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COMMITTEE ON CO-OPERATION, INTERNATIONAL RELATIONS
AND CONFLICT RESOLUTION

**Report of the Pan-African Permanent Committee on
Cooperation, International Relations and Conflict Resolution:
On Peace and Security Situation in Africa**

*Presented to the 7th Ordinary Session of the PAP in May 2007
Midrand, Republic of South Africa*

INTRODUCTION

1. Pursuant to its working relationship, the Committee on Co-operation, International Relations and Conflict Resolution received and considered briefings from the Institute for Security Studies in preparation of this report. The report provides a general overview of the current peace and security situation on the continent and makes specific recommendations for consideration by this august House. Specifically, this report reflects on the developments in the Central African Republic, Chad, Democratic Republic of the Congo, Ivory Coast, Somalia and the Sudan and Western Sahara.

ON THE CENTRAL AFRICAN REPUBLIC

2. A Mission of the Pan African Parliament, including an expert from the Institute for Security Studies spent a week on the ground in the Central African Republic. The aim of the mission was to gather first-hand information linked to a resolution of the Pan African Parliament focusing on the security situation in the country, in particular, in the northeast. To this end, the delegation met with the President of the Republic, the Prime Minister, parliamentarians, members of the opposition and members of civil society and representatives of humanitarian agencies. Hereunder follows a reflection of the findings and issues pertaining to the security situation in the country.

Legal instruments for the safeguard of democracy

3. The new constitution was promulgated by Decree Number 04.392 of December 27, 2004. The constitution provides for a series of measures meant to further enhance and consolidate the democratic process in the country. The measures include the following:

- a. the adoption of the policy on the separation of powers;
- b. creating space for developing opposition parties to make a contribution;
- c. the parliamentary commissions;
- d. the freedom of the press;
- e. the right to unionise; and
- f. the establishment of safeguard institutions such as the mediator and the *Haut Conseil de Communication* (High Council on Communication).

Social and economic indicators

4. It was evident from the consensus at the various meetings held that the principal problem confronting the Central African Republic is poverty; poverty that exposes its youth to the temptation of unsavoury actions rendered by the circumstances of the day – noting that the war in Darfur and in neighbouring Chad promotes an anarchic traffic in arms used in warfare. Unfortunately, the

lamentable state of public finances prevents the government from performing its basic social duties.

5. It is the combination of these two factors, internal and external, that have led to the structural instability that has jeopardised all efforts and compromised future development. Nevertheless, encouraging progress has been made since 15 March 2003. However, the situation remains fragile and of serious concern.

Instability and insecurity in the northeast

6. The primary focus of the PAP Mission was to examine the security situation in the northeast of the country. An on-site visit to Birao has revealed the extent of the troubles. The Mission observed, among others, extensive infrastructural damages and dire circumstances in which the population find themselves. Despite the strong presence of Central African and French armed forces, the biggest concern expressed by many of the remaining local residents is security. Calls for a United Nations Peacekeeping Force were numerous. Other concerns listed in order of perceived importance by residents surveyed are the following:

- a. compensation for and replacement of goods and other material destroyed and looted;
- b. proper health facilities (the hospital was severely looted and has no professional staff);
- c. proper school facilities and teachers;
- d. communication links with the rest of the country, notably a road to Bria and
- e. cobs to combat overwhelming unemployment.

Instability and insecurity in the northwest

7. The north-eastern part of the country is extremely unstable and presents a serious threat to the security of the population. Anti-government rebels loyal to the ousted president, Ange-Félix Patassé, and led by his son, Sylvain, have been launching attacks in the Paoua, and Kaga Bandoro areas. On the second day of the PAP Mission, 17th of April, the local press (*l'Hirondelle*) reported that armed rebels had attacked the above-mentioned villages. However, unlike the UFDR rebels, these opposition forces are not well equipped and have no fall-back position as the Chadian forces have sealed their borders to protect the petroleum-producing zones in the Chari region.

Fragile political stability on the southern border within the Democratic Republic of the Congo

8. The current political crisis in the Democratic Republic of the Congo involving the impasse between opposition leader Jean-Pierre Bemba and President Joseph Kabila could have serious implications for the Central African Republic.

Mr. Bemba, whose stronghold is Equateur province, which borders the CAR, was a firm supporter of ousted president Patassé and has strained relations at best with the current government in Bangui. Although Mr. Bemba is currently outside of the region, it is unclear how his supporters would react in the short term.

Armed rebels from neighbouring states

9. The PAP Mission during its consultation with stakeholders learned that armed forces from neighbouring Chad, operating both independently and within the armed forces of the Central African Republic, contribute to the country's instability. In the north-eastern region of the CAR, armed elements frequently attack communities and return to their bases in Sudan's Darfur region.

Internally displaced persons and refugees

10. Violence and insecurity in the northern part of the country has caused the displacement of more than 300 thousand persons, of which more than two thirds are internally displaced. They have been displaced both within the country and to neighbouring states where they live as refugees. For the most part, this massive forced migration is due to repeated attacks by bandits and rebels and subsequent military action by the FACA. The areas most affected by displacement are in Vakaga prefecture, bordering Chad and Darfur and in the north-western prefectures of Ouham Ouham-Pendé, and Nana-Grébizi where more than 100 thousand alone have been uprooted from their homes.

11. The refugee situation is most prevalent in southern Chad, where an estimated 50 thousand Central Africans are in UNHCR camps. A further 20 thousand refugees are located in eastern Cameroon, while another three thousand have to Darfur, where they face even greater security threats. Apart from insecurity, the local head of the United Nation's refugee agency, informed the PAP Mission that years of penury and a moribund economy are also key factors leading to the uprooting of large sectors of the population. The continuing volatility of the security situation makes voluntary repatriation of CAR refugees in Chad, Cameroon and Sudan highly unlikely in 2007.

Issues related to financial compensation

12. The non-payment of salaries is a universal point of contention. The PAP Mission heard conflicting reports from the government and civil servants on the current status of payments. The current government inherited a payment backlog extending as far back as four years. While the Finance Minister said that payments are now being made regularly, unionists and other professionals claim this is not the case. Salary arrears inherited by the current government have been frozen, pending the results of a technical committee examining how best to deal with this expensive problem.

Indications of rising ethnic tensions

13. According to members of the political opposition, nepotism is taking root within ruling party circles. The PAP Mission has heard allegations of favouritism for members of the President's ethnic group, the Baya in the awarding of prominent government positions. The ruling presidential alliance has denied these allegations, and enumerated a series of nominations to illustrate their commitment to diversity. In this regard, it is important for the PAP to make a clarion call to stakeholders in the CAR to promote national unity in the distribution of resources, including the appointment of staff in various government institutions.

Recommendations

14. Given the findings of the PAP Mission and the complexities of the issues reflected above, the Committee would like to make the following recommendations:

- a. The PAP should call for a regional approach to resolving the conflict in the Central African Republic since the conflicts in neighbouring countries have an direct impact on the internal affairs of the country;
- b. The PAP should urge the AU to facilitate a national political dialogue involving all political and civil society stakeholders with the view to forging national consensus on how to achieve a political settlement, national reconciliation and to build a firm constitutional democratic order;
- c. The PAP should urge the African Union to encourage and to offer assistance towards organising a national forum bringing together national authorities, representatives of relevant UN organs, local community leaders and relevant civil society formations with a view to dealing with the challenge of (internal) displacement and creating sustainable conditions for long-lasting stability;
- d. The PAP should urge the UN to send a peacekeeping mission to the Central African Republic in order to provide the much-needed security of civilians, especially in the Birau region;
- e. The PAP should call upon the AU to urge the international community to provide material support to the Central African Republic in order to deal with backlogs relating to the financial compensation for staff as well as for the sustainable reconstruction and long-term development of the country.

ON CHAD

Background

15. The agreement signed last week in Riyadh by Sudan's President Omar el-Bashir and Chad's President Idriss Deby has been greeted with approbation by the UN Secretary-General and other international leaders. In terms of the new accord, the two countries' governments will work together with the African Union and the UN to end the conflict in Darfur and eastern Chad in order to promote peace and stability in the region. By extension, the signatories commit themselves to desist from providing assistance to rebel groups in each other's countries.

16. However, the means of verification and enforcement seem to present enormous challenges to the implementation of the agreement, particularly with regard to cross-border violence and the flow of small arms across the borders. Importantly, it should be noted that the violence in eastern Chad represents more than the overflow of the civil strife in Darfur. This entire conflict zone has been beset by interlocking difficulties for decades. Since February 2003, the conflict has escalated in Darfur and over the next two years the flow of refugees and armed groups across the border with Chad fed into existing domestic upheavals there. What happens in this context is that local grievances and disputes, fairly frequent in an area of contested identities and ecological stress, find new and violent expression as the contagion of war spreads to undermine traditional methods of conflict resolution. Across the entire region, more than 2 million people are now uprooted, their communities shattered by the depredations of raiding militias and "self-defence" groups.

17. President Deby's government had been dealing with a number of localised and disparate rebellions virtually since he came to power following his own successful seizure of power, launched from Sudanese territory with the blessing of President Bashir's government in 1989.

18. Good relations with Khartoum allowed the Chadian government to play a positive role in early attempts to mediate the Darfurian civil war, but led to dissent within the ranks of President Deby's supporters, some of whom wanted to provide support to their fellow Zaghawa who made up the bulk of the Darfurian rebels. Other tensions regarding President Deby's determination to retain power further narrowed his domestic political base and led to the defection of troops and senior political leaders, who fled eastwards to join the growing number of Chadian rebel factions.

19. By the beginning of 2005, President Deby's hold on power was becoming increasingly tenuous, and he was bolstered only by his ability to use Chad's burgeoning oil revenues to equip and motivate his armed forces, and by the deterrent presence of a modest French garrison. By now both Khartoum and

Ndjamena were obviously supporting rebel forces in each other's territories, and troops from Darfur's Justice and Equality Movement (JEM) were particularly prominent in warding off the threat from Chadian rebels, who made a series of deep penetrations from their bases in Sudan.

20. President Déby's reconciliation over the Christmas period with the leader of the rebel Front for Democratic Change (FUC) Mahamat Nour Abdelkerim and the subsequent appointment of the latter as Minister of defence might have led some to believe that the Chadian government had drawn the sting of the eastern rebellion. This was far from the case, for although the FUC had played a major part in the offensive that took rebels to the gates of the capital N'Djamena in April 2006, internal divisions within the organisation and resentment of Nour's leadership style led to a split in the FUC and large-scale defections from its ranks in the second half of the year.

21. In October 2006, Mahamat Nouri (not to be confused with the FUC leader) who had fled government service and gone into rebellion in May managed to form a coalition of Gourane, Zaghawa and rebel forces under the banner of the UFDD. Other rebel movements also continue to operate, but subsequent attacks, in an area north of the main conflict zone bordering Darfur indicated that President Déby faces continued difficulties and that his military forces were being stretched to a point where their ability to provide protection to local communities was seriously undermined.

22. By mid-2006, the UN Security Council began to consider deploying a mission into Chad. A technical assessment mission, however, was unable to enter eastern Chad for security reasons, nor was it able to make contact with representatives of the rebel groups. For his part, President Déby gave qualified approval for the deployment of UN force, but in a report issued on 22 December the departing UN Secretary General, Mr Kofi Annan, noting the limited scope or prospects for real dialogue and reconciliation between Déby's government and its armed opponents, and the improbability of a political or military settlement in Darfur, opined that the deployment of a UN force would be too dangerous, as well as extremely expensive. Barring the consent of all parties, he added, a UN force was likely to be seen as partial to the government position, and concluded that in light of this consideration, the time was not right to constitute or deploy such a force.

23. On 10 January 2007, members of the UN Security Council agreed on the despatch of a new assessment mission to Chad and the Central African Republic, and this resulted in a renewed effort to secure the deployment of a UN buffer force along the border. President Deby, however, indicated that although he was prepared to countenance the use of UN police to protect civilian populations, any foreign military deployment remained out of the question.

24. The factionalisation of the rebel movements in both countries makes it difficult for them to convert any temporary military gains into sustained pressure that would bring either government to a serious negotiating position from which lasting political solutions might be attempted. Under these circumstances the rebels and the irregular forces on both sides will continue their conflict.

25. Solemn agreements such as that recently concluded in Riyadh army lead to the diminution of direct clashes between the two countries' regular forces, but will probably make little difference to the key dynamics. For their part, the principal Chadian rebel leaders have dismissed the Riyadh agreement as meaningless, and have committed themselves to continuing their struggle until such time as President Deby yields to their demands for a meaningful national conference.

Recommendations

26. Given the above, the recommendations hereunder are worth considering:

- a. The PAP should urge the AU to offer assistance towards organising a national forum bringing together the government of Chad and all stakeholders in order to provide space for the Chadian people to seek consensus on how to reach political settlement and establish the basis for lasting peace and development; and
- b. The PAP should urge the AU to ensure the enforcement and implementation of peace support agreements signed between the governments of Chad and the Sudan and ensure that such agreements have a practical impact on the lives of the people.

ON THE DEMOCRATIC REPUBLIC OF THE CONGO

27. . Since the conclusion of elections and the constitution of the Government of the Democratic Republic of the Congo (DRC), a serious of incidents occurred in the country resulting in political uncertainty. Most of the major incidents relate to former Vice President Pierre Bemba. This update focuses of the violence that took place on in March 2007 leading Mr Bemba's departure as well as the renewal of the mandate of the UN Mission in the DRC (MONUC).

Issues surrounding Mr Bemba

28. As the deadline (15 March 2007) for the disarmament and demobilisation of the Mr Bemba and his former Vice Presidential colleague Azarias Ruberwa's personal protection forces was nearing, both men were informed that MONUC would no longer provide security for them. Given that a new government had already been established, it made sense that the men now had to play different roles in the new political system as opposed to the role they previously performed. That the government of President Joseph Kabila was determined to

use force to destroy the military capacity of Mr Bemba should he not disarm as per the deadline was clear. This indeed happened in late March when Mr Bemba failed to meet the deadline. His residence and property were destroyed and militia bombarded leading to his departure for Portugal on 10 April 2007, reportedly for medical attention. To further destroy Mr Bemba's military establishment, the government on 16 April 2007 seized 37 tons of weapons and ammunition, from MLC troops in Gemena, Equator province, which is Mr Bemba's erstwhile stronghold.

29. While the international community had hoped that Mr Bemba's exit from the DRC would lead to some stability in the country, the political implications were not fully appreciated. The political outcome of Mr Bemba's departure is that the main parliamentary opposition, the Movement for the Liberation of Congo (MLC), was left without its leader and in disarray before becoming a fully transformed political entity poised to make a constructive contribution to the country's body politic. Consequently, the MLC has two weeks ago suspended its participation in the lower house of parliament using security reasons to explain their decision.

30. Further, President Kabila's government continues to exert more pressure on Mr Bemba and his MLC. A few hours after he left the DRC, the Prosecutor-General, Mr Tshimanga Mukeba requested the Senate to lift Mr Bemba's immunity to charges of high treason in order to facilitate his trial for maintaining a militia in violation of the country's constitution. Also, Mr Bemba's media facilities and those associated with him are currently under police control.

31. Encouragingly, Azarias Ruberwa, one of the four former vice-presidents of the transitional government and the leader of the Congolese Rally for Democracy (CRD), who remained neutral during the 22 and 23 March 2007 fighting in the capital, has urged the government to seek "political solutions" rather than prosecute Bemba.

32. On its part, the UN has called for the opening up of the political space as a critical step on the democratisation path. In this regard, Secretary-General Ban Ki-Moon said "the recent violence in Kinshasa underscores the urgent need for a new political culture in the country" and the imperative for the government to "provide the necessary space for effective participation of all political parties in debate and in decision making".

The extension of MONUC's mandate

34. The mandate of the MONUC force in the DRC has been renewed until the end of June this year, although a much longer extension is anticipated while the national army builds its capacity to spread and secure the entire country. Further, there is a view that the UN mission should assume a wider role as guarantor of the extensive NEPAD infrastructure projects planned for years ahead in the

country. At the same time, MONUC chiefs are seeking to sharpen up its effectiveness as a military force, while revelations of its role in the political demise of Jean-Pierre Bemba have shown its willingness to engage with domestic politics.

35. In the east of the country, where the fighting has continued, the Kinshasa government has been insistent that the national army, Forces Armees de la Republique Democratique du Congo (FARDC), and MONUC can take control, apparently concerned that if it allows neighbouring countries, primarily Rwanda, to come in to mop up the estimated 10,000 Hutu FDLR, Democratic Forces for the Liberation of Rwanda, Interahamwe militia, or Uganda to enter to round up its rebels, including Lord's Resistance Army militia, they would be hard to dislodge.

36. Encouragingly, the military chiefs of the DRC, Uganda, Rwanda and Burundi have adopted a common military strategy in Bujumbura to track down the armed groups operating in the east of the country.

37. However, attacks and counter attacks are still continuing; the FDLR led 14 attacks in March in the Walungu and Kabare areas – according to MONUC. A MONUC and FARDC offensive has been going on in the forest of Mugaba, about 80km southwest of Bukavu, the capital of South Kivu. About 800 students in Goma held a march on 18 April to protest an FDLR attack that killed one of their fellow students.

38. Critically, the government's dependence on MONUC will continue as the UN force's mandate is prolonged and given MONUC's capacity. The reality is that the FARDC and the police are not yet in a position to take over the task of protecting civilians who continue to be threatened by militias, foreign-armed groups and other spoilers.

The Mixage process

39. In North Kivu the problem with General Nkunda and the FDLR is in a process of being addressed. Talks between the FARDC and Gen. Nkunda led to an agreement that in a Gen. Nkunda would integrate his troops into the non-integrated brigades in North Kivu. This process, however, is different from the Brassage process supported by MONUC and the international community – in the sense that it combines the processes whereby combatants would not go to a Brassage centre, but be mixed and deployed in the area. It is important to note that the process of integrating Gen. Nkunda's brigades and three FARDC brigades has been ongoing since the start of 2007. This is largely driven by the need to address serious security problems posed by Nkunda's forces in the troubled Kivu provinces since 2004. An estimated 4,500 to 5,000 of Nkunda troops, are due to be combined with a similar number of FARDC troops.

40. This Mixage process came as a surprise to MONUC and the international community. MONUC is observing the process but not supporting it. One of the

reasons being that unconfirmed information has it that child has been recruited into the mixed brigades.

41. However, some observers have raised concerns regarding the integration process. The possibility exists that Mixage can lead to a new war between Hutus and Tutsis in North Kivu. Nkunda has now basically taken control of five mixed brigades, although not been given a position in the FARDC. The FARDC is planning to establish an Eastern Military Command in the east similar to MONUC's Eastern Division. It is foreseen that this Eastern Command will take on the FDLR. However, Gen. Nkunda reportedly expects to be given the position to command the Eastern Command.

Demobilisation, disarmament and reintegration

42. The Demobilisation Disarmament and Reintegration (DDR) process is probably the key to a successful reconstruction of the DRC. If the DDR process is not completed, the Security Sector Reform (SSR) process cannot start. These issues were discussed in detail at the last two meetings of the DRC Contact Group. All role players have acknowledged the fact that DDR/SSR are important and that there was a need to improve coordination among role players. At the last Contact Group meeting in Brussels on 17 November 2006 it was suggested that the European Union should take the lead in the coordination of the process on behalf of all the external role players. MONUC also has an important role to play in the process, without sidestepping its mandate.

43. Since President Kabila has now appointed his cabinet, including the Minister of Defense, a Secretary for Defense and confirmed the Chief of Defence Staff, it is hoped that the SSR process will start in earnest.

44. Further on DDR, the Multi-Country Demobilization and Reintegration Program (MDRP) has reported that the project has demobilized almost 94,000 ex-combatants. The National Commission for Demobilisation and Reintegration (CONADER) has closed all Orientation Centers (COs) and is using mobile units to handle the final wave of demobilization (under the "plan de relance"), which is supposed to be completed by 31 December 2007.

45. The project was expected to reach a maximum of 118,000 ex-combatants demobilised by the end of 2006. This however did not happen and is still ongoing. Assuming a total number of demobilised of 11,000 and a 77% reintegration coverage rate, the total number of reintegration beneficiaries will be 9,000. Some 25,000 children associated with fighting forces have been demobilised through special projects implemented by UNICEF and specialized NGOs. These special projects were scheduled to close by 31 December 2006, at which point an estimated caseload of 8,700 children will still remain. Political constraints to completing the DDR and army integration process continue to this day; for political reasons, groups such as the Republican Guard and residual

troops and others refuse or are unable to enter the process and continue to pose a security risk in the country. 25,000 ex-combatants in Kinshasa and 11,300 in other military regions have not gone through the Program of Disarmament, Démobilisation and Reintegration (PNDDR) process and with the “plan de relance” 36, 000 ex-combatants still have to be processed.

46. All of the PNDDR’s budget of US\$200 million was either disbursed or has been committed for ongoing project activities. The available budget is only sufficient to cover the demobilization of and reinsertion payments for 103,000 ex-combatants and reintegration support for 68,500 ex-combatants.

Recommendations

47. Clearly, there are still serious challenges to be addressed in the DRC to stabilise the political system and for reconstruction to start. Against this background, the Committee recommends that:

- a. **The PAP should urge the government of the DRC to open up political space for the participation of opposition parties and the broader civil society in the reconstruction of the country;**
- b. The PAP should call upon domestic political stakeholders to promote and adopt a spirit of reconciliation and focus on the urgent need to reconstruct the country’s political, socio-cultural and economic systems;
- c. The PAP should call upon internal and external stakeholders to give more support to the process of Disarmament, Demobilisation and Reintegration and for Security Sector Reform; and
- d. **The PAP should urge all political parties in the Democratic Republic of the Congo that did not succeed in the election to accept the results and make a constructive contribution to the reconstruction of the country.**

ON THE IVORY COAST

48. Over the last few months there have been some dramatic, and largely unexpected, changes in the course of Côte d’Ivoire’s protracted political conflicts. In effect, President Lauren Gbagbo has successfully taken over the diplomatic initiative from the United Nations and managed to secure primacy for his own preferred domestically managed rapprochement with the rebel *Forces Nouvelles* (FN). This change in the direction of the peace process has now received the approval of the FN leader, Guillaume Soro, who has been made prime minister in a new government of national unity, of ECOWAS, the African Union, and now the UN Security Council itself.

Political progress

49. When, in 2005, the international community produced a year-long bridging solution to the constitutional hiatus caused by Côte d'Ivoire's inability to hold a scheduled presidential election, it was clear that such election would still not take place by October 2006, as envisaged. Until virtually the last moment, the UN persisted in urging that such an election remained possible, if increasingly unlikely. Yet it had long become apparent that the technical exercise of identifying citizens, registering voters and updating the electoral roll would take more time than had been allowed.

50. That such a process would be linked inextricably with persuading the various armed groups to demobilise was admitted, but, though addressed in the agreements, was so complex in its timing to allow for numerous obstructions leading to eventual paralysis.

51. In August 2006, President Gbagbo clearly signalled his intentions by announcing that, in the event of another postponement of the polls due in October 2006, he would remain in his position – a possibility firmly rejected by his opponents, both armed and unarmed.

52. Mr Gbagbo also did his best to obstruct the issuance of identity documents to people whose citizenship was previously in doubt, and who would probably support his rivals. In this regard, he argued that he was protecting the sanctity of the republican constitution against the meddling of foreigners who wished to violate the country's sovereignty in order that they might loot it of its riches. His "Young Patriots" took to the streets to show their support of his position.

53. In September 2006, African leaders were to have met with their Ivorian counterparts on the fringes of a UN Session and in the presence of Secretary General Kofi Annan to decide what was to be attempted next to end this state of affairs. President Gbagbo effectively prevented such an informal summit by refusing to participate. In this regard, the UN could only refer the matter back to regional bodies for their consideration.

54. Subsequently, ECOWAS held an emergency summit on the matter at which President Gbagbo reminded his fellow West African heads of state that allowing the UN to challenge "constitutional legality" might lead to difficulties in other states besides his own. The AU later ratified the ECOWAS position and this came to form the basis for UN Security Council Resolution 1721, which was passed on 1 November 2006.

55. UNSC Resolution 1721 largely extended the prevailing arrangements, though it called for additional powers to be granted to the prime minister. A subsequent clash between Mr Banny and President Gbagbo over the toxic waste scandal demonstrated, however, that the Ivorian president was in no way convinced that

his own position had been weakened. He also proceeded to outline his plans for an internal initiative that would essentially by-pass the UN's strictures, proposing that he undertake direct negotiations with Mr Guillaume Soro as the armed opposition.

56. Initially, Mr Soro and the FN showed some reluctance to be drawn into this exercise, but by February 2007 he had agreed, subject to the negotiations being restricted to the implementation of the UN Resolution. President Blaise Compaore, as chairman of ECOWAS, was called in as mediator, and after a month of indirect talks, an agreement was signed in Ouagadougou.

57. The parties have agreed to a detailed timetable, which should see them form a joint army, reunify the country and go to elections in 10 months' time. But many accords have failed in the last few years, and the country remains divided, with the New Forces controlling the northern half of the country they seized four years ago.

58. As a result, there is some optimism that there can now be significant progress towards some conclusion to Côte d'Ivoire's protracted political crisis, which has seen the country move through mutiny to civil war and the effective division of the country into two separate states.

59. The latest peace agreement, initialled on 4 March 2007 and signed the next day by the principals, provides for the establishment of a new unity government within five weeks and the creation of a new military command including officers from both sides. A detailed timetable has been drafted to provide for military integration and the issuing of nationality certificates and voters' cards. It is planned that elections will take place by the end of 2007, a few months after the deadline stipulated by the UN in November 2006.

60. Further, provision is made for the replacement of the "zone of confidence", which currently divides the country and is monitored by 7,000 UN and 3,500 French peacekeepers, with a series of observation posts, which will halve in number every two months. This is intended to facilitate the rapid withdrawal of foreign forces, and to allow for ease of movement between the North and South.

61. The international community responded positively to these developments, encouraged by the renewed political will of the parties. In this regard, the French government voiced its relief at being able to remove its forces from their expensive task.

62. Apart from the willingness of the signatories to live up to their undertakings in Ougadougou, a number of other questions remain. To what extent does the new arrangement replace or modify those incorporated in earlier UN resolutions? The UN has since passed new Resolutions stating that the Ougadougou accord simply reinforces its standpoint.

Recommendations

63. The critical questions arising from the current political situation notwithstanding, the progress made is encouraging. It is against this background that the Committee deems the following recommendations necessary for consideration:

- a. The PAP should support the renewed political will and rapprochement shown by parties to the Ivorian conflict and urge them to press ahead with their disarmament and reintegration agreements since these are key to building the foundation for lasting peace and stability;
- b. The PAP should call upon the government of the Ivory Coast to further broaden the political space to include other stakeholders to the process, especially civil society; and
- c. The PAP should call upon the government of the Ivory Coast to work towards the hosting of free and fair elections to ultimately constitute a government that reflects the will and aspirations of the Ivorian people.

ON SOMALIA

64. Events in Somalia since December 2006 have brought this country to the attention of the international community. There are varying interpretations of what has happened in Somalia over the past two years.

The pacification of Mogadishu

65. Ethiopia's one-month plan to pacify Mogadishu ahead of the prospective reconciliation congress, originally planned for mid-April but now postponed to mid-June, seems doomed to failure. Most of the Islamic courts leaders have returned to town, and their militias have now taken on a clan posture. In some clans the number of warlords multiplied as violent clashes with the Ethiopians became imminent. The admixture of religious commitment, Somali nationalism and youthful enthusiasm has further radicalised the Shabaab organisation.

66. It should be noted that the Islamic Courts issue was always largely deployed by Ethiopia and the Transitional Federal Government as a way of winning US approval. This was the way in which Somalia's domestic power struggles could be internationalized. Importantly, there are many at the centre of Ethiopian politics who see the US as a useful tool, not as a friend or dependable ally. Indeed, the old Marxist leanings of many of Prime Minister Meles supporters preclude any warm feelings towards Washington.

The Islamic courts

67. The provenance and structure of the Islamic courts was far more complex and nuanced than many people think. The first of them was established in 1993 by a splinter group of Al-Ittihad in the Hawiye Abgal areas of Mogadishu. They were financed by clan elders, businessmen and taxes, and their jurisprudence was based more often upon traditional *xeer* law and clan considerations than upon *sharia* principles. The TNG's attempts to incorporate the courts into its administrative system had the effect of weakening them, and by 2001 almost all had disappeared. After the failure of the TNG (established at the Arta conference of 2000) they began to re-emerge and by 2004 five had been re-established under a new umbrella organization: the Supreme Council of Islamic Courts, which consisted of representatives of the Shafi, Sufi and Wahabi communities. The courts never had a clear agenda or commonly defined interests and the majority of their militiamen were always financially rather than ideologically motivated. Only two of the courts have been openly associated with Wahabism and jihadism.

68. This loose structure, much of it ad hoc, partially explains why the courts as a group were incapable of mounting a consolidated military threat to the Ethiopian backed TFG. The arrival from overseas of groups of "jihadi fighters" mostly of Somali extraction and with no military training merely added to their difficulties.

69. The Shabaab elements have been left largely untouched by the war, but now benefit from being seen as a youthful vanguard against Ethiopian suzerainty. Although the overall courts organization was dissolved by the defeats of December and January their powerbase remains intact and retains the financial backing from home and among the diaspora to continue resistance. The TFG's actions have gone a long way towards uniting the Hawiye and the Mogadishu Abgal warlords have not re-entered the field against the Habr Gedir. Instead many Hawiye subclans that previously remained aloof from the fray have joined their fellow clansmen and a committee of Hawiye leaders has emerged.

Hawiye military options

70. There is a realisation that the Ethiopian occupation cannot be defeated militarily. But by provoking an Ethiopian military response in densely populated areas, or through well-planned and executed ambushes, some Hawiye believe it possible to inflict a significant propaganda defeat by inducing reprisals. This is a tactic expensive in non-combatants' but effective in that it has raised questions of gross human rights violations by the Ethiopians and their allies.

71. Although the Hawiye cannot defeat the Ethiopians, they realize that all they have to do is outlast them and the TFG, whose mandate is limited, though the transition may be extended. This, combined with *intifada* like insurgency involving

women and children, will gradually eat away at Ethiopia's unconditional backing for the TFG's preferred solution.

Ethiopia's options

72. Ethiopia is concerned that a TFG defeat in Mogadishu will result in the undermining of the foundations for the whole political settlement. Their forces have abandoned Kismayo, where Darod interclan fighting has now occurred and Puntland forces were ousted from Adado by the Hawiye a month ago.

73. Ethiopia seems to be facing a dilemma. Does it continue to back the TFG against the Hawiye, knowing that this brings credibility and backing to the Shabaab and other militants, or does it press for the real incorporation of the Hawiye and ending their support for what could be another al-Ittihad in the making?

74. The US, EU and UK all seemed to be urging restraint on Ethiopia in varying degrees, but again this was before the latest round of fighting. The bombardment of Mogadishu will do little to recommend the TFG to other clans, who will have seen it is an attempt to impose Darod power by military means. At present, most of the TFG's own forces in Mogadishu are Hawiye and Rahenwein mercenaries, some of whom are now defecting rather than continue to be associated with a dangerous and socially stigmatized campaign. The apparent subsequent defection of Hawiye deputy prime minister Hussein Aideed is another indicator of the reformation of the opposing sides along clan rather than sub-clan lines.

The possibility of a negotiated settlement

75. The Ethiopian government seems much more inclined at times to press for a genuine political solution, though Hawiye contacts with Addis Ababa came back with worries about the different messages they were receiving from Prime Minister Meles and his Foreign Minister. Thus, whereas the Prime Minister advocated an approach to talks that would be based on clan spokesmen, Seyoum Mesfin advocated the choice of negotiators being made by district and regional officials, basically appointed by the TFG.

76. There are some observers who still see this period as presenting a window of opportunity, though these observations were made before the recent round of fighting in Mogadishu. Their argument is that events have laid bare the fiction of the TFG and that increasingly it will come to be seen as merely one party to the conflict. In other words, it will not be able to organize the reconciliation congress as its own creation and is incapable of leading the peace process.

77. Countering a negotiated outcome are the fears on the part of the TFG that any peace conference will involve its demise, in much the same way as Sodere, Arta and Mbagathi destroyed the previous dispensations. For the TFG, political

reconciliation amounts to suicide, but the opposition cannot allow the TFG to convert itself into a permanent government.

78. On the positive side, nobody is challenging Abdullahi Yusuf's claims to the presidency. But Mr Gedi is eminently expendable especially now that he is complicit in the bombardment of his fellow Hawiye.

AMISOM and the Ugandan military intervention

79. The Ugandan peacekeepers have had the good sense to open communications with the Hawiye elders, including members of the old courts movement, to assure them of Ugandan neutrality. Presumably President Museveni's visit to Eritrea was intended to achieve the same purpose. The Ugandans must be aware that they are likely to stand alone for some time under present circumstances, and that other AU contingents are not going to arrive in the near future. Nevertheless, should a ceasefire take real effect and the way be opened to genuine internal negotiation on terms other than those dictated by the TFG, there may be a role for a peacekeeping force to observe developments on the ground. At present, it is apparent to everyone that for all the labeling the current deployment is a Ugandan rather than an AU mission, and there is no sign of command or control being exercised from the AU.

80. The question is: what the fallout would be if AMISOM manifestly fails in its impossible task? This is particularly pertinent now that the Darfur mission is facing serious difficulties. The Rwandese are serious about withdrawing their brigade from Sudan, and the Senegalese have also indicated their unhappiness. The donors know that the management of AMIS is inadequate and the mission is command implicated in large-scale misuse of funds. They are reluctant, however, to publicize this because Western taxpayers might object to continued funding for AMIS.

81. The AMISOM deployment has no real concept of operations: if they are there to protect the TFIs, then from whom or what?

The role of Kenya

82. Kenya's government has placed itself in a very difficult position. First, it has been unable to disguise the assistance it gave to the US/Ethiopian/TFG forces. It has compounded this by handing over refugees to foreign security services, and operating three flights to render captives for interrogation, including Kenyan citizens. The Somali situation has brought the Islamic and foreign affairs issues four-square into the domestic political arena for the first time: this in an election year and with the Kenyan Muslim population amounting to about 30% of the total.

The United Nations

83. The UN is busy preparing a plan for Somali reconstruction, attempting to formulate something that will allow for coordination between its own various agencies, local actors, international donors and NGOs, local and foreign. Unfortunately, the draft plan lacks any real appreciation of the political situation or of the impact that development aid can have in conflict situations.

84. The UN has been compromised by SRSF Fall's close cooperation with Gedi, and by his own history of assistance to the US over certain controversial issues during his tenure in the UNSC. Much of his activity in regard to Somalia seems to consist of building personal profile rather than engaging seriously or in any informed way with the political problems. The UN Technical Assessment Mission to Somalia achieved very little, and hard questions from the military component went unanswered.

85. As the battle for Mogadishu continues levels of bitterness, against the Ethiopians and the TFG, which invited their intervention, is bound to grow. The TFG is now thoroughly discredited in the eyes of most Somalis, and the best that its members can hope for is inclusion in the next round of negotiations to form the basis for a new administration. Desertions from its ranks are therefore to be expected in the foreseeable future.

86. A great deal will now depend on the diplomatic intervention of the international community to halt the bloodletting and further commission of crimes against humanity in and around Mogadishu. Failing this, we are witnessing the opening of a new round of the desultory inter-clan war that has marked Somalia's history for more than twenty years.

Recommendations

87. The current situation in Somalia, and particularly Mogadishu, is of extreme concern. It is for this reason that the following recommendations are worth considering:

- a. The PAP should call upon the international community to focus all diplomatic efforts on the urgent need for bringing about a ceasefire in Mogadishu to create a congenial climate for national dialogue among the people of Somalia;
- b. The PAP should call upon the Government of Ethiopia to withdraw its all troops from Somalia in order to create space for AMISOM to play a peacekeeping role. In this regard, the PAP should further urge AU Member States to commit troops and the international community to provide the necessary material and logistical support to AMISOM; and

- c. The PAP should urge all parties to the Somali conflict to work towards the hosting of a national reconciliation dialogue forum in order to forge national consensus on the nature of a future Somali state.

ON SUDAN (DARFUR)

88. In recent months, media coverage on the Sudan has focused on diplomatic efforts regarding a possible United Nations takeover of the African Union Mission in Darfur. While questions on civilian insecurity and ongoing human rights abuses in Darfur are correctly framed within the ambit of the international responsibility to protect, it can also be said that a large part of the debate on the Darfur Peace Process has been obscured by the over-emphasis on the peacekeeping component of the situation. This focus is also a result of the most recent developments to come out of Addis Ababa that suggest some level of agreement by both the international community and the Sudanese authorities on the deployment of the heavy support package for the AU force in line with last November's High Level Consultation on Darfur.

The peace process in Darfur

89. It was the November 2006 consultative meeting between the AU and the UN and Sudan that set the agenda for what would be an unprecedented joint regional and international peacekeeping mission in the region, following on from Resolution 1706 that expanded the mandate of the UN mission in the South to support the implementation of the Darfur Peace Agreement signed on 5th May 2006. Since then, the understanding of progress in the Darfur peace process has been tied to the concerns on the expanded peacekeeping force. However, a closer look at the hybrid proposal reveals that peacekeeping represents what is in fact the third pillar of a larger process of engagement. The other two areas identified as key to the process include a re-energised political process and a strengthening of the ceasefire mechanisms. Both of these areas remain unresolved for various reasons.

90. Firstly, the divisions among the rebel groups in Darfur have seriously compromised any forceful bargaining position they might have hoped for by remaining non-signatories to the process. The plethora of splits from the original Sudanese Liberation Movement under Abdul Wahid Nur now threatens the very fabric of the collective Darfurian resistance to Khartoum's hegemony. At present there are no less than five broader rebel groups that split from the Nur faction who now command their own groups of armed men that show little interest in joining the DPA process.

91. The splinter groups are further divided on whether they support what is now called the second chamber of signatories to the DPA – the Declaration of Commitment, an added component to the DPA that seeks to broaden the agreement without compromising on the gains to be made by the larger rebel

forces. The increasing ethnic dimension to the fragmentation of the rebel groups has made questions of genuine representation all the more elusive.

92. These factions are quite apart from the other non-signatories not necessarily affiliated to the SLM like the Justice and Equality Movement (JEM) that maintains a strong ideological links with the opposition party of Hassan Al Turabi, the Popular Congress Party (PCP) in Khartoum. The youngest of the rebel umbrella's The National Redemption Front is yet another coalition of disaffected armed groups who oppose the DPA under the JEM leader Ibrahim Khaleel and includes a formidable number of former command from the Minni Minnawi camp of the SLM. It is believed that the NRF have received significant support from Eritrea and Chad, and has helped to bolster their military engagement of the Sudanese Armed forces with some devastating effect.

93. While the factionalism of the rebel movements can be seen as a reflection of the success of the ruling party's co-optation of the opposition, it nevertheless speaks to a lack of unified vision of what the conflict is essentially about. It can be said that the conflict in Darfur represents quite the instability of politics at the centre of Khartoum, i.e., it reflects the crisis of cohesion of Northern Sudan itself and the struggle for power from within factions of the National Congress Party.

94. The legitimacy of the only signatory faction to the DPA, the SLM under Minni Minnawi is at its lowest point since the signing of the Agreement last May. Indeed, ongoing violations of the ceasefire by Minnawi's own men, particularly in the the border areas with Chad, are increasing resentment towards the leader who now holds the position of Special Assistant to the President and is based in Khartoum.

95. Further, the centre has itself been the scene of violence between Minnawi's forces and the Sudanese Armed Forces in the Mohandiseen area of Omdurman that claimed the lives of 8 people including Senior Police officers. This incident was followed by the killing of 5 AU troops in Western Sudan, also blamed on the Minni faction.

96. It is thus necessary that the new focus on unifying the rebel movements receive as much attention as the question over the UN-AU hybrid force. Any peacekeeping mission will need to be linked to a political process that can be reasonably sold to the majority of Darfurians, which is presently not the case.

97. Secondly, the Ceasefire Mechanisms are far from adequate as the African Union is currently unable to verify violations of the ceasefire, but more particularly because of the continued confusion as to who is allowed to be a part of the Ceasefire Joint Commission (CJC). This stems from the expulsion by the AU of the non-signatory NRF, because of their status as a 'terrorist organisation', as characterised by the Khartoum regime. This position was also supported by the

Minnawi faction who believed that the rebel movements would use the CJC as a tool for intelligence gathering in order to map SAF troop out movements.

98. The validity of this decision is yet to be clarified by the African Union or the Sudanese government and has since then acted as another disincentive to the movements to join the DPA, as it is felt that the AU is far too partial to the authorities. Other practical issues relating to the shambles of the ceasefire commission touch on the donor's reluctance to continue to pay monitors from the other rebel movements some US \$5,000 when there is currently no monitoring being done.

99. Finally, the role of the international community has not been particularly lucid in Darfur. While the details of the third phase of the agreement are being thrashed out, there are still outstanding commitments to the first light support phase due to the African Union from the United Nations. This includes shortfalls of both military and civilian staff needed to supplement the AU mission.

The role of the international community

100. Indeed, if we are to review the actual strategies and divergent interests of the main international actors in the Sudan, it becomes clear that the use of megaphone diplomacy with the National Congress Party in particular has in fact narrowed the margin of engagement rather than broadening it. Where it might have previously been possible to identify two main factions of the National Congress Party, roughly divided into the hardliners and moderates, the current international pressure has actually diminished any possibility for such distinction - as moderate elements have far more to lose in supporting the AU-UN hybrid than before.

101. The use of more sticks than carrots when dealing with the NCP has contributed to the frustration of the international effort. In such an environment, it is more likely that the debate will ultimately come down to questions around how the UN's assessed contributions can be channelled to the African Union without upsetting donors who would be reluctant to relinquish the command and control powers that come with funding UN missions. These questions will also have to address the streamlining of reporting functions as the current AMIS structure has a bifurcated reporting line between Khartoum and Addis Ababa. Taken together, it is clear that the question of troop deployments cannot be considered outside of the broader political and financial implications of a hybrid force.

Recommendations

102. Given the above considerations, the PAP may wish to consider the following recommendations:

- a. The PAP should consider dispatching a fact-finding mission to Darfur to gather information relating to the implementation of the Darfur Peace Agreement in order to establish first-hand the progress made and the challenges lying ahead;
- b. The PAP should support the revitalisation of the Ceasefire Joint Commission and urge non-signatories to the ceasefire to come on board;
- c. The PAP should support political engagement between non-signatories to the Darfur Peace Agreement, and the Government of National Unity; and
- d. The PAP should urge the UN to swiftly provide the necessary facilitation for the implementation of the November 2006 Addis Ababa Agreement on the three-phase peacekeeping intervention to the Darfur conflict.

ON WESTERN SAHARA

Introduction

103. Since the 6th Ordinary Session of the PAP, there have been a number of developments that have taken place regarding the question of Western Sahara. Some of these developments suggest that progress is being made toward the resolution of the crisis. Questions have been raised regarding a possible United Nations takeover of a possible mediation between the conflicting parties. In addition, questions on civilian insecurity and ongoing human rights abuses in the occupied section of Western Sahara, which the United Nations has failed to act upon. Specifically, major developments since August 2006 include the presentation of proposals by the Moroccan government and the POLISARIO Front in April 2007 on the way-forward and the extension of MINURSO for a further 6 months (up to the end of April 2007).

Decolonisation: the current state of affairs in Western Sahara

104. The conclusions of a report released in September 2006 by the office of the United Nations High Commissioner for Human Rights following its mission to Western Sahara and to Refugee Camps in Tindouf concluded that, overall, the human rights situation is of serious concern, particularly in the Moroccan-administered territory of Western Sahara. This is in violation of international obligations, particularly under the Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.

105. The UN has put forth no replacement strategy after the breakdown of Baker II, and renewed fighting could be a possibility. In November 2006, former United Nations Secretary-General Kofi Annan conceded that the UN had not been successful in resolving the question of Western Sahara.

106. The Polisario Front has intermittently threatened to resume fighting, referring to the Moroccan refusal of a referendum as a breach of the terms of the cease-fire. However, most observers consider armed conflict unlikely without the approval of Algeria, which hosts the Sahrawis' refugee camps and has been the main military sponsor of the Saharawi movement.

107. Morocco has repeatedly attempted to get Algeria into bilateral negotiations, receiving vocal support from France and occasionally (and currently) from the United States. These negotiations would define the exact limits of a Western Sahara autonomy under Moroccan rule, but only after Morocco's "inalienable right" to the territory was recognized as a precondition to the talks. The Algerian government has consistently refused, claiming it had neither the will nor the right to negotiate on behalf of the Polisario Front.

108. Further, Morocco presented an autonomy plan to the United Nations in which it suggested the election of a parliament and creation of a regional government in Western Sahara but sovereignty over the territory should remain with Morocco. The Moroccan plan also calls for the local administration's powers to include policing, tax-raising, economic development, education and welfare.

109. On the other hand, the Polisario's proposal calls for a referendum that would allow the people of Western Sahara to vote on their own future. In this regard, the Polisario has indicated its readiness to negotiate with Morocco on ways to hold a "genuine referendum" that would offer "the choice between independence, integration into the Kingdom of Morocco and self-governance". This is a major concession on Polisario's part, taking into consideration its previous strict position on a referendum.

110. Through its resolution 1754 of 2007, the U.N. Security Council extended the mandate of the MINURSO. The resolution also called on the parties to make efforts towards achieving a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara. Furthermore, resolution 1754 urged Morocco and the Polisario Front to start direct and unconditional talks under the supervision of Secretary-General Ban Ki-moon. Importantly, the resolution was unanimously adopted with the support of Security Council powers such as France, Britain, Russia and the United States, along with Western Sahara's former colonial ruler, Spain. Secretary-General Ban is to report back on the progress of the talks to the Security Council by the end of June this year.

Stumbling blocks

111. Firstly, there may be a further impasse in the crisis due to the fact that the thrusts of both the new Moroccan and Polisario plans are not entirely in harmony. In addition, both parties have rejected the others' plans as a basis for the

resolution of the crisis. While the plans appear irreconcilable, the prospects for first ever face-to-face talks between the parties are in sight.

112. Secondly, the problem with Morocco's new autonomy plan is that it rules out statehood, which makes it fall short of the demands of the Saharawi's in addition to being vague on key issues. For example, it remains unclear whether the powers of local authorities such as the police force could be overridden by higher ones vested in Rabat. In this regard, it is important to note that the Moroccan plan maintains that the Moroccan government would retain control of national security, defence, foreign relations, the currency and "the Kingdom's juridical order".

113. In addition, Moroccan officials and the Polisario have conflicting views on what the subject of any possible direct talks would be. For Morocco, it would be the details of autonomy, but for Polisario it is how to hold a referendum in which the Sahrawis would be offered the choice of full independence.

Recommendations:

114. Given the above considerations, the PAP may wish to consider the following recommendations:

- a. The PAP should support UN mediation efforts with specific reference to Resolution 1754, which seeks to initiate negotiations between Morocco and the Polisario Front as a way of ensuring the peaceful resolution of the conflict. In this regard, the ultimate aim is for the people of Western Sahara to hold a referendum to facilitate their total self-determination;
- b. The PAP should request the AU Assembly to place the question of Western Sahara among its regular agenda items in order to frequently highlight the importance of the issue;
- c. The PAP should impress on the Security Council to confront the Moroccan colonisation of Western Sahara and bring it to a legal and practical end using the weapons of non-violence at its disposal; and
- d. The PAP should dispatch a peace Mission to Western Sahara to pledge solidarity with and encourage the Saharawi people to persist in their quest for decolonisation and self-determination.

- e. The PAP should call upon the governments of key states such as Spain and the U.S. to demonstrate practical commitment to the self-determination of the people of Western Sahara by withdrawing their political and material support the Morocco.

CONCLUSION

115. While the above reflections may paint a bleak picture, the Committee on Cooperation, International Relations, and Conflict Resolution's assessment of the current peace and security situation on the continent is that there is room for hope and that, if we continue to work towards the resolution of the prevailing security problems, we can realise the ideal of a peaceful and economically prosperous Africa.