many daunting challenges facing it, including by ensuring its economic recovery and deepening the democratic process on the basis of lessons that have been learned from the transition. Clearly, the vote that just took place must be seen as a promising chance for Guinea and not as a source of fratricidal strife.

(b) Niger

55. The Tripoli Special Session took place in a context marked by rising tension in Niger, as a result of the decision of President Mamadou Tandja to revise the country's Constitution, in violation of the provisions of Niger's basic law and its commitments to ECOWAS. The mediation efforts initiated by ECOWAS, with the support of AU, did not yield the expected results, as the then Government of Niger rejected the draft agreement presented to it. It was against this backdrop that the Armed Forces of Niger overthrew the Government of President Mamadou Tandja, on 18 February 2010, and set up a Supreme Council for the Restoration of Democracy

(*CSRD*). In accordance with its relevant instruments, which systematically condemn unconstitutional changes of Government, the AU condemned this seizure of power by force.

56. Since then, significant progress has been made towards the restoration of constitutional order. On 11 March 2010, General Salou Djibo, President of the *CSRD*, signed a decree by which members of this organ and the transition Government undertook not to stand in the presidential election. In the same vein, on 7 April 2010, the *de facto* authorities set up a National Advisory Council with the responsibility to organize the transition. This Council has established a one-year transition programme. The Constitutional Referendum was successfully held on 31st October 2010. The presidential elections are scheduled to take place on 31st January 2011. Council may wish to reiterate its deep appreciation to the people of Niger, as well as to General Salou Djibo, for his commitment to abide by the agreed schedule for the return to constitutional order. Council may also wish to urge the political parties and all actors involved in the Transition process to put the supreme interest of Niger above partisan and other considerations, in order to facilitate the timely conclusion of the process of return to constitutional order.

(c) Madagascar

57. No real progress has been made in the process of finding a consensual solution to the crisis in Madagascar since the unconstitutional change that occurred on 17 March 2009. The *de facto* authorities have rejected the Maputo Agreement of 6 August 2009 and the Addis Ababa Additional Act of 6 November 2010, whose implementation would lead to the restoration of constitutional order, as the culmination of a consensual and inclusive transition. They have since embarked on a unilateral approach, marked in particular by the holding of a constitutional referendum, on 17 November 2010, which should be followed by parliamentary elections, on 16 March 2011, and the first round of the presidential elections, on 4 May 2011. A coup attempt took place on the day of the referendum on the new Constitution, thus indicating the precarity of the situation in the country and the absence of a consensus on the current process.

58. The situation in Madagascar is a real challenge to SADC and the AU, as well as to the entire international community. No effort should be spared to ensure that this challenge is addressed and the current impasse broken, through a consensual solution. In this context, it is important to further mobilize the international community, in particular the AU partners, for the scrupulous implementation of the sanctions decided by Council in February and March 2010.

IV. OBSERVATIONS

59. The holding of the Special Session and the adoption of the Tripoli Declaration and Plan of Action marked a watershed in the overall efforts of our continent to address the existing conflict and crisis situations and promote sustainable peace. On that occasion, the Heads of State and Government made a far-reaching pledge regarding their determination to deal once and for all with the scourge of conflict and the steps to be taken in this respect. This pledge has

raised high expectations; no effort should be spared to ensure that those expectations are met and that our common promise of a conflict-free Africa is fulfilled.

60. Undoubtedly, significant progress has been made in the implementation of those two landmark documents, over the past fifteen months. We have recorded significant gains in strengthening our normative framework, operationalizing the various components of APSA and, more importantly, in addressing existing conflicts and consolidating peace where it has been achieved, while, at the same time, stepping up our engagement in both the critical, yet often invisible, work of preventing the occurrence of conflicts in the first place and long-term efforts to address the underlying causes of violence and conflicts. The AU has demonstrated dynamism and leadership, and is today a key player in the overall efforts aimed at ending conflicts and sustaining peace on the continent.

61. Yet, we have a long way to go to fulfill the promises made in Tripoli. A number of critical AU instruments are yet to be ratified by most of our Member States, while the level of implementation of, and compliance with, the commitments made remain uneven. The most significant of these is the Charter on Democracy, Elections and Governance, which is so critical in the efforts being made to entrench democracy and enhance governance. Conflict is painful reality in different parts of the continent, while a number of countries that have emerged from violence remain in a state of fragility. In addition, we have to grapple with the threats posed by terrorism, drug trafficking, illicit proliferation of small arms and light weapons, piracy and other associated scourges, such as illegal fishing and dumping of toxic wastes, and the long-term challenges arising from climate change and enduring poverty. The operationalization of the APSA is yet to be completed, and we remain over dependent on external support for the implementation of our peace and security agenda.

62. Against this background, the need for continued efforts cannot be overemphasized. The way forward is clear: we need to speed up the signature and ratification of relevant AU instruments and ensure their effective implementation; expedite the full operationalization of the APSA, in particular by improving coordination among its various components, both vertically and horizontally, enhancing sustainability in terms of financial and human resources, and making the Architecture more coherent; and decisively deal with the remaining conflicts, while intensifying our efforts towards the prevention of conflicts and peace building, for, as Vijaya Lakshmi Pandit, the respected Indian diplomat, once stated: *“the more we sweat in peace, the less we bleed in war”*.

63. Equally important is the need to mobilize increased resources from within the continent to support the implementation of the AU peace and security agenda. Clearly, the current state of affairs is far from being desirable. AU’s leadership and ownership cannot be guaranteed when an overwhelming part of the resources required for the achievement of the goal of freeing our continent from the scourge of conflict comes from outside Africa. Not only are the resources provided insufficient, but they also lack the flexibility and predictability required to sustain our efforts and respond in a timely manner to situations as they emerge. While we should continue to call on our partners to extend support to our efforts, based on the principle of the indivisibility of peace, we ought to do more in terms of financing. Failure to act swiftly and decisively on this issue will have a far-reaching impact on the sustainability of the

achievements made and the credibility of our determination to play a leading role in the promotion of peace and security on the continent. The many pledges that have been made in this respect need to be followed by concrete action.

64. Finally, I cannot conclude without stressing that, although the commitment of political leaders is important, the pursuit of peace should not only be the preserve of national governments and international organizations. It must also be built from below, by the efforts of ordinary women and men, civil society and private sector: indeed, we all have a responsibility in achieving peace, and we all stand to gain from the achievement of peace. I welcome the efforts made by civil society organizations and African individuals in the pursuit of our common objective of Making Peace Happen in Africa in 2010 and beyond, and urge them to persevere in their efforts.

Annexes:

- i. *Tripoli Declaration on the Elimination of Conflicts in Africa and the Promotion of Sustainable Peace*
- ii. *Tripoli Plan of Action*

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