



## Security Council

Distr.: General  
15 July 2008

Original: English

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### **Report of the Security Council mission to Djibouti (on Somalia), the Sudan, Chad, the Democratic Republic of the Congo and Côte d'Ivoire, 31 May to 10 June 2008**

#### **I. Introduction**

1. The present report of the Security Council mission to Africa from 31 May to 10 June 2008 has five sections, covering the Council's visits to Djibouti (on Somalia), the Sudan, Chad, the Democratic Republic of the Congo and Côte d'Ivoire, respectively. Each section ends with specific recommendations to the Security Council, the parties involved and the international community. The present report follows the briefing to the Council by the heads of the Security Council mission to Africa on 18 June 2008.

2. In his letter dated 30 May 2008 (S/2008/347), the President of the Security Council informed the Secretary-General that the members of the Council had decided to send a mission to Africa from 31 May to 10 June 2008. The mission travelled to Djibouti (on Somalia), the Sudan, Chad, the Democratic Republic of the Congo and Côte d'Ivoire. The segment of the mission concerning Somalia and the Sudan was jointly led by the Permanent Representative of South Africa to the United Nations, Ambassador Dumisani Kumalo, and the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, Sir John Sawers. The Permanent Representative of France to the United Nations, Ambassador Jean-Maurice Ripert, led the segments to Chad and the Democratic Republic of the Congo and the Permanent Representative of Burkina Faso to the United Nations, Ambassador Michel Kafando, led the Côte d'Ivoire segment. The composition and terms of reference of the mission are set out in the annex to the present report.

#### **II. Djibouti for Somalia affairs**

##### **A. Background and context**

3. The Security Council's visit to Djibouti followed a series of talks held in Djibouti under the auspices of the Special Representative of the Secretary-General. The second round of talks that culminated in an Agreement between the Transitional Federal Government of Somalia and the Alliance for the Reliberation of Somalia started on 31 May, a few days before the Council's visit to Djibouti. The Council



mission's visit reaffirmed the international community's commitment to a comprehensive and lasting settlement of the situation in Somalia through the Transitional Federal Charter, and stressed the importance of broad-based and representative institutions reached through a political process ultimately inclusive of all, as envisaged in the Transitional Federal Charter. The Council mission further sought to welcome and encourage the continued efforts of the President, the Prime Minister and the transitional federal institutions to advance the political process and implement the relevant steps of the transitional period, as required by the Transitional Federal Charter, in particular: the agreement to prepare a timetable for the constitutional process leading to a referendum and free and democratic elections in 2009; the presentation of the Reconciliation Strategy of the Transitional Federal Government; engagement with clan and local leaders across the country; and efforts to improve public finance management, including budgetary and fiscal processes.

4. The visit to Djibouti also undertook to express the determination of the Security Council to assist the Somali efforts through a strengthened presence and a more active role of the United Nations, including practical support of the Special Representative of the Secretary-General and the United Nations Political Office for Somalia (UNPOS), in fostering dialogue among Somali parties, and supporting women's effective participation in the dialogue and all stages of the peace process, in the spirit of Security Council resolution 1325 (2000). It further aimed at recognizing the contribution of the African Union Mission in Somalia (AMISOM) to lasting peace and stability in Somalia, and to highlight the need to provide financial resources, personnel, equipment and services for the full deployment of AMISOM.

5. The mission further intended to register the Council's serious concern at the worsening humanitarian situation in Somalia and to call on all parties and armed groups in Somalia to take appropriate steps to protect the civilian population, to ensure the safety and security of AMISOM, United Nations and humanitarian personnel, and to permit timely, safe and unhindered access for the delivery of humanitarian assistance to all those in need.

## **B. Briefing from the Special Representative of the Secretary-General for Somalia and the Chief Security Adviser**

6. Following welcoming remarks by the Prime Minister of Djibouti, Dileita Mohamed Dileita, on 2 June, the Council received political and security briefings from the Special Representative of the Secretary-General for Somalia, Ahmedou Ould Abdallah, and the Chief Security Adviser, Jean Lausberg, respectively. The Special Representative said the Council's mission visiting Djibouti was particularly significant and timely owing to the Transitional Federal Government and the opposition group the Alliance for the Reliberation of Somalia holding a second round of talks regarding the political and security future of Somalia. The Special Representative said that the key message for the parties was the need for Somalis to take ownership in solving the problems that had beleaguered the country for 17 years. Noting that the security and humanitarian situation was deplorable, he observed that if nothing were done quickly the situation would get worse.

7. Describing the status of the dialogue between Somalis, the Special Representative noted that, as in all political processes, it would not be feasible to bring all parties to the conflict together at the outset. His objective was to ensure

that a critical mass of actors would engage, while leaving room for others to join at a later stage.

8. The mission expressed its commitment to helping find a lasting solution to the situation in Somalia. Its visit to Djibouti to meet the Transitional Federal Government and Alliance for the Reliberation of Somalia was evidence. The mission emphasized the need for the Transitional Federal Charter to remain the basis of the political process. The mission welcomed the talks, as called for in Security Council resolution 1814 (2008), and appealed for a broad-based process. The mission emphasized the need to end impunity and ensure the protection of the human rights of the Somali people. The mission acknowledged the link between the political process, security and humanitarian assistance, and emphasized the need to ensure that there was no security vacuum that could affect political progress and humanitarian access. The mission emphasized the Council's commitment to addressing the scourge of piracy and looked forward to the forthcoming adoption of a resolution on the subject.

### **C. Meeting with the President of Somalia and the delegation of the Transitional Federal Government**

9. The President of Somalia, Abdullahi Yusuf Ahmed, reiterated his commitment to the ongoing dialogue in Djibouti. Recalling his statement during the Council debate on peace and security in Africa on 16 April 2008, the President stressed that he wanted to lead Somalia to peace and stability. The President said he was willing to do whatever it would take to bring peace to his country. He appealed to the Council to lift the arms embargo imposed on Somalia to allow the Transitional Federal Government to build its security apparatus, to deploy a peacekeeping operation of the United Nations to take over from AMISOM, and to assist in addressing piracy. Elaborating on the remaining steps anticipated in the transitional road map, the President appealed for assistance in drafting a new constitution and conducting a census in preparation for the elections, as stipulated in the Transitional Federal Charter. The President welcomed resolution 1814 (2008) and its forward-leaning approach to a possible United Nations peacekeeping force.

10. The mission noted that the Council was actively seized of the Somalia dossier. Resolution 1814 (2008) was important as it increased the engagement of the United Nations. It was important to have a broad-based political process that would bring as many parties as possible to the table. Noting that only 18 months remained in the transitional period, the mission emphasized the need to avoid a political vacuum that would lead to a further deterioration of the security and humanitarian situation. Recalling the Council's willingness to consider a peacekeeping force as expressed in resolution 1814 (2008), the mission stressed the need for political and security agreements and the appropriate conditions on the ground to be met before any deployment. The mission noted that it could be challenging to find troop-contributing countries, given Somalia's past history with peacekeeping. It was thus important for the ongoing talks in Djibouti to lead to an outcome that would complement resolution 1814 (2008).

11. Drawing attention to resolution 1811 (2008), the mission noted that legitimate security sector institutions in Somalia were already exempt from the arms embargo. The mission further emphasized the importance of resolution 1325 (2000) and the

role of women in conflict resolution, and encouraged the participation of women in Somalia's political process. The mission also stressed the importance of ending impunity, protecting human rights, and ensuring unhindered access of humanitarian relief to civilians.

12. Addressing questions raised by the mission, the Minister for Foreign Affairs of Somalia, Ali Ahmed Jama, emphasized the need for the deployment of a multifaceted and robust peacekeeping mission under Chapter VII of the Charter of the United Nations, which would help with security when a peace agreement was reached. He said that the Transitional Federal Government was willing to speak to all parties. Recalling an attack on the President and his delegation on their way from Somalia to Djibouti, he cautioned that there would always be spoilers who would have to be dealt with by force. The situation in Somalia, including acts of piracy, had implications for international peace and security. Therefore, the Council needed to shoulder its Charter obligations. The Foreign Minister welcomed resolution 1814 (2008) and especially the calls to relocate UNPOS from Nairobi to Somalia. He appealed to the mission to request the Secretary-General to move swiftly with the relocation and also to provide technical support for the census and the drafting of the constitution. Both the Foreign Minister and the President lauded the active and enduring role of Somali women during the civil war. They emphasized the commitment of the Transitional Federal Government to ensuring women's participation in the peace process. The President noted that he was formerly a victim of human rights abuses and would not condone any such act. The Transitional Federal Government was committed to investigating any accusations of human rights abuses and prosecuting guilty parties consistent with the relevant laws.

#### **D. Meeting with the African Union delegation**

13. The mission met with an African Union delegation led by the Commissioner for Peace and Security, Ambassador Ramtane Lamamra. The Commissioner stressed that the situation in Somalia was a threat to international peace and security, owing to piracy, violations of the arms embargo imposed by the Security Council, the illegal exploitation of Somalia's natural resources, including unlawful fishing, and the illegal dumping of dangerous waste and chemicals off the Somali coast. Noting that some parties in Somalia had criticized both the African Union and the League of Arab States for failing to stop the deployment of Ethiopian troops and for failing to provide expected support to Somalia, he said the Security Council remained the most credible institution for tackling Somalia's problems. Commending the Special Representative of the Secretary-General for his patience and creativity, the Commissioner noted that there was reason to be optimistic after the first round of talks in Djibouti.

14. The African Union delegation welcomed resolution 1814 (2008), including the prospect of a United Nations peacekeeping force to take over from AMISOM. The Commissioner appealed for coordinated action by the international community. He emphasized the link between the political and security dimensions, stressing that they had to be addressed holistically, not in isolation. He appealed for the strengthening of AMISOM and the possible deployment of a complementary force of friends of Somalia, while awaiting the deployment of a United Nations force. The Commissioner also emphasized the need for maritime protection and for measures

to be taken to address the illegal exploitation of Somalia's natural resources and the dumping of chemical waste.

15. The mission commended AMISOM for its work in Somalia under very difficult conditions. It urged the African Union to continue to work closely with the Special Representative of the Secretary-General on the political front and in reaching out to the other parties that were not yet engaged in the Djibouti dialogue. The mission further urged the African Union to work closely with the United Nations Secretary-General to address the requests from the African Union communicated in the letter of 20 February from its former Chairperson, Alpha Oumar Konare, on the strengthening of AMISOM.

### **E. Meeting with the Alliance for the Reliberation of Somalia**

16. The mission met the opposition group, the Alliance for the Reliberation of Somalia, led by its Chairman, Sheikh Sharif Sheikh Ahmed. Sheikh Sharif highlighted the breadth of membership of his group: representatives of the Union of Islamic Courts; parliamentarians; civil society; clan elders; and members of the Somalia diaspora.

17. The representatives of the Alliance expressed their appreciation to the Special Representative of the Secretary-General and the Government of Djibouti for providing a forum for talks. They thanked the mission for the Security Council's support for the Somalia peace process, as shown by the presence of the mission in Djibouti. They welcomed resolution 1814 (2008), particularly calls for the withdrawal of foreign troops from Somalia and for investigations of human rights violations, and the Council's condemnation of the shelling of unarmed civilians. Sheikh Sharif emphasized that the Somalia crisis had both internal and external dynamics that had to be considered in any attempt to find a lasting solution. Ethiopia's interference in Somalia since the 1990s was key among the country's problems. The Alliance needed guarantees that Ethiopia would withdraw.

18. The Alliance set out the principles through which it believed the crisis in Somalia could be resolved, namely, peace and restoration of Somalia's sovereignty through dialogue; the legitimate right under international law to resist occupation; Ethiopian withdrawal; peace as a unifying element for all Somali people; rejection of violence and terrorism against civilians; Islam as the only guarantee of peace, stability and social justice; and the imperative of access to humanitarian assistance.

19. The Alliance appealed to the Security Council to ensure that Ethiopia would withdraw its forces from Somalia, to investigate war crimes and establish a war crimes tribunal, to end massacres and killings in Somalia, including in places of worship, and to provide emergency relief assistance. They expressed their commitment to implement the outcome of the Djibouti talks. Responding to questions from the mission regarding respect for the role of women in the political process, the Alliance representatives noted that Somali women have borne the brunt of the country's conflict. It was therefore important to include women fully in the peace process.

20. The mission members noted that their presence in Djibouti was solely to support the ongoing peace process. It was not common for the Council to meet opposition groups. This exception signified the extent of the suffering of the Somali

people and the Council's support for the commitment of the Alliance to the dialogue led by the Special Representative of the Secretary-General. The mission emphasized the need for security guarantees related to the withdrawal of Ethiopian troops. The mission said it was only through dialogue that stability could be achieved. The ongoing talks were therefore positive. Regarding Ethiopia's presence, the mission recalled the alternate view that withdrawal before a political agreement was reached would lead to a security vacuum and a further deterioration of the situation.

21. The mission stressed that the only basis for the withdrawal of Ethiopian troops and the deployment of a peacekeeping mission was a political agreement that could be presented to the international community. It was important for the parties to show that there was a political dynamic in Somalia. A credible political process and guarantees were imperative.

22. The mission noted it was positive that the Alliance for the Reliberation of Somalia and the Transitional Federal Government shared aspirations of a United Nations peacekeeping operation. The parties needed to create the conditions necessary for deployment. The mission explained that while the international community could assist, it was only Somalis themselves that could find ways to accommodate each other and reach a political settlement. The mission reiterated that the heart of the problem was the intra-Somalia conflict, while recognizing the political implications of Ethiopia's presence. It was important to start moving towards a credible political path that would inspire confidence in troop-contributing countries. The mission stressed that the Council would be keenly following the talks in Djibouti and looked forward to a positive outcome. It urged the Alliance to consider what concessions were possible, as a basis for charting a course towards a better future for all Somali people.

## **F. Meeting with the United Nations country team**

23. The Resident Coordinator/Humanitarian Coordinator for Somalia, Mark Bowden, raised four concerns with the Security Council, namely, the collapse of the Somali shilling and the associated impact on the economy; the combined impact of three years of drought and the recent global food crisis on food security; the strain of the continuing humanitarian crisis on the traditional coping strategies of the Somali people; and continuing insecurity, particularly in Mogadishu and other urban centres, and its impact on the delivery of humanitarian assistance. The country team said that humanitarian workers were increasingly becoming targets of kidnapping and killing. The team commended the Somali people for taking care of most of their internally displaced persons and for their active participation in the distribution of humanitarian assistance. The team appealed to the Council to urge the parties to reach a political agreement that would have a positive impact on humanitarian aspects and development.

24. The mission commended the country team for its work, not least given the difficult operating conditions. The mission noted that the Council had just unanimously adopted a resolution that paved the way for combating piracy.

## G. Meeting with civil society

25. On 3 June, the mission met members of Somali civil society, including representatives of women's groups, humanitarian organizations, the business community, young people, and the diaspora. The representatives expressed their gratitude for the Security Council and the Special Representative of the Secretary-General hearing their voices. They presented a joint paper for the Council's consideration. Lamenting that the international community had forgotten Somalia since the withdrawal of the United Nations Operation in Somalia (UNOSOM) in 1995, the representatives were encouraged by the Council's willingness to re-engage. They were confident that Somalia was ready to solve its problems. The representatives noted that the meeting was historic, coming as Somalis were yearning for peace.

26. The representatives said that Somalia was facing a serious humanitarian crisis without comparison. The combination of the three-year drought and other natural disasters, insecurity, hyperinflation, and the global food crisis had created a crisis of large proportions. The number of internally displaced persons had increased. Many people were desperate to leave the country. The representatives noted the difficulty of responding to Somalia's significant humanitarian needs. Killings of humanitarian workers were also causing difficulties. The presence of Ethiopian troops was a further complicating factor.

27. The representatives believed that there existed an opportunity for peace in Somalia. The Transitional Federal Government and the Alliance for the Reliberation of Somalia had demonstrated a commitment to the political process by accepting Djibouti as a neutral host for talks. Both parties had accepted the Transitional Federal Charter as the basis for political dialogue. They had recognized that a military approach was untenable. In addition, the international community was paying attention and had a better understanding of the Somalia situation.

28. The representatives urged the Security Council to welcome the adoption of any reconciliation agreement achieved by the Transitional Federal Government and the Alliance for the Reliberation of Somalia. They urged support from the international community for the political dialogue, noting that peace could not be achieved solely by deploying troops. They further urged the Council to encourage the withdrawal of Ethiopian troops by deploying a United Nations peacekeeping force. It was also important for the Council to work on eliminating mistrust between Somalis and the international community through the establishment of a Somalia reconciliation advisory team to work with the Special Representative of the Secretary-General on confidence-building measures. It was important for the Council to impose targeted sanctions on leaders that impeded peace, and to establish a commission to investigate war crimes. The representatives also asked the Security Council to ensure the urgent relocation of UNPOS to Mogadishu, and appealed to the Council to seize the existing window of opportunity and nurture and support the ongoing political progress.

29. Representatives of civil society said they were trying to establish a civilian administration in Mogadishu to address the security and humanitarian situation in the city, but they needed assistance from the Council to urge Ethiopians and forces aligned with the Alliance for the Reliberation of Somalia to withdraw from Mogadishu. Withdrawal would not leave a vacuum, but rather would establish a

demilitarized civilian zone and build confidence. The representatives stressed that the lack of administrative structures and the breakdown of law and order accounted for most of the killings in Somalia.

30. The representatives urged action against illegal fishing and dumping of nuclear waste off the coast of Somalia. Such actions were major sources of conflict. The rise in piracy was a reflection of local anger at illegal fishing.

31. The mission commended the civil society representatives for their work over the last 17 years in filling critical social gaps in the absence of governmental institutions. The mission concurred with the representatives' view that Somalia had a new opportunity to achieve peace after 17 years. The mission appealed to civil society members to reach out to the Somali community and support mobilization of nationwide support to the political process. Acknowledging the broad representation of women in the civil society delegation, the mission acknowledged the important role played by women in the reconciliation process. The mission noted that civil society in Somalia would have a critical role to play in the reconciliation of Somalia and urged the representatives to encourage the leaders and the opposition to reach an early agreement. Such an agreement would pave the way for the establishment of the conditions that would allow the Security Council to deploy a United Nations peacekeeping operation.

32. The mission informed the representatives that the Council had the previous day adopted a resolution to combat piracy (resolution 1816 (2008)), in addition to resolution 1814 (2008) which called for the provision of maritime escorts for ships providing humanitarian relief to Somalia. The mission noted that it would consider the recommendations proposed by the civil society representatives. It encouraged the representatives to continue to speak out for peace, and assured them of the Council's support for their efforts.

## **H. Recommendations**

33. In the light of the discussions between the Security Council mission and its interlocutors and conclusions drawn from the various exchanges, the mission, while reaffirming the relevance of the elements contained in its terms of reference, recommends:

(a) That the Security Council continue to consider how best it can support the Special Representative of the Secretary-General, Mr. Ould Abdallah, in his efforts to provide practical assistance to further political progress already made;

(b) That all Somali parties that have engaged in dialogue with a view to establishing peace and security in Somalia should continue to do so and should resort to peaceful means only to resolve their disputes;

(c) That the Security Council consider how best it can lend its support to the agreement initialled by the Transitional Federal Government and the Alliance for the Reliberation of Somalia opposition group;

(d) That the Security Council consider ways to enhance the international security presence in Somalia, including a peacekeeping operation to take over from AMISOM, at an appropriate time, subject to continued progress in the political



process and improvement in the security situation on the ground, as indicated by resolution 1814 (2008).

### **III. Sudan**

#### **A. Background and context**

34. The Security Council visited the Sudan in order to reaffirm the international community's determination to ensure the implementation of the Comprehensive Peace Agreement and resolution of the situation in Darfur. The Council sought to encourage further cooperation between the National Congress Party (NCP) and the Sudanese People's Liberation Movement (SPLM) in carrying out their responsibilities to further implement the Comprehensive Peace Agreement. The Council also wished to reiterate its support for the Darfur political process being led by the Special Envoys of the African Union and the United Nations, and to call on all parties to end the violence in Darfur and engage constructively in the peace process. The Council reaffirmed its commitment to the sovereignty, unity and territorial integrity of the Sudan.

35. The visit of the Security Council to the Sudan was also undertaken to demonstrate the Council's profound appreciation of and support for the United Nations-African Union Hybrid Operation in Darfur (UNAMID), and to call on all stakeholders to facilitate its full deployment at the earliest opportunity. Similarly, the Council sought to underline its concern for the security of civilians and humanitarian aid workers in Darfur, and to call on all parties to allow the safe and unhindered access of relief personnel to those in need. The Security Council's visit to the Sudan also provided the Council with an opportunity to call on the Governments of the Sudan and Chad to abide by their obligations under the Dakar Agreement of 13 March 2008, the Tripoli Agreement of 8 February 2006, and other relevant bilateral agreements. In order to provide adequate focus on each of these areas, the Council visited Juba, Khartoum and El Fasher.

36. Prior to the Security Council's visit to the region, there had been a number of significant developments in the Sudan, which affected both the implementation of the Comprehensive Peace Agreement, and the ongoing crisis in Darfur.

37. After numerous delays and objections, the fifth population census was carried out in the Sudan from 22 April to 6 May 2008. The enumeration process was largely peaceful, with some minor security incidents as well as sporadic demonstrations against the census in various locations in Darfur, southern Sudan and the three "transitional areas" (Nuba Mountains, Abyei and Blue Nile). According to the Sudanese authorities, most states achieved a 100 per cent completion rate, with a 90 per cent average rate for the entire country. In areas that were not covered in Darfur, southern Sudan and Southern Kordofan, estimates would be made, on the basis of the 1993 census. The Comprehensive Peace Agreement stipulates that the census results will be used to make adjustments to the power- and wealth-sharing formulae between the north and the south, as well as determining political constituencies prior to the general elections scheduled for 2009. The retrieval and tallying process of the census will continue over the next several months.

38. Arguably the most serious crisis to date in the process of the implementation of the Comprehensive Peace Agreement occurred when fighting broke out in May in the flashpoint area of Abyei, one of the three “transitional areas” which straddle the border of 1 January 1956 between North and South Sudan. The oil-rich area has been without a civil administration since the Comprehensive Peace Agreement was signed, and has been the scene of increasing tension between the Arab nomadic Misseriya tribe and the Ngok Dinka living in Abyei. On 13 May, an incident outside Abyei town triggered a series of apparently localized clashes. The situation was addressed through the ceasefire mechanism and seemed to have quietened down, when large-scale heavy fighting between the armed forces of the two parties broke out on 19 May. The hostilities, which lasted only a day, largely destroyed Abyei town and resulted in the displacement of tens of thousands of civilians. While troop movements continued on both sides, political talks between the parties sought to address the situation. On 8 June, after the Security Council visited, the parties announced their agreement on a road map for the resolution of the Abyei situation, including the establishment of an interim administration, an investigation of the incidents in May, and the setting up of an arbitration commission to determine the boundaries of the Abyei area.

39. On 10 May 2008, the Justice and Equality Movement (JEM), led by Khalil Ibrahim, attacked Omdurman with the intention of toppling the Government of the Sudan. The Security Council condemned the attack in its presidential statement of 13 May 2008 (S/PRST/2008/15), and called on all parties to commit themselves to the political process led by the Special Envoys of the United Nations and the African Union. Following the attack of 10 May, the Government of the Sudan officially severed diplomatic relations with the Government of Chad, accusing it of having provided support to the JEM operation in Omdurman. The Government of Chad denied any involvement in the attack. These developments came only two months after the signing of the Dakar Agreement, in which both countries committed themselves to normalizing their relations and ending support to rebel groups on both sides of the Chad-Sudan border.

## **B. Meetings in Juba**

40. On 3 June, the Security Council mission met with the First Vice-President, Salva Kiir Mayardit, in Juba. He stressed that the Sudan should be looked at from a strategic perspective given its geopolitical importance, and in the light of the fact that it borders nine countries in a volatile region. He stressed that allowing the Comprehensive Peace Agreement to collapse would put the entire continent of Africa in danger, and could turn the region into a breeding ground for terrorism. With regard to the implementation of the Agreement, he stressed that the resolution of the current crisis in Abyei was of critical importance, and that the humanitarian consequences of recent events had to be addressed as quickly as possible. In addition, he emphasized that the border of 1 January 1956 had still not been demarcated, the census had not been conducted satisfactorily, and the Government had still not agreed on an electoral law. The First Vice-President stressed that, in view of the way the Comprehensive Peace Agreement and the census had been implemented, it was unclear whether NCP would allow the referendum to be conducted in 2011. He stated that SPLM would respect the results of the referendum, regardless of whether the vote was for unity or secession.

41. In order to find solutions, the First Vice-President suggested that the United Nations take a number of important steps. First, the United Nations should maintain pressure on the parties to the Comprehensive Peace Agreement, which would ensure that an incident similar to that at Abyei would not reoccur. Second, the mandate of the United Nations Mission in the Sudan (UNMIS) should be revised so that it could provide protection for civilians; he informed the mission that UNMIS did not take action as civilians were chased out of their homes in Abyei. He stressed that UNMIS had been deployed to protect the people of the Sudan, and should be given the mandate to do so. Third, he stated that institutions under the Comprehensive Peace Agreement, including the Assessment and Evaluation Commission, should become fully functional. Finally, he remarked that the disarmament, demobilization and reintegration process had not been implemented satisfactorily, and that the United Nations should give it more attention.

42. With respect to the situation in Darfur, the First Vice-President stated that there had been little headway towards a resolution, owing in part to the differences between NCP and SPLM. He stated that the situation in Darfur had been aggravated by the attack of 10 May launched by JEM, which SPLM had condemned. Concerning the political process, he stressed that SPLM had been working through its Task Force to assist the rebel movements to unify and agree on a common negotiating platform in advance of peace talks. He also informed the Council that JEM was not interested in the Darfur peace process but in taking over power in Khartoum.

43. The Security Council mission expressed great concern at the recent fighting in Abyei and asked the First Vice-President what steps he believed should be taken to resolve the issue. The mission also asked him for an update on the status of the ongoing discussions between NCP and SPLM with respect to Abyei. The mission confirmed that it would raise the slow and incomplete implementation of the Comprehensive Peace Agreement with its interlocutors in Khartoum, and stated its willingness to consider the issue of a strengthened mandate for UNMIS once it had returned to New York.

44. In response to the questions posed to him, the First Vice-President stated that the way forward for Abyei was clear. First, the Abyei Protocol of the Comprehensive Peace Agreement had to be implemented and a joint civilian administration should be established. Second, the Sudanese armed forces would have to withdraw from the area, as agreed in the Comprehensive Peace Agreement. Third, militia in the area would have to disband and join either the Sudanese People's Liberation Army (SPLA) or the Sudanese armed forces, in accordance with the Agreement. With regard to the discussions being held by NCP and SPLM on Abyei, he confirmed that they were moving forward and focusing on the deployment of forces out of Abyei, the return of displaced Abyei residents, the provision of humanitarian assistance, and the setting up of a joint administration in Abyei. In closing, he requested the assistance of the United Nations in training a new Joint Implementation Unit to be deployed to Abyei.

## **C. Meetings in Darfur**

### **1. Internally displaced persons: Zam Zam camp**

45. The mission met with a delegation of internally displaced persons in Zam Zam camp in Northern Darfur. One representative of the internally displaced persons told the mission that the displaced persons were encouraged when they heard of the adoption of Security Council resolution 1769 (2007), but had since grown disillusioned because of the continuing insecurity in Darfur, including in the camp itself. He stated that UNAMID was incapable of protecting internally displaced persons, and that the same violence and human rights violations continued even after UNAMID had been deployed for six months. A representative of a women's group expressed her frustration that the Darfur Peace Agreement had not led to any tangible improvement for the population. She also articulated three demands, including the provision of protection by the United Nations, representation of internally displaced persons in the political process, and Security Council involvement in uniting the rebel movements. The mission expressed solidarity with the victims of the conflict and assured the representatives that the Council would do everything within its power to improve their circumstances.

### **2. Humanitarian community**

46. Representatives of the humanitarian community in Northern Darfur informed the mission that UNAMID and humanitarian agencies were facing similar problems in Darfur, including persisting insecurity and the lack of Government cooperation, especially with regard to their freedom of movement. They indicated that they were still facing a number of bureaucratic impediments imposed by the Government, including the lack of permission to use rented vehicles, regularly changing administrative procedures, and the non-issuance of visas to humanitarian workers. The humanitarian community informed the mission that, as a result of banditry along the El Obeid-Darfur supply route, food rations would again be halved for the month of June. Since food rations had previously been cut in half for the same reason, June food rations would be a quarter of the intended quantity. The mission was informed that the Government had agreed to provide protection for commercial contractors carrying United Nations supplies along this route, but they had not yet done so. They asked that the Security Council put pressure on the Government to live up to its responsibilities regarding the protection of the civilian population, the lifting of bureaucratic impediments, and freedom of movement for humanitarian actors.

### **3. Wali of Northern Darfur**

47. The Governor of Northern Darfur confirmed his commitment to facilitating the deployment of UNAMID, including through the provision of land and whatever logistical support might be required. He stated that the rebel movements were the principal obstacle in the way of peace in Darfur, and that the Government was committed to the political process. He further stated that the humanitarian situation in Darfur was stable, as evidenced by low mortality rates and absence of epidemics, and that the Government was committed to the joint humanitarian communiqué of 28 March 2007. The mission informed the Governor that humanitarian workers in Darfur continued to face impediments, and that it expected him to let humanitarian work proceed without hindrance. With reference to ongoing hostilities, the mission

urged that the Government of the Sudan pay full respect to human rights, even when confronting those it might suspect of being rebels.

## **D. Meetings in Khartoum**

### **1. Minister for Foreign Affairs**

48. On 4 June, the Security Council mission met with the Minister for Foreign Affairs, Deng Alor, who stated that the Sudan was passing through difficult times. He said that the Darfur situation had yet to be resolved, and that implementation of the Comprehensive Peace Agreement remained inadequate. He said that the failure to implement the Abyei Protocol was the most problematic issue, which was made evident by the recent fighting there. The Foreign Minister informed the mission of the view of SPLM that the violence in Abyei constituted a war crime and a violation against humanity. He also indicated that the two parties, NCP and SPLM, were engaged in high-level talks to find a solution to the Abyei situation, but informed the mission that no substantial progress in that regard had been made. The Foreign Minister stressed that the continued build-up of forces in Abyei posed a significant danger, and stated that a return to war could not be dismissed if the situation were not resolved swiftly.

49. With respect to the Darfur situation, the Foreign Minister indicated that the Government of the Sudan remained committed to the ceasefire, and to resolving the situation through the political process. He was of the view that certain groups that had not signed the Darfur Peace Agreement were not committed to dialogue. The attack of 10 May by JEM on Omdurman was an illustration of that point. He asked for the international community's continued assistance in bringing the parties to the negotiating table.

50. The Security Council mission indicated that the Darfur crisis was its principal focus, and that it hoped to see the parties make substantive moves towards peace in the near future. The mission expressed its concern that the deployment of UNAMID was proceeding too slowly, and asked that the understanding reached between the Secretary-General and President Al-Bashir with respect to the deployment of Thai and Nepalese troops be confirmed in writing. Regarding the political process, the mission welcomed the Government's stated commitment to dialogue, and agreed that non-signatories to the Darfur Peace Agreement needed to demonstrate their willingness to abandon the military option and come to the negotiating table. The mission further stressed the need for the government of national unity to abide by the agreements reached with the Darfur humanitarian community, particularly the joint humanitarian communiqué of 28 March 2007, and the importance of the Government's full cooperation with the International Criminal Court.

51. The mission underlined the necessity of restoring relations between Chad and the Sudan, and asked the Foreign Minister if it could assist. The mission expressed its deep concern over the Abyei situation and the lack of implementation of a number of key provisions of the Comprehensive Peace Agreement. In particular, the mission highlighted the need for SPLM and NCP to make progress on north-south border demarcation, resolution of the Abyei situation, and finalization of wealth-sharing arrangements.

52. In response to the mission's observations on Darfur, the Foreign Minister noted that there had been difficulty regarding its agreement on the Thai and Nepalese troops. He recalled that the agreement between the Government of the Sudan and the United Nations was to allow for the deployment of the Thai and Nepalese troops following the arrival of the Ethiopian and Egyptian battalions. The Foreign Minister agreed that the restoration of diplomatic relations with Chad would be central to resolving the Darfur crisis, and informed the mission that he would soon be travelling to Paris to discuss this issue with the French Foreign Minister. With regard to the Government's cooperation with the International Criminal Court, the Foreign Minister indicated that there were conflicting views within the Government on this issue. However, he confirmed that SPLM was in favour of cooperation with the Court.

## **2. Presidential Adviser**

53. The Presidential Adviser, Nafie Ali Nafie, confirmed the Government's commitment to the political process, and indicated that it remained flexible with respect to the date and venue for negotiations with the rebel movements. He remarked that the Sirte negotiations had stalled in part owing to the failure of the international community to exert pressure on the parties to attend the talks. Regarding any future negotiations, he stated explicitly that the Government would not participate in any talks with JEM. He also repeated the claim that JEM was interested only in taking over power in Khartoum.

54. With regard to the humanitarian situation in Darfur, the Presidential Adviser stated that the Government had taken a number of steps to ensure that assistance was reaching populations in need, including through the provision of escorts for humanitarian supply convoys. He further stated that the humanitarian situation in Darfur was stable, that there were no problems with respect to access, and that the Government was working with the World Food Programme to increase the food supply in Darfur.

55. Regarding the deployment of UNAMID, the Presidential Adviser stated that the Government had shown flexibility in the implementation of Security Council resolution 1769 (2007), and had fully cooperated with UNAMID at the local and national levels. To this end, he informed the mission that a technical committee headed by the Under-Secretary of State, Mutrif al-Siddiq, had been formed to deal with any technical issues related to UNAMID, and stated that he would welcome hearing about any specific examples in which Government cooperation with UNAMID had not been forthcoming. He remarked that the heavy support package had not yet been implemented, and that the joint support and coordination mechanism had not yet been established in Addis Ababa. He said that this was an illustration of the fact that the United Nations was not coordinating adequately with the African Union.

56. The Presidential Adviser stressed his Government's conviction that good-neighbourly relations with Chad were important, and stated that the Sudan had no interest in controlling Chad. He remarked that the Government of Chad was based on a tribal — rather than a democratic — system, which led to the Chadian Government's support for tribally affiliated rebels in Darfur. He expressed his hope that the Government of Chad could be convinced that JEM was not essential to its survival. With respect to the past agreements reached between the Governments of

the Sudan and Chad, including the recently concluded Dakar Agreement, he stated that it would be essential to establish mechanisms to verify their implementation.

57. The Security Council mission welcomed the Government's improved cooperation with UNAMID, but stressed that there were still a number of areas in which greater cooperation was needed. In particular, the mission asked for the removal of all limitations on the freedom of movement of UNAMID, including the ability to use Darfur airports 24 hours per day. The mission also noted that Customs clearance was occurring only four hours per week, and that Rwandan contingent-owned equipment was still being held in Zam Zam, Northern Darfur. Regarding the deployment of the Thai and Nepalese troops, the mission requested that the understanding reached between the Secretary-General and President Al-Bashir be confirmed in writing. The mission handed the Presidential Adviser a list of additional, specific areas in which further Government cooperation would be required for the effective deployment of UNAMID.

58. The mission took note of the comments of the Presidential Adviser regarding the need for Chad and the Sudan to improve their relations, and asked how it could assist. The mission also asked what assistance it could provide to pressure the rebel movements to come to the negotiating table. Regarding the issue of impunity, the mission stressed the need for the Sudan to cooperate fully with the International Criminal Court. One of the co-chairs said that the Sudan should hand over the two Sudanese nationals who had been indicted by the Court.

59. In response to the questions and observations raised by the mission, the Presidential Adviser asked why the United Nations continued to insist on the inclusion of non-African troops in UNAMID. He informed the mission that the Government of the Sudan had been highly suspicious of Security Council resolution 1706 (2006). This was due to the belief within the Government that international forces would be used to further the agenda of Western countries, and not for the purposes of peacekeeping. The Government remained uncertain about the deployment of the Thai and Nepalese troops. Furthermore, neither the Government of the Sudan nor the African Union had been consulted on their inclusion. Nonetheless, the Adviser confirmed the understanding reached by President Al-Bashir and the Secretary-General on the deployment of the Thai and Nepalese units following the arrival of the Ethiopian and Egyptian battalions.

60. With respect to the Government's requirement to cooperate with the International Criminal Court, the Presidential Adviser stated that the Sudan would never cooperate with the Court since it was not a signatory to the Rome Statute. He further remarked that the Government had its own functioning judicial system, and should therefore not be asked to cooperate with the Court. In addition, he stated that Security Council resolution 1593 (2005) was unfortunate and ultimately defective since it exempted some parties and not others. Regarding UNAMID, he confirmed that the Thai and Nepalese troops could deploy immediately following the arrival of the Egyptian and Ethiopian battalions, and stated the Government's commitment to providing protection for UNAMID convoys wherever and whenever requested.

### **3. Minister for Investment**

61. In the absence of the Second Vice-President, Ali Osman Mohammed Taha, Government officials provided an update on the implementation of the Comprehensive Peace Agreement at a meeting led by the Minister for Investment,

Kosti Manibe. The mission was informed that a subcommittee had been established seven days previously to determine the way forward with regard to Abyei. The subcommittee had agreed on four key areas, namely (a) the need to establish the necessary security arrangements in order to facilitate the return of displaced persons; (b) UNMIS would be granted full access to the Abyei area; (c) a temporary administration would be established in Abyei, with temporary boundaries applicable for a six-month period; and (d) an international body specializing in territorial disputes would be engaged to overcome the impasse regarding the border demarcation. One Government official expressed his hope that the Government would be able to announce a formal agreement to this effect by 10 June.

62. The Government also suggested to the mission that the UNMIS mandate be reconsidered, given that it had been effectively “paralysed” in Abyei during the fighting. One Government official who had recently visited Abyei informed the mission that the town was being looted in the presence of United Nations personnel. The mission stressed the urgency of resolving the Abyei crisis, as well as making decisive progress on the other outstanding areas of the Comprehensive Peace Agreement. To this end, the mission remarked that the Abyei incident would not have occurred had the Agreement been implemented on schedule. The mission urged the Government to fulfil its commitment to endeavour to make unity attractive in the lead up to the elections of 2009.

#### **4. Opposition parties**

63. The mission met with representatives of the Umma Party, the Democratic Unionist Party (DUP) and the Popular Congress Party (PCP) to hear their perspectives on key issues. The Umma Party representative informed the mission that its three national objectives were the achievement of peace, stability, and the democratization of the country. The Umma Party fully supported the Comprehensive Peace Agreement. He remarked that the Darfur Peace Agreement was deeply flawed from its inception since a number of parties had not signed it. In addition, he stated that the Eastern Sudan Peace Agreement was not fully inclusive. The DUP representative stressed the need for reconciliation between the various political parties in the Sudan, and indicated that his party would be proposing national reconciliation legislation to that end. The representative of PCP stated his party’s view that the Darfur cause was just, and was wrongly combated by the Government through the use of force. He stressed that dialogue was the only solution to the problem. He also stressed that all provisions of the Comprehensive Peace Agreement needed to be implemented as a priority, and that the decision of the Abyei Border Commission should be respected.

#### **5. Chairperson of the Assessment and Evaluation Commission**

64. The Assessment and Evaluation Commission was established under the Comprehensive Peace Agreement to monitor the implementation of the Agreement. In a separate meeting, the Chairperson of the Commission, Derek Plumbly, stated that the Agreement had been implemented inconsistently. While there had been a number of solid achievements, a number of provisions had not been implemented on the timelines stipulated in the Agreement. In this respect, he remarked that the non-implementation of the Abyei Protocol represented the single largest failure in the implementation of the Agreement to date. In addition, he warned that national elections in 2009 represented a major hurdle, especially in the light of the



Government's failure to adopt the necessary electoral legislation. The Chairperson of the Assessment and Evaluation Commission stressed the importance of the Joint Integrated Units, which he said were underresourced, predisposed to infighting, and lacking in military training. He indicated that the Units would need United Nations support in these areas in order to be effective.

65. The mission stated that it had heard differing reports regarding the implications of the Abyei incident. While the Foreign Minister had raised the possibility of a return to war if the situation were not resolved quickly, Government negotiators whom the mission met on 4 June expressed optimism that an agreement was imminent. The mission recalled that the demarcation process was scheduled to move forward, and inquired whether this could provoke a conflict similar in scale to that of the Abyei incident. The mission also asked what the likely scenario for elections would be in the light of the Government's failure to pass electoral legislation. The Chairperson of the Assessment and Evaluation Commission confirmed that the demarcation process could lead to another crisis in view of the sensitivity of the issue, but expressed his belief that the process had to move forward in order to dispel the continuing ambiguity. He indicated that the parties were moving forward decisively towards elections, but were doing so in a manner that did not ensure that the necessary preparations were in place.

## **6. President of the Sudan**

66. In his opening remarks, the President, Omer Hassan Ahmed Al-Bashir, reaffirmed his Government's commitment to the implementation of the Comprehensive Peace Agreement, and stated that all the institutions necessary to implement the Agreement had been formed. He indicated that the resolution of the Abyei issue was the top priority with respect to the Agreement, and stated that it would soon be settled through ongoing consultations between NCP and SPLM. He told the mission that the Sudan looked forward to the international community's assistance in the area of disarmament, demobilization and reintegration, as well as support for the Joint Integrated Units. With regard to Darfur, President Al-Bashir stated that this remained at the centre of the Government's concerns. However, he said that some were manipulating the Darfur crisis to serve their own national agendas, and that facts had been exaggerated and distorted. The real impediments to the resolution of the Darfur crisis, he said, were put in place by the rebel movements, as made clear by the attack on Omdurman by JEM on 10 May 2008. He reiterated his Government's commitment to the political process, as well as his conviction that the military option could not lead to a durable solution to the conflict.

67. With respect to peacekeeping in Darfur, President Al-Bashir stated that his Government had delivered on its commitment regarding the deployment of UNAMID. He recalled that a high-level committee had been established to ensure that the deployment proceeded as planned, and that land and other logistical requirements were provided for. He stated that the United Nations had not been able to implement the light and heavy support packages as planned, and expressed the view that the failures of some actors were unfairly attributed to the Government of the Sudan. The President urged all stakeholders to contribute the assets still missing in the UNAMID force. With regard to the political process, he asked that it be given the same centrality as peacekeeping, and stated that the Government of the Sudan was looking forward to the appointment of the chief mediator. He recalled that the

Security Council had pledged to consider taking measures against individuals or groups violating or undermining the Darfur Peace Agreement. However, he stated that the signatories to the Agreement had been targeted, which made the rebel movements intransigent.

68. The President confirmed the Sudan's commitment to facilitating the work of the humanitarian community in Darfur, and indicated that the joint humanitarian communiqué of 28 March was being successfully implemented. He said that despite statements to the contrary the humanitarian situation was clearly improving, which was made evident by the return of internally displaced persons and refugees to their villages of origin. He stated that the Government of Chad's involvement in the Darfur conflict was responsible for prolonging the problem, and that Chad had designed and supported the attack on the Sudanese capital on 10 May. He said that the Government of Chad's policies violated bilateral and regional agreements, including the Dakar Agreement, and could jeopardize the international community's efforts to find durable peace and stability in Darfur.

69. The mission informed the President that it reaffirmed its commitment to the territorial integrity and sovereignty of the Sudan. The Security Council had adopted a presidential statement in which it condemned the attack of 10 May launched by JEM. With regard to the implementation of the Comprehensive Peace Agreement, the mission expressed its concern with the situation in Abyei, but was encouraged to hear that progress was being made towards an agreement between NCP and SPLM. The mission expressed its concern with continuing violence in Darfur, which was having a negative impact on the humanitarian situation.

70. The mission affirmed the President's assertion that there could be no military solution to the conflict, and that renewed efforts were required by all parties to bring about a negotiated settlement. The mission stated that it, too, was looking forward to the appointment of a chief mediator.

71. The mission reiterated its condemnation of the attack by JEM on 10 May, and urged the President to exercise restraint in responding to the attack. There should be no new displacements of civilians, or further deterioration in relations between the Sudan and Chad. Captured rebels should also enjoy their full human rights. The mission underlined the importance of implementing the Dakar Agreement so as to create a context for peace in Darfur, as well as between the Sudan and Chad. With respect to peacekeeping in Darfur, the mission stated that UNAMID was facing profound difficulties in deploying, particularly in view of the long distance from Port Sudan to Darfur. The mission informed the President that it had given the Presidential Adviser a list of areas in which UNAMID required the Government's assistance. The mission recalled the Adviser's assertion that the Government of the Sudan had agreed to accept all non-African contingents, including the Thai and Nepalese troops, after the deployment of the Egyptian and Ethiopian battalions. Regarding the humanitarian situation in Darfur, the mission welcomed the Government's commitment to the joint humanitarian communiqué, but informed the President that there were still areas in which further cooperation was necessary. The mission also expressed the conviction that a solution to the Darfur conflict required justice and reconciliation, and that the Security Council looked to the Government of the Sudan to cooperate with the International Criminal Court. The mission expressed its dissatisfaction with the view offered in this regard by the Presidential Adviser.

72. President Al-Bashir stressed that the Government of the Sudan had a right to self-defence in the context of the attack on Omdurman on 10 May, and stated that Chad had allowed JEM to gather in Chad and cross the border to attack the Sudanese capital. With regard to UNAMID, he confirmed that the Government was willing to provide escorts for supply convoys if so requested. He recalled the recent hijacking of a UNAMID convoy containing ammunition for Chinese units, and stated that it was in the Government's interest to protect this equipment since it could wind up in the hands of the rebel movements. With regard to allowing UNAMID to fly at night, the President also encouraged the United Nations to improve the airports and road infrastructure in Darfur, which the Government could not afford to do. Regarding the humanitarian situation, the President informed the mission that the Government was making a great effort to facilitate voluntary returns. He said that reports suggesting that the Government was forcing the displaced to return to their homes were untrue. Instead, he said that the Government was attracting them to their villages of origin, and further stated that 90 per cent of the Darfur conflict would be resolved if camps of internally displaced persons were disbanded.

73. With respect to the suggestion that the Sudan cooperate with the International Criminal Court, the President stated that citizens of the Sudan would be subject exclusively to Sudanese law. He stated that the Sudan is not party to the Rome Statute and, as such, would not hand over a single Sudanese national to international courts. He told the mission that any accusation against a Sudanese citizen would be taken up by national courts. The mission welcomed the Government's commitment to allow the deployment of the Thai and Nepalese troops following the arrival of the first Ethiopian and Egyptian battalions, its permission for the United Nations to begin work on Darfur infrastructure, and the guarantee of full freedom of movement for UNMIS in the Abyei area.

## **E. Recommendations**

74. In the light of the discussions between the Security Council mission and its interlocutors and conclusions drawn from the various exchanges, the mission, while reaffirming the relevance of the elements contained in its terms of reference, recommends:

### **Comprehensive Peace Agreement**

(a) The Council should continue to support the parties in implementing the Comprehensive Peace Agreement, including by improving security arrangements between the parties;

(b) UNMIS should, consistent with its mandate, begin immediate preparations to support the conduct of national elections, in close collaboration with the United Nations Development Programme and the parties to the Comprehensive Peace Agreement;

(c) UNMIS should, consistent with its mandate and in accordance with resolution 1812 (2008), robustly deploy, as appropriate, peacekeeping personnel in and around Abyei to support the implementation of the Comprehensive Peace Agreement, including protecting civilians;

**Darfur**

(d) The Council should renew its demand that all parties in Darfur immediately cease hostilities and engage in the political process, and stand ready to take action against any party that undermines the peace process;

(e) The United Nations should urgently take forward President Al-Bashir's agreement (a) to the deployment of the Thai and Nepalese troops as soon as Egyptian and Ethiopian troops have arrived, (b) to protect United Nations convoys travelling by land and (c) the upgrading of the airports in Darfur and the operation of United Nations flights 24 hours per day, 7 days per week;

(f) The Council should begin consideration of a new resolution to extend the mandate of UNAMID after it expires on 31 July;

(g) The United Nations should urgently appoint a chief mediator to spearhead the United Nations and African Union efforts on Darfur;

(h) The Sudan and Chad should diffuse tensions between themselves and implement the Dakar Agreement;

(i) The Government of the Sudan and all other parties to the conflict in Darfur should cooperate with the International Criminal Court, consistent with resolution 1593 (2005), and bearing in mind the presidential statement of 16 June 2008 (S/PRST/2008/21).

**IV. Chad****A. Background and context**

75. The Security Council's visit to Chad aimed at stressing the Council's commitment to help the Chadian authorities to protect refugees from Darfur, internally displaced persons and other vulnerable civilian populations and facilitate the delivery of humanitarian assistance in eastern Chad and the north-eastern Central African Republic, through the deployment of a multidimensional presence in those areas. Its aim was also to demonstrate the Council's support for the United Nations Mission in the Central African Republic and Chad (MINURCAT) and the European Union operation in Chad and the Central African Republic (EUFOR), and to recall that the Council had requested the Secretary-General to report to it in September, after due consultations with the Governments of Chad and the Central African Republic, on the arrangements for following up EUFOR, including a possible United Nations operation, depending on the developments in the situation.

76. The Council further wished to reiterate its conviction that a reduction in tensions between the Governments of the Sudan and Chad is essential for lasting regional security and to call on both Governments to abide by their obligations under the Dakar Agreement of 13 March 2008, the Tripoli Agreement of 8 February 2006 and other bilateral agreements. It sought to recall the Council's condemnation of the continuing activity of rebel armed groups in Chad, and to urge all concerned parties to respect the Syrte Agreement of 25 October 2007. It also aimed at encouraging the Chadian authorities to persevere in promoting political dialogue with respect to the constitutional framework, as initiated by the agreement of 13 August 2007.

77. In Chad, the Security Council mission, led by the Permanent Representative of France to the United Nations, Ambassador Jean-Maurice Ripert, visited Abéché, Goz Beida and N'Djamena. In Abéché, the mission was briefed by the Special Representative of the Secretary-General, Victor Da Silva Angelo, and General Jean-Philippe Ganascia on the deployment of MINURCAT and EUFOR. In Goz Beida the mission met with the Governor and non-governmental organizations, visited the refugee camp of Djabal and the internally displaced persons camp of Goroukoun, and met with the population. In N'Djamena the mission had a meeting with the Prime Minister, Youssef Saleh Abbas. The Minister for Communication, the Secretary of State for Foreign Affairs and the Special Representative and Director General for the Coordination nationale d'appui à la force internationale took part in the meeting.

## **B. Meeting with the Governor of Goz Beida**

78. In introductory remarks, the Security Council mission noted that it was in Chad to demonstrate the Council's commitment to supporting national efforts to protect refugees from Darfur, internally displaced persons and other vulnerable civilian populations and facilitate the delivery of humanitarian assistance. The members observed that they were aware of the burden, in particular with regard to access to water and natural resources, that the massive presence of refugees and internally displaced persons entailed for local communities and authorities. For that reason the Security Council had authorized the deployment of MINURCAT to complement efforts by the Government of Chad in providing security for humanitarian relief. Another objective of the mission was to discuss with the Government the importance of promoting human rights and the rule of law and how to improve relations between Chad and its neighbour, the Sudan.

79. The Governor of Goz Beida acknowledged the importance of the Security Council visit to Chad and Goz Beida. He stressed that it was critical for the Council to see for itself the humanitarian situation resulting from the conflict in Darfur. It was critical to mobilize the international community to address the plight of the affected population.

80. The Governor said that the visit would enable the Council to measure the capacity of the Government of Chad in providing assistance to the refugees and the internally displaced persons. This would in turn assist in identifying areas that would need to be strengthened by the international community in empowering the Government to assist those in need. The Governor then identified the various security challenges faced by the men and women providing humanitarian assistance to the refugees and the internally displaced persons. Emphasizing that the security of those in the camps was first the responsibility of the Government of Chad, the Governor commended the deployment of EUFOR and MINURCAT. He urged an expeditious completion of the deployment of those missions.

81. The Governor emphasized the need to address the root causes of the problems rather than just addressing the consequences. He emphasized that the situation in eastern Chad was a direct consequence of the crisis in Darfur and that Janjaweed militia and other armed groups supported by the Sudan kept attacking the population and attempting to destabilize Chad. He expressed the view that as long as this was

not fully taken into consideration, the mediation efforts between the two countries could not succeed.

### **C. Visit to the camps**

82. Accompanied by the Deputy Special Representative of the Secretary-General, Rima Salah, the Council visited two camps, one hosting refugees from Darfur and the other hosting Chadian internally displaced persons. At the Djabal camp for Darfur refugees, the mission visited a hospital and a nutritional centre serviced by the United Nations and other humanitarian agencies and non-governmental organizations. The mission also interacted with the refugees, women and the leadership of the refugees headed by the *Umdaf* (elder).

83. The mission informed the refugees of its visit to Darfur and discussions with the Government of the Sudan, including President Al-Bashir. The international community was aware of the plight of the refugees and was working to address their concerns. The deployment of MINURCAT and EUFOR aimed at providing security to all categories of vulnerable populations and to humanitarian workers.

84. Speaking on behalf of the refugees, the *Umdaf* decried the killing of many people in Darfur. He said that many of their homes had been burned and their land taken away. The Government of the Sudan had now settled Arabs from Egypt, the Niger and Mauritania in their land and given them Sudanese nationality. Refugees demanded that UNAMID should rapidly deploy its troops in Darfur. They further demanded that the Janjaweed militias belonging to the Government of the Sudan should be disarmed and that all Government troops should be removed from Darfur. The *Umdaf* further urged the creation of an autonomous regional government for Darfur. He said the refugees did not recognize the recent census undertaken in the Sudan as it excluded most Darfurians.

85. Several women narrated their harrowing experiences in Darfur. Many of their children had been killed, their girls had been raped and they had been separated from their families. They wanted to go back to their land and to their homes but there was no security. They acknowledged the security provided by the Government of Chad and the humanitarian assistance from the United Nations and non-governmental organizations.

86. At the camp of internally displaced persons of Goroukoun, the population explained the various attacks by the Janjaweed that had rendered them homeless in their country. They expressed appreciation to the Government of Chad for the assistance provided to them. They noted that they were still subject to attacks and appealed for protection by MINURCAT and EUFOR.

### **D. Meeting with humanitarian agencies and non-governmental organizations**

87. The Council mission met with representatives of United Nations agencies and non-governmental organizations working in Goz Beida. The mission commended them for the remarkable work they were doing under difficult circumstances.

88. The humanitarian agencies apprised the mission of their work in Goz Beida, which included protection of women from sexual exploitation, provision of health facilities and distribution of food. They expressed alarm at the deterioration in security, noting that several humanitarian workers had been killed. The proliferation of weapons had increased criminality and insecurity and humanitarian workers were increasingly targets. Since the beginning of 2008, 26 vehicles had been stolen and two humanitarian workers killed. The weakness of enforcement of law and order and a weak judiciary system promoted impunity. These further limited humanitarian space. They emphasized the need for MINURCAT and EUFOR to quickly deploy and protect humanitarian workers and refugee and internally displaced person camps. They urged the international community to provide support to the Government of Chad to increase its capacity to maintain law and order in eastern Chad.

89. Responding to questions from Council members, the humanitarian agencies noted the difficulty in promoting the reintegration of the internally displaced persons as all the communities were now competing for limited resources. The area of Goz Beida, originally inhabited by 7,500 people, was now home to more than 68,000 people, including refugees and internally displaced persons. With the increasing attacks in Darfur, the number of refugees had increased dramatically, without an increase in resources provided for humanitarian assistance. They were worried that humanitarian funding was diminishing because of competing global needs.

## **E. Meeting with the Prime Minister**

90. In N'Djamena, the mission met with the Prime Minister of Chad, Youssouf Saleh Abbas, since the President, Idriss Déby Itno, had to attend an urgent meeting abroad on the day of the mission's visit. President Déby offered to meet the mission the following morning, but the tight schedule of the mission in the Democratic Republic of the Congo did not permit it to postpone its departure from Chad.

91. In its presentation, the mission reiterated its affirmation of the sovereignty and integrity of Chad's borders. The Security Council had condemned the rebel attacks on N'Djamena in February and the activities of illegal armed groups. The Council had also encouraged Chad to build on the agreement of 13 August 2007 to promote political dialogue with the unarmed opposition. The mission briefed the Prime Minister on its mission to Goz Beida and the humanitarian messages it had received there. They commended Chad for the assistance provided to the Darfurian refugees. Through MINURCAT, the United Nations would intensify its efforts at protecting the refugees and humanitarian workers. The mission would transmit the humanitarian message to the Council as it would be useful in discussions on the mandate of MINURCAT in September. The mission welcomed the upcoming meeting on the follow-up to the Dakar Agreement between Chad and the Sudan. It was encouraging that the Government of Chad had condemned the JEM attack on Omdurman. They urged Chad to distance itself from rebel movements for the sake of regional security.

92. The mission members noted that they had conveyed the same message to the Sudan. They encouraged the Government of Chad to use its leverage with some

movements to have them engage in the talks led by the African Union-United Nations mediation.

93. The Prime Minister lauded resolution 1778 (2007) and reaffirmed his Government's commitment to working with MINURCAT and EUFOR. The Government of Chad welcomed the unique approach of co-deployment of Chadian Gendarmes. Chad had suffered from the repercussions of the conflict in Darfur. Chad reiterated its willingness to improve its brotherly relations with the Sudan. The Government had condemned the rebel attack on Omdurman, and the Prime Minister was emphatic that his Government had not supported the rebels. Moreover, the rebel attack did not proceed from the Chadian border thus absolving his Government from any involvement. On relations between the two countries, the Prime Minister noted that Chad was not the source of the severance of relations as the Sudan had taken a unilateral decision to break diplomatic relations. The Government of Chad was committed to the African Union-led mediation and had always sent a high-level delegation (Foreign Minister) to the meetings. The Foreign Minister added that it was the Government of the Sudan that had not shown any commitment to the mediation process. He further noted that the full implementation of the Dakar Agreement would be a first step in promoting good relations between the two countries. On the issue of refugees and internally displaced persons, he noted that the global food crisis was causing considerable strain on the Government of Chad. In some cases, the refugees had better living conditions than those of the local people. He appealed for assistance from the international community to support the refugees and the local communities hosting them.

## **F. Recommendations**

94. The Security Council mission recommends the following:

(a) The Security Council should reaffirm its full support to MINURCAT and EUFOR which play a key role in protecting refugees from Darfur, internally displaced persons and other vulnerable civilian populations. It should encourage the Secretary-General to deploy MINURCAT as quickly as possible;

(b) When it examines the arrangements for following up EUFOR, including a possible United Nations operation, the Council should take fully into account the call from the people in Chad for increased security in the eastern part of the country;

(c) The international community and the Chadian authorities should increase their humanitarian assistance and support for the populations in eastern Chad. The Chadian authorities should take further steps to address the continued prevalence of sexual violence and to fight against impunity;

(d) The Security Council should encourage the Government to build upon the agreement of 13 August 2007. The Government should persevere in promoting political dialogue, in the framework of the Chadian Constitution;

(e) The Security Council should continue to call on Chad and the Sudan to implement their commitments under the Dakar Agreement, and in this respect sever ties with rebel groups operating on both sides of the border.



## V. Democratic Republic of the Congo

### A. Background and context

95. The ninth mission of the Security Council to the Democratic Republic of the Congo was conducted some 18 months after the holding of national elections in December 2006. During that period, the Democratic Republic of the Congo made progress in addressing the challenges it faces in consolidating peace in the eastern part of the country and establishing the conditions for democracy, recovery and sustainable development. One of the key objectives of the Security Council mission to the Democratic Republic of the Congo was to reaffirm its support to the Government in its efforts to consolidate peace and stability in the eastern Democratic Republic of the Congo and promote recovery and development in the country. The Security Council also aimed at expressing support for the Government's efforts to pacify the eastern part of the country through the implementation of the Goma and Nairobi processes, and expressed its concern regarding the humanitarian situation in the eastern Democratic Republic of the Congo, the continuing prevalence of gender-based violence and human rights abuses and the necessity to put an end to the recruitment of children, in particular by armed groups. The Council was encouraged by the steady improvement in the relationship between the Democratic Republic of the Congo and its neighbours.

96. The Security Council mission, led by the Permanent Representative of France to the United Nations, Ambassador Jean-Maurice Ripert, visited Kinshasa and Goma. In Kinshasa, the mission met with the President, Joseph Kabila Kabange; the Prime Minister, Antoine Gizenga; the Minister of State; the Minister of the Interior, Decentralization and Security; the Ministers for Foreign Affairs and International Cooperation, National Defence and Former Combatants, Justice and Human Rights; the Minister for Gender, the Family and Children; and the Minister for Mines. The mission also met with the President of the Senate, Léon Kengo wa Dongo, and the Speaker of the National Assembly, Vital Kamerhe, and the bureaux of those institutions, including members of the parliamentary opposition.

97. The mission met in Goma with the Governor of North Kivu Province, Julien Paluku, the Chairman of the Provincial Assembly and senior members of the provincial administration. The mission also met the National Coordinator of the Amani Programme, Abbé Apollinaire Malu Malu, and members of the Mixed Technical Commission on Peace and Security, including the European Union Special Representative for the Great Lakes, Roeland van de Geer, and the Special Adviser to the United States Assistant Secretary of State for African Affairs, Timothy Shortley, in their capacity as members of the international facilitation mechanism for the Amani Programme. The mission also visited the Mugunga II camp of internally displaced persons, some 40 kilometres from Goma, and met separately with local civil society organizations.

98. The mission was briefed in Kinshasa and Goma by the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). The Special Representative of the Secretary-General for the Democratic Republic of the Congo, Alan Doss, accompanied Security Council members throughout their visit to the Democratic Republic of the Congo.

99. The Council was encouraged by the steady improvement in the relationship between the Democratic Republic of the Congo and its neighbours. While many challenges remain, the mission noted that the Government had successfully launched complex peaceful political processes aimed at restoring peace in the eastern Democratic Republic of the Congo, established a priority programme for stabilization and recovery and taken meaningful steps towards improving its bilateral relationships with Rwanda and Uganda. Nevertheless, those developments still need to be fully implemented on the ground and pass the reality check.

100. Some progress had also been made in defining a framework and critical path for army reform and ensuring the delivery of peace dividends to the population, through the gradual implementation of the “*cinq chantiers*” (five priority areas) recovery programme and the adoption of a legal framework aimed at enhancing economic efficiency, including the privatization of State-owned enterprises. While the mission’s interlocutors acknowledged that the results achieved so far had not yet met the expectations of the population they reaffirmed their commitment to pursuing those efforts in close cooperation with international partners. It was also acknowledged that the recent worldwide increase in the prices of basic food products had had an additional negative impact on the socio-economic situation.

101. On the legislative front, the National Assembly and Senate are working closely towards establishing the legal framework necessary for the implementation of Government priorities, democratic governance and the promotion of human rights. The Parliament had also been active in exercising its oversight function. In that regard, the National Assembly and Senate had launched several inquiry commissions, including an investigation into the violence in Bas-Congo in March 2008. Parliament is scheduled to evaluate the implementation by the Government of various parliamentary recommendations.

102. The Government of the Democratic Republic of the Congo also expressed its commitment to the deepening of democracy at the national and local levels, including the holding of local elections in 2009, and addressing the plight of women and children victims of sexual and gender-based violence and continued human right abuses, by fighting impunity. In that regard, the mission welcomed the successful collaboration of the authorities of the Democratic Republic of the Congo with international justice mechanisms, in particular the International Criminal Court.

103. While the mission’s discussion with its interlocutors often focused on the security situation in the eastern Democratic Republic of the Congo, it was frequently reminded of the linkages that exist between the situation in that part of the country and the other critical challenges faced by the Government. In this regard, the Council mission was encouraged by the Government’s determination to accelerate critical reforms, in particular security sector reform, justice reform and strengthening democratic institutions, through the establishment of a legal framework for the activities of the political opposition and the commitment to hold local elections in 2009.

## **B. Meetings with the President, the Government and parliamentary institutions**

### **Political situation**

104. President Kabila, the Prime Minister and members of the Government reassured the mission of their determination to rapidly consolidate peace. The President noted that the political situation in the Democratic Republic of the Congo was “good”. In recent months, the Government had strengthened efforts to finalize the establishment of State institutions. The legal framework for decentralization would be shortly adopted by the National Assembly and the Senate. A Joint Parliamentary Commission had been established in that regard. The next step would be the establishment of the legal framework and necessary conditions for the holding of the local elections, which the Government expects to hold in 2009.

105. The National Assembly and the Senate echoed President Kabila’s remarks in noting that the Parliament was working closely with the Government in establishing the legal framework necessary for several important reforms. While capacity limitations and institutional constraints remained, the Government expressed its commitment to pursuing efforts to implement justice and security sector reform. The Government was also working closely with the Parliament to establish a legal framework for the financing and activities of the political opposition, which should serve to underpin efforts to deepen democracy. The President explained that the law on the status of the opposition would be promulgated shortly. The promulgation of the law on the opposition would allow the opposition to designate its spokesperson.

106. Representatives of the opposition acknowledged that democratic practice in the Democratic Republic of the Congo had improved and that parliamentary work had been instrumental in promoting a constructive dialogue between the ruling coalition and opposition parties. Additional progress was however required in this regard. Opposition members also called for additional Government guarantees regarding freedom of expression and association. They noted that while the legislative framework for political opposition activity was adequate, additional efforts were required concerning its implementation. There was also a need to reinforce the independence of the judiciary.

107. Members of the Mouvement de libération du Congo opposition party expressed concern at the arrest in Belgium of their leader, Jean-Pierre Bemba, following a warrant of the International Criminal Court. The leader of the Security Council mission stressed that the International Criminal Court is an independent institution and that it had acted as such. He reminded his interlocutors that the Security Council in its resolution 1794 (2007) had encouraged the Congolese authorities to cooperate in international efforts to bring to justice perpetrators of grave violations of human rights and international humanitarian law.

### **The situation in the eastern Democratic Republic of the Congo**

108. President Kabila echoed the Security Council’s concerns regarding the critical humanitarian and human rights situation in the eastern Democratic Republic of the Congo, where, as a result of the insecurity created by the presence of armed elements, in particular the ex-FAR/Interahamwe, incidents of gender-based violence and the recruitment of child soldiers continue unabated. The President stressed his Government’s commitment to ending the presence and activities of armed groups in

the eastern part of the country, through the full implementation of the Goma and Nairobi processes. The meeting organized by the Government in Kisangani with leaders of some FDLR groups, with the objective of prompting the disarmament and repatriation or de-localization of some FDLR combatants, was a positive step forward. Some members of Parliament relayed the concerns of their constituents regarding the possible relocation of FDLR elements in their region.

109. While the President expressed confidence in the prospects for a peaceful resolution of the crisis in the Kivus, he noted however that the military option “remained open” to tackle elements, in particular FDLR, that might continue to oppose the peace process. He also acknowledged that the peace processes under way in the Kivus were complex and would take time to produce the expected results.

110. The President explained that the administration of justice was necessary to reinforce the reconciliation processes already under way. He reaffirmed the commitment of the Democratic Republic of the Congo to continue to collaborate closely with the International Criminal Court and stressed that justice was a necessary step towards peace and stability. The issuance of an arrest warrant against Ituri militia leaders had been instrumental in moving forward the peace process in that region. It was hoped that other arrest warrants would have similar effects on the situation in the Kivus. For its part, the Government was in the process of adopting an amnesty law, as agreed during the Goma Conference. It would also recruit and train some 2,500 magistrates, who would be deployed to support stabilization efforts in the eastern Democratic Republic of the Congo. Their deployment would also help to strengthen the Government’s capacity to implement the law adopted by the Parliament in July 2006 to address sexual and gender-based violence, including the provision of assistance to victims.

### **Regional relations**

111. The President and his Government reaffirmed their commitment to pursuing efforts aimed at improving bilateral relationships with Rwanda and Uganda. The President noted that the relationship of the Democratic Republic of the Congo with Uganda had markedly improved. President Kabila and President Museveni met in Dar es Salaam on 12 May 2008 to reaffirm their commitment to collaborate on issues of common concern. With regard to the relationship of the Democratic Republic of the Congo with Rwanda, there had been increased contacts between the two countries since the signing of the Nairobi joint communiqué on 9 November 2007. President Kabila noted that progress towards the re-establishment of full diplomatic relations between the Democratic Republic of the Congo and Rwanda would be gradual. A first step would be the establishment of diplomatic representations in Goma and Gisenyi, which would eventually be followed by the opening of embassies in Kinshasa and Kigali. The process would very much depend on improvements in the situation in the eastern Democratic Republic of the Congo. The mission also learned of the initiatives taken by the Senate and National Assembly of the Democratic Republic of the Congo to engage in parliamentary diplomacy with neighbouring countries. Those contacts had been useful in complementing the Government’s efforts to improve its relationship with neighbouring countries.

### **Lord's Resistance Army**

112. Regarding the Lord's Resistance Army (LRA), President Kabila considered that, despite the commendable mediation efforts of the President of Mozambique, Joaquim Chissano, there remained little prospect for a negotiated settlement. The Democratic Republic of the Congo was no longer prepared to tolerate the activities of Joseph Kony and his combatants who routinely harassed local populations, including the raping and abduction of women and children. It was now necessary to pursue a military option, to put an end to LRA activity in the region. The President added that the Democratic Republic of the Congo had initiated contacts with the Governments of Uganda and Southern Sudan in that regard. MONUC stressed that it was limited in its capacity to deal with the LRA issue.

### **MONUC and international support for the Democratic Republic of the Congo**

113. During its meetings with Congolese interlocutors, the mission also reiterated the commitment of the Security Council to accompany, through MONUC, the Government in its efforts to bring about long-term peace and recovery. Government progress in that regard would allow for the evolution of the MONUC mandate and its eventual withdrawal. President Kabila and the mission's other interlocutors stressed that the relationship between MONUC and the Congolese authorities was good. While the President explained that he did not expect MONUC to be involved in the national elections to be held in 2011, he stressed the need for MONUC to maintain a military presence in the eastern Democratic Republic of the Congo until the humanitarian and security situation in that region was addressed. This should remain the priority of MONUC for the next 18 months. He added that the United Nations, through its funds, agencies and programmes, would have an increasing role to play in assisting the Government with its reconstruction, development and infrastructure rehabilitation efforts.

## **C. Meetings in Goma**

### **Background and context**

114. The challenges facing the Democratic Republic of the Congo in consolidating peace and recovery are particularly acute in the Kivus, which have borne the brunt of the conflict. The costs of the most recent conflict, which erupted in North Kivu in December 2007, when Government forces clashed with the rebel forces of the renegade commander, Laurent Nkunda, are tremendous, including the displacement of hundreds of thousands of people, massive violations of human rights, use of sexual violence as a weapon of war and extensive destruction and looting of property.

115. The Government launched a political process in mid-January 2008 in Goma, which concluded with the signing of *actes d'engagement*, binding the Government of the Democratic Republic of the Congo and Congolese armed groups to a critical path towards peace, including a ceasefire and the military integration or disarmament, demobilization and reintegration of local armed groups, including Nkunda's Congrès national pour la défense du peuple (CNDP) and the PARECO (Coalition of Congolese Patriotic Resistance) Mayi-Mayi group, which is allied with FDLR. At the end of the Goma Conference, several commissions were set up under the Amani Programme, established by the Presidency of the Democratic Republic of

the Congo as the comprehensive framework for the implementation of the agreements reached at the Conference.

116. Ensuring progress in the Kivus is one of the most complex, intricate challenges ever faced by a peacekeeping operation, on a scale never before attempted. Together, the Nairobi and Goma processes represent a framework for action towards eliminating the threat of armed groups; establishing State authority where it is virtually non-existent; beginning to build a legitimate Congolese army and, ultimately, stabilizing the entire region through improved relations between the Democratic Republic of the Congo and its neighbours.

117. It is within this context that the Security Council mission spent the day of 8 June in Goma, North Kivu Province. The mission's objective in visiting Goma was to express its strong support for the positive momentum created by the Nairobi and Goma processes, as well as its solidarity with the plight of the region's 1.6 million internally displaced persons. Members of the mission visited the Mugunga II camp of internally displaced persons, where they experienced at first hand the gravity of the humanitarian crisis that persists in the region. Mission members also met representatives of civil society, including representatives of women's organizations. They asked the Security Council to provide, through MONUC, more security. They underlined the high rate of sexual violence and highlighted the need to fight impunity.

#### **Goma and Nairobi peace processes**

118. The mission's interlocutors in Goma, including the Governor of North Kivu and the National Coordinator of the Amani Programme, Abbé Malu Malu, highlighted the challenges faced by the Government in addressing the situation in North Kivu, in particular the insecurity caused by the presence of illegal armed groups and their harassment of the local population. They explained that the armed groups were concentrated in remote forest areas where they preyed on the local population, committing acts of sexual violence against women and children, imposing tax levies and looting agricultural produce. Many of the groups were divided along ethnic lines, which had exacerbated tensions among communities in the region.

119. The Governor of North Kivu and the Coordinator of the Amani Programme explained that in recent months the Government had adopted a two-pronged strategy to address the problem caused by the armed groups and establish security in the region. At the regional level the Government had engaged in the Nairobi process, which provides for a common Democratic Republic of the Congo-Rwanda approach in dealing with the threat posed by the ex-FAR/Interahamwe. In December 2007, the Democratic Republic of the Congo transmitted to Rwanda a detailed plan of action in that regard. Much progress has been made in implementing the plan, including the launch of a comprehensive sensitization campaign on the ground and the holding of a meeting in Kisangani with some ex-FAR/Interahamwe groups to discuss the modalities for their disarmament and repatriation to Rwanda, or relocation away from the Democratic Republic of the Congo-Rwanda border.

120. At the national level, the Government had held the Goma Conference in January 2008, and subsequently launched the Amani Programme to address the threat posed by Congolese armed groups. Following the conclusion of the Conference, follow-up mechanisms, including the Mixed Technical Commission on

Peace and Security, had been established and were functioning on a daily basis. Abbé Malu Malu echoed the view of members of the international facilitation mechanism in noting that all of the participants in the Amani Programme, including the armed groups and Nkunda's faction, had so far demonstrated good will in working together. The Amani Programme however faces a number of challenges, including a lack of resources for the implementation of some of its initiatives. Furthermore the slow progress on reaching an agreement with the armed groups on the modalities for disengagement and *brassage* remains an issue of major concern.

121. The Governor also cited the refusal of certain hard-line Rwandan armed groups to join the peace process as an obstacle to progress. He called on the Security Council to strengthen its sanctions against the ex-FAR/Interahamwe and Congolese armed groups that refuse to join the Goma process. He deplored the fact that ex-FAR/Interahamwe leaders were allowed to intervene on international radio networks.

### **Humanitarian situation**

122. The mission's interlocutors also highlighted the grave humanitarian situation in the region, including the presence of some 1.6 million internally displaced persons, 70 per cent of whom lived with host families in local communities. The Governor noted that while there had been no major ceasefire violations by the armed groups in recent weeks, incidents of harassment of the population, including acts of sexual violence, had increased. The mission and its interlocutors condemned the attack on an internally displaced person camp by FDLR elements on 4 June. The mission expressed its support for the stabilization strategy pursued by MONUC and highlighted the need for local ownership of the process.

123. The mission experienced at first hand the dramatic humanitarian situation in the Kivus during its visit to the Mugunga II camp, which houses some 10,000 internally displaced persons from the Sake area. Most of them came to the camp in September 2007 following clashes between Nkunda's CNDP and the armed forces of the Democratic Republic of the Congo. The internally displaced persons expressed the desire to return to their communities of origin and called for improvements in the security of the region, in particular the disarmament of armed groups. They also deplored the living conditions in the camp, including the limited food rations they received, 6 kg per person per month.

### **International support to peace consolidation in the Kivus**

124. The mission's interlocutors, including MONUC and members of the international facilitation mechanism for the Amani Programme, called for the mobilization of additional international support for the Goma process. They also urged the Security Council mission to consider providing MONUC with a "surge capacity" that would include additional force enablers, the intelligence capacity necessary to tackle the problem of armed groups, and a short-term "special forces" military capacity, which would enhance the ability of MONUC to support the efforts of the Democratic Republic of the Congo to disarm recalcitrant militias and implement its mandate to protect civilians. All of the mission's interlocutors acknowledged that capacity of MONUC was overstretched. Local interlocutors in the Kivus also echoed President Kabila's concern that the Security Council should

maintain a robust MONUC presence in the eastern Democratic Republic of the Congo until the security situation was fully stabilized.

125. The mission's interlocutors also raised the possibility of appointing a "human rights observer" for the eastern Democratic Republic of the Congo, as proposed by some international non-governmental organizations. Abbé Malu Malu, while agreeing in principle with the proposal, stressed the need for national ownership of such a process. He suggested that the international community explore the possibility of supporting a human rights monitoring entity led by Congolese civil society.

#### **Local elections**

126. In Goma the mission also discussed the local elections with Abbé Malu Malu in his capacity as Chairman of the Independent Electoral Commission. He thanked the Council for providing MONUC with the mandate to provide support to the local elections, which he expects to be held in 2009. He highlighted a number of challenges, including the need to accelerate the building of local electoral capacity, including training of key personnel and the establishment of credible electoral dispute resolution mechanisms. He also informed the mission of the Government's decision to update electoral lists, which he anticipated would add some 6 million eligible electors to the electoral roll.

### **D. Recommendations**

127. Following the consultations held with various interlocutors, the Security Council mission makes the following recommendations:

#### **Goma and Nairobi processes**

(a) The Security Council, while continuing to prepare for a future gradual drawdown, should keep MONUC capabilities under review to ensure that they support the Mission with the necessary force enablers, tactical intelligence capability, and, where feasible and appropriate, standby special forces capacity to assist the Democratic Republic of the Congo with the implementation of the Goma and Nairobi processes and to address the challenges posed by other foreign armed groups;

(b) The Mixed Technical Commission on Peace and Security should make rapid progress on reaching an agreement on the modalities and timelines for their disengagement and *brassage*; the Congolese armed groups must fully cooperate to this effect;

(c) FDLR, ex-FAR/Interahamwe and other Rwandan armed groups must present themselves without any further delay or preconditions for their disarmament, demobilization, repatriation, resettlement and reintegration. The Governments of the Democratic Republic of the Congo and Rwanda are encouraged to continue implementing their commitments under the Nairobi communiqué to make sure that all conditions are in place to allow this process to advance. The Government and the judiciary should take appropriate measures against the armed groups that continue to prey on the local population and perpetrate acts of sexual



violence; the Government should also take further steps to put an end to the recruitment of children, in particular by armed groups;

(d) The international community should be encouraged to increase its support to the implementation of the Goma process, including the provision of financial resources and the establishment of a capability for human rights monitoring, including a strong local ownership dimension;

#### **Security sector reform**

(e) The Government should pursue and intensify its efforts aimed at reforming and restructuring the army, including the integration of coherent units; the reform of the military command structure needs to be accelerated;

(f) In this context, a more systematic effort is required to put an end to impunity within the ranks of the security services, by bringing to justice the alleged perpetrators of human rights violations among military and police personnel;

(g) The international community should be encouraged to increase its support to security sector reform in the Democratic Republic of the Congo, including through contributing to the establishment of a rapid reaction force, as proposed by the Government of the Democratic Republic of the Congo;

#### **Sexual and gender-based violence**

(h) The Government should take further steps to address the continued prevalence of sexual violence in the Democratic Republic of the Congo, including taking urgent action to end impunity within the armed forces;

#### **Local elections**

(i) The Government should establish as soon as possible a clear timeline for the local elections, including an assessment of support requirements.

## **VI. Côte d'Ivoire**

### **A. Background and context**

128. The objective of the Security Council mission was to acknowledge the progress made by Ivorians in the implementation of the Ouagadougou Political Agreement under the Facilitation of the President of Burkina Faso, Blaise Compaore, and with the accompaniment and support of the United Nations. The mission noted in that regard a relaxed political and security environment marked by a renewed confidence by all Ivorian stakeholders in the Ouagadougou Political Agreement, and a significant acceleration of the preparations for the elections. Indeed, commendable progress has been made in recent months in Côte d'Ivoire against the timeline envisaged in the Ouagadougou process, beginning with the consensus reached among all the parties on the date for the first round of the presidential election, set for 30 November 2008. This development was made possible by the signing, by President Gbagbo, of a number of decrees pertaining to the electoral process, and is supported by other major achievements obtained since the signing of those decrees, notably the completion of the mobile courts operations

on 15 May, with a total of 515,000 duplicate birth certificates granted, and the official launching, in mid-May, of the reconstitution of lost or damaged civil registers, a process expected to last four months. Moreover, the voter registration process is now due to be launched on 1 July, and a provisional list should be ready by 31 August, before the official publication of the final list on 15 November 2008.

129. Progress has also been made on the security front, albeit of limited scope compared to the electoral process, and the Security Council took note in particular of the completion of the cantonment of the Ivorian Defence and Security Forces and of the launching of the process in the areas controlled by the Forces nouvelles. The mission's interlocutors noted positive developments such as the lifting of the zone of confidence and the gradual removal of the observation points along the green line, as well as the redeployment of State administration throughout the country. They commended the fact that the parties are now moving freely throughout the territory, conducting electoral campaigns and sensitization on the peace process. Some of the remaining challenges mentioned during the meetings of the Security Council in Abidjan included the security of the electoral process, the inclusiveness of the peace process, in particular for the civil society, the transparent implementation of the processes of disarmament, demobilization and reintegration and disarmament and dismantling of the militias, but more importantly the funding of the electoral process, which could unravel all the significant efforts made by the parties to overcome political obstacles over the past 12 months.

130. In Abidjan, the mission, led by the Permanent Representative of Burkina Faso to the United Nations, Ambassador Michel Kafando, met with the President, Laurent Gbagbo; with a delegation from the Forces nouvelles led by General Soumaila Bakayoko; with the Special Representative of the Facilitator, Boureima Badini; with the Chairman of the Independent Electoral Commission, Beugre Mambé; with the Chiefs of Staff of the Ivorian Defence and Security Forces and of the Forces nouvelles, Generals Philippe Mangou and Soumaila Bakayoko; with the leader of the Rassemblement des républicains, Alassane Ouattara; with representatives of the National Institute of Statistics and the technical operator for the identification and voter registration, SAGEM; with a delegation from the Convention de la société civile ivoirienne led by its Coordinator, Patrick N'Gouan; with the Force Commander of Licorne, General Bruno Clément-Bollée; and with the leadership of the United Nations Operation in Côte d'Ivoire (UNOCI), led by the Special Representative of the Secretary-General, Choi Young-Jin. The Minister for Foreign Affairs, Youssouf Bakayoko, and the Permanent Representative of Côte d'Ivoire to the United Nations, Ambassador Alcide Djédjé, participated in the meeting between the mission and the President.

131. The mission commended the continued efforts by the Ivorian political leaders to sustain the momentum created by the signing of the Ouagadougou Political Agreement in March 2007, as well as the renewed commitment of the parties to maintain ownership of the peace process, under the facilitation of President Compaore of Burkina Faso, and with the accompaniment and support from UNOCI and the impartial forces. The mission also stressed the importance of a final and durable settlement of the crisis and urged its Ivorian interlocutors to ensure the full implementation of the Ouagadougou Political Agreement, in particular meeting the benchmarks leading to the organization of open, free, fair, credible and transparent elections on 30 November 2008. In this regard, they encouraged the Ivorian political leaders to ensure that the peace process remains inclusive, in particular by involving

civil society, and to create the conditions for a secure electoral process, with the assistance of the impartial forces. The mission also recalled the importance of the certification of all stages of the electoral process by the Special Representative of the Secretary-General.

## **B. Meeting with the President**

132. During his meeting with the Security Council mission, President Laurent Gbagbo commended its members for their continued interest in the Ivorian peace process and reiterated his intention to organize the presidential election on 30 November 2008, in spite of the difficulties encountered, mainly resulting from the lack of funding. He thanked the international community, in particular the Special Representative of the Secretary-General and the Special Representative of the Facilitator, for the efforts made so far in supporting the Ivorian institutions in the preparations of the elections, but urged them at the same time to impress on the technical operators involved in the electoral process, namely the Independent Electoral Commission, the National Institute of Statistics and SAGEM, to ensure that they meet the 30 November 2008 deadline for the elections. Now that the relevant decrees had been adopted, and a first payment made by the end of May to SAGEM by the Government, the President considered that the onus was on them to expedite the preparation of the elections. He further stated that, as illustrated by the SAGEM case, the Government of Côte d'Ivoire had made significant sacrifices to honour its payment of the technical operator, although it was an expensive process, and should be supported accordingly by the donor community.

133. The President called on the international community to exercise flexibility to better understand the rationale behind the juxtaposition of various commissions and operators involved in the electoral process, an option that was aimed from the beginning at enhancing the confidence of all Ivorian parties in the peace process. He insisted that this consensual approach was linked to his and the Government's priority to proceed with elections on the basis of a transparent, credible voters' roll. He further stressed that, until the signing of the Ouagadougou Political Agreement, the Ivorian crisis was dominated by political bickering rather than armed confrontation, and that he was therefore confident that security was no longer an issue for the electoral process, in particular given the presence on the ground of UNOCI and the Licorne forces, and that the focus should now be on the mobilization of financial resources, to assist the Government to meet its obligations vis-à-vis the French technical operator SAGEM and support the cantonment process of former combatants. The President also reiterated his acceptance of the five-criteria framework for the certification proposed by the Special Representative of the Secretary-General, and encouraged him to continue to play a constructive role among various stakeholders to ensure that elections were held on time, and on the basis of criteria acceptable to all parties.

## **C. Political and security climate in Côte d'Ivoire**

134. The mission commended the Ivorian political leaders for the improved political and security environment in the country since its last visit, in June 2007, and for maintaining ownership of the peace process and the momentum created by the signing of the Ouagadougou Political Agreement, in March 2007. The mission

noted the continued dialogue among the Ivorian political leaders, which had helped them to achieve significant progress on the reunification of the country, on the redeployment of State administration, on the cantonment of the former combatants, and on the electoral process. On this particular issue, the mission commended all the signatories of the code of good conduct for the elections, signed in April 2008 in the presence of the Secretary-General of the United Nations, and urged them to respect their commitment and guarantee an open, free, fair and transparent election.

135. The mission also pointed to the important role and responsibility that the private and State medias have to play in sustaining the positive political environment in Côte d'Ivoire until and after the elections. President Gbagbo disclosed in that regard his intention to urge the State media, in particular the radio and television, to play a greater role in supporting the peace process, by promoting dialogue and organizing political debates ahead of the elections. The mission welcomed this intention, which is in line with a specific request made by the opposition and civil society for more equitable access to State media. The opposition noted in that regard a discrepancy in the allocation of airtime by the Ivorian radio and television between the opposition and the presidential camp. Commenting on this particular concern, the President observed, however, that the access of the opposition to State media and freedom of the press had significantly progressed under his leadership, following the adoption of relevant legislation governing the media. With regard to the specific role of the media during the electoral process, the Special Representative of the Secretary-General indicated that the Government of Côte d'Ivoire was considering measures to ensure that the media are fair and transparent, including by establishing a framework similar to the code of good conduct signed by the political parties.

136. In order to sustain the positive climate that has prevailed since the signing of the Ouagadougou Political Agreement before, during and after the elections, the mission encouraged the key Ivorian political leaders and the Facilitator to consider some of the concerns expressed by civil society, in particular regarding the transparency and inclusiveness of the Ouagadougou political process, and the security of the electoral process. Civil society also proposed the convening of a "national consensus" meeting during which all issues pertaining to the electoral process should be addressed, including the involvement of civil society in the monitoring of the process. The Chairman of the Independent Electoral Commission pointed however to the extremely politicized environment prevailing among the various segments of civil society in Côte d'Ivoire and, while supporting the mission's suggestion for an increased role of civil society, the Commission proposed the adoption of a code of conduct for civil society during the electoral period, before reassuring the mission that it was the Independent Electoral Commission's intention to launch a dialogue with civil society in the coming weeks. The mission also encouraged civil society to assume ownership of the Ouagadougou political process and to continue to support the peace process by, inter alia, sensitizing the Ivorian population on the peace process and promoting social cohesion.

#### **D. The electoral process and the United Nations role in certifying the elections**

137. The mission noted the progress made in the preparations for the elections under the leadership of the Independent Electoral Commission at both the political

and technical levels, with the support of UNOCI and of the Special Representative of the Facilitator. The mission noted that a number of important decrees pertaining to the electoral process had been adopted by the Government. The decree defining the modus operandi of the identification and voter registration and the respective roles of SAGEM and the National Institute of Statistics has yet to be promulgated. However, the Chairman of the Independent Electoral Commission indicated that an agreement had already been reached between the two operators on the modus operandi, and that the identification and voter registration process was scheduled to start on 1 July, according to the timetable proposed to the parties by the Commission on the basis of the deadline of 30 November 2008 set for the first round of the presidential elections. The mission welcomed this new timetable which provides for the publication of the provisional voters' list on 31 August, and the final list on 15 November 2008, stressed the responsibility of the Independent Electoral Commission and of the two operators — SAGEM and the National Institute of Statistics — in ensuring the transparency of the voters' lists, and urged them to continue to work closely with UNOCI and the Special Representative of the Facilitator in this respect.

138. With regard to logistical preparations for the elections, the Independent Electoral Commission indicated that 80 per cent of its 415 local branches had already been deployed throughout the country, and that a total of 11,600 commissioners were expected to be deployed in those branches, while the overall staffing requirements for the 22,000 polling stations was estimated at 66,000 personnel who have yet to be identified and recruited. The mission noted however the concerns expressed by the Commission, and echoed by the opposition, the Forces nouvelles and civil society, with regard to the funding gap of \$15 million currently facing the electoral process, as well as some specific requests regarding the security of its personnel, the candidates to the elections, and the freedom of movement of the voters during the voter registration, the political campaigns and on the day of the election. The mission called on the United Nations system in Côte d'Ivoire to continue to assist the Ivorian institutions in the mobilization of financial resources for the electoral process, and emphasized the responsibility of the Ivorian authorities, in particular the armed forces, in creating an environment conducive to open, free, fair and transparent elections.

139. The mission reiterated its full support for the role of UNOCI in the certification of the electoral process, and stressed that any contestation of the election results, whether justified or not, could result in a political crisis that would affect the overall credibility of the process, thus justifying the centrality of the certification. The mission expressed its appreciation of the framework proposed by the Special Representative of the Secretary-General for the certification of the electoral process, including the explicit certification of the voters' lists and the results of the elections, and commended in that regard his continued efforts to mobilize consensus among the Ivorian political leaders. In order to effectively support the Special Representative in his task, the two technical operators involved in the preparation of the voters' lists were requested by the mission to submit on a regular basis, through the Independent Electoral Commission, all relevant information and documentation that could inform the Special Representative's certification mandate. Furthermore, to address one of the demands formulated by the civil society, the mission encouraged the Special Representative to continue to sensitize the Ivorians on his framework for the certification of the electoral process.

140. On the security of the electoral process, the Forces nouvelles, civil society and the opposition stressed the important role that the impartial forces are expected to play in securing the electoral process, in the light of the limited progress made in the dismantling of the militias and the disarmament of former combatants. The mission stressed the need for an increased role of the impartial forces in the security of the electoral process, especially since the Ouagadougou Political Agreement does not provide for a complete disarmament, demobilization and reintegration programme before the elections, thus increasing the risks of security incidents during the process. The Special Representative of the Secretary-General and the Force Commanders of UNOCI and the Licorne forces indicated to the mission that a security plan for the electoral process was currently being developed by the leadership of the Defence and Security Forces of Côte d'Ivoire and of the Forces nouvelles, the Integrated Command Centre and the impartial forces, on the basis of a thorough threat assessment which takes these constraints into consideration, and also provides for an enhanced cooperation with the defence and security forces of the neighbouring countries. The mission re-emphasized in its meetings with the Ivorian stakeholders the importance of the criteria defined by the Special Representative of the Secretary-General for the certification of the electoral process, which include the peaceful and secure environment in which all the stages leading to elections should be conducted.

#### **E. Disarmament/dismantling of militias/reunification of the army**

141. Although the Ouagadougou Political Agreement and its supplementary agreements provide that the key tasks of disarmament of former combatants, dismantling of the militias and reunification of the Ivorian army should be completed only after the elections, their likely impact on the overall security of the electoral process remains a source of concern. In this regard, civil society stressed that following initial progress in the aftermath of the signing of the Ouagadougou Political Agreement, with the lifting of the zone of confidence and the establishment of the Integrated Command Centre and the mixed brigades, the processes of disarmament, demobilization and reintegration, disarmament and dismantling of the militias and reunification had stalled over political disagreements among the two parties to the Ouagadougou Political Agreement. In the light of the limited progress made on these issues, the Rassemblement des républicains and civil society urged the Security Council to maintain the sanctions regime and the arms embargo until the peace process has become irreversible and the key processes of disarmament, demobilization and reintegration, dismantling of the militias and reunification of the army are completed. Meanwhile all interlocutors called on the Security Council to maintain the current troop levels in UNOCI and Licorne until the elections. During their meeting with the Council mission, the four Generals representing the impartial forces on the one hand, and the Defence and Security Forces of Côte d'Ivoire and the Forces nouvelles on the other hand, emphasized the excellent working relations among their units since the signing of the Ouagadougou Agreement and minimized the risks facing the electoral process in spite of the limited progress on disarmament, demobilization and reintegration, dismantling of the militias and the reunification of the two forces.

142. The Chiefs of Staff of the two forces, Generals Mangou and Bakayoko, emphasized in that regard the progress made on the cantonment of the former

combatants and on the storage of weapons, in spite of the funding shortages experienced by the Forces nouvelles, and the Special Representative of the Facilitator told the mission that he was confident the cantonment process would be completed within five months and on time for the elections. The Generals also stressed the progress made by the Integrated Command Centre in overseeing the key processes of disarmament, demobilization and reintegration, dismantling of the militias and reunification of the army, and reassured the mission that the Ivorian forces were ready to guarantee the security of the electoral process with the continued support of the impartial forces. In reaction to the mission's concerns about the uncertainty of the dismantling of the militias and the lack of clarity concerning the reunification of the army, the Licorne Force Commander pointed to the responsibility of the Ivorian political leaders, who have yet to agree on the quotas for the reintegration of former Forces nouvelles elements into the new army and on the modus operandi for the reinsertion of former combatants, including the civic service programme.

143. Furthermore, the Generals raised the issue of the redeployment of the fiscal and Customs administrations to the north, currently blocked by the lack of agreement on the fate of the former zone commanders of the Forces nouvelles and on the overall reunification of the army, in spite of specific proposals submitted by the Facilitator in January 2008. On the reunification, however, all interlocutors concurred that it would be more appropriate to defer any decision to the new President, once elected, and to the new administration that will have the responsibility for defining the defence strategy of Côte d'Ivoire. In the light of this mixed background, the mission urged the impartial forces to play a proactive role in securing the electoral process, and in supervising the processes of disarmament, demobilization and reintegration, disarmament and dismantling of the militias and reunification being undertaken or planned by the parties.

## **F. Socio-economic and humanitarian situation**

144. The mission noted the progress made in Côte d'Ivoire in the area of human rights, although the civil society representatives emphasized the continuous trend of sexual and gender-based violence in the country, which constitutes a threat and an obstacle to the freedom of movement of women throughout the territory. The mission therefore urged the Ivorian Defence and Security Forces, the Forces nouvelles and the impartial forces to address these serious concerns, and although the Forces nouvelles claimed that progress made in the implementation of the Ouagadougou Political Agreement over the past 12 months would warrant a lifting of the sanctions regime, the mission stressed that such a decision would be premature, since the Agreement provides for the lifting of those measures after elections are held. All interlocutors pointed to the risks facing the peace process in view of the global food crisis and other socio-economic crises. Both the President and the Forces nouvelles emphasized in particular the precarious humanitarian situation in the central, northern and western parts of Côte d'Ivoire and called on the Security Council mission to urge donors to increase their assistance to reconstructing and rehabilitating social and basic services in the north. Finally, in advocating for longer-term solutions to sustain the peace process beyond elections, civil society leaders urged the international community to address some of the root causes of the Ivorian crisis, not addressed in the Ouagadougou Political Agreement

but crucial to longer-term stability of Côte d'Ivoire, such as land ownership and national reconciliation.

## **G. Recommendations**

145. In the light of the discussions between the Security Council mission and its interlocutors and conclusions drawn from the various exchanges, the mission, while reaffirming the relevance of the elements contained in its terms of reference, recommends:

### **To the Security Council**

(a) That the Security Council continue to support the implementation of the Ouagadougou Political Agreement and the role of the Facilitator and the Special Representative of the Secretary-General for Côte d'Ivoire, including for the certification of all stages of the electoral process;

(b) That the Security Council encouraged all Ivorian parties to stick to the agreed timeline leading to open, free, fair and transparent elections on 30 November 2008 and implement in earnest all outstanding tasks under the Ouagadougou Agreement;

### **To UNOCI and Licorne**

(c) That the Special Representative of the Secretary-General for Côte d'Ivoire certify explicitly the voters' lists and the results of the elections;

(d) That the Special Representative impress on the Government and the technical operators involved in the electoral process the need to meet the deadline of 30 November for the elections;

(e) That UNOCI enhance its sensitization efforts on the framework agreed upon for the certification of the electoral process between the Special Representative of the Secretary-General and the parties;

(f) That UNOCI continue to mobilize potential donors to support the peace process, and in particular to close the \$15 million funding gap for the elections;

(g) That UNOCI and Licorne contribute to the security of the electoral process;

### **To the Ivorian parties**

(h) That the Ivorian stakeholders contribute to the creation of an environment conducive to a secure and peaceful electoral process;

(i) That the Ivorian political leaders continue to adhere to the code of good conduct for the elections, and guarantee open, free, fair and transparent elections;

(j) That the Independent Electoral Commission and the technical operators — National Institute of Statistics and SAGEM — ensure that the identification and voter registration processes are transparent and credible;



(k) That the Ivorian political leaders acknowledge the important role that the civil society should be playing in the peace process and assume ownership of the Ouagadougou Political Agreement;

(l) That the Ivorian parties consider the proposal made by the Facilitator regarding the reunification of the army;

(m) That the Ivorian private and State media play a constructive role in the peace process, including by promoting fair, balanced and transparent coverage of the electoral process, and equitable access to media for all the parties.

## **VII. Conclusion**

146. The members of the Security Council mission to Africa wish to acknowledge their appreciation for the opportunity to exchange views with their African partners on a variety of issues before the Security Council. They found the discussions to be very constructive and useful. The Security Council, Ambassadors Kumalo, Sawers, Ripert and Kafando, in their respective capacity as leaders of segments of the mission, would like to collectively place on record their gratitude to their various host Governments and other interlocutors for their hospitality, support and time. They would also like to pay tribute to their Council colleagues, the Secretary-General and his Special Representatives for their proactive participation and for contributing to the successful outcome of the mission. Finally, they wish to express their appreciation to the Secretariat for all its support.

## Annex

### Composition and terms of the mission\*

#### Composition

Ambassador Olivier Belle (Belgium)  
Ambassador Michel Kafando (Burkina Faso)  
Ambassador Liu Zhenmin (China)  
Ambassador Jorge Urbina (Costa Rica)  
Ambassador Ranko Viločić (Croatia)  
Ambassador Jean-Maurice Ripert (France)  
Ambassador R. M. Marty M. Natalegawa (Indonesia)  
Ambassador Aldo Mantovani (Italy)  
Ambassador Giadalla Ettalhi (Libyan Arab Jamahiriya)  
Ambassador Alfredo Suescum (Panama)  
Senior Counsellor Vladimir K. Safronkov (Russian Federation)  
Ambassador Dumisani Kumalo (South Africa)  
Ambassador John Sawers (United Kingdom of Great Britain and Northern Ireland)  
Ambassador Alejandro Wolff (United States of America)  
Ambassador Le Luong Minh (Viet Nam)

#### Terms of reference

##### I. Security Council mission to Africa: Somalia

*Led by Ambassador Dumisani Kumalo (South Africa) and Ambassador John Sawers (United Kingdom)*

1. To reaffirm the Security Council's respect for the sovereignty, territorial integrity, political independence and unity of Somalia.
2. To reaffirm the Security Council's commitment to a comprehensive and lasting settlement of the situation in Somalia through the Transitional Federal Charter, and to stress the importance of broad-based and representative institutions reached through a political process ultimately inclusive of all, as envisaged in the Transitional Federal Charter.
3. To welcome and encourage the continued efforts of the President, the Prime Minister and the transitional federal institutions to advance the political process and implement the relevant steps of the transitional period, as required by the Transitional Federal Charter, in particular:

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\* Previously circulated in document S/2008/347.

- the agreement to prepare a timetable for the constitutional process leading to a referendum and free and democratic elections in 2009.
  - the presentation of the Reconciliation Strategy of the Transitional Federal Government.
  - engagement with clan and local leaders across the country.
  - efforts to improve public finance management, including budgetary and fiscal processes.
4. To reiterate the need for agreement on a comprehensive and lasting cessation of hostilities and a road map for the remainder of the transitional process.
  5. To express the determination of the Security Council to assist the Somali efforts through a strengthened presence and a more active role of the United Nations, including practical support of the Special Representative of the Secretary-General and the United Nations Political Office for Somalia, in fostering dialogue among Somali parties, contributing to the creation of a stable security environment, and coordinating the United Nations integrated approach towards Somalia.
  6. To recognize the contribution that the African Union Mission in Somalia (AMISOM) is making to lasting peace and stability in Somalia, and to highlight the need to provide financial resources, personnel, equipment and services for the full deployment of AMISOM.
  7. To express the Council's deep concern at the persistence of violations of human rights and international humanitarian law in Somalia, underlining the need for those responsible to be brought to justice, and to support work to promote and enhance the protection of human rights in Somalia.
  8. To register the Council's serious concern at the worsening humanitarian situation in Somalia and to call on all parties and armed groups in Somalia to take appropriate steps to protect the civilian population, to ensure the safety and security of AMISOM, United Nations and humanitarian personnel, and to permit timely, safe and unhindered access for the delivery of humanitarian assistance to all those in need.

## **II. Security Council mission to Africa: Sudan**

*Led by Ambassador Dumisani Kumalo (South Africa) and Ambassador John Sawers (United Kingdom)*

1. To reaffirm the Security Council's commitment to the sovereignty, unity and territorial integrity of the Sudan and the international community's determination to implement the Comprehensive Peace Agreement and resolve the situation in Darfur.
2. To stress that successful implementation of the Comprehensive Peace Agreement is essential to sustainable peace and stability throughout the Sudan, including Darfur, and in the region and to encourage further cooperation between the National Congress Party and the Sudan People's Liberation Movement in carrying out their responsibilities to further implement the Comprehensive Peace Agreement.
3. To urge the Government of the Sudan to intensify its efforts to resolve the crisis in Darfur, while expressing the Council's deep concern at the ongoing

violence, impunity and consequent deterioration in the humanitarian situation in that region.

4. To reiterate the Security Council's support for the political process under the mediation of the United Nations Special Envoy for Darfur, Jan Eliasson, and the African Union Special Envoy for Darfur, Salim Salim, and to urge all parties to end the violence and engage constructively in a peace process in Darfur with a view to finding lasting peace in the Sudan.

5. To demonstrate the Security Council's profound appreciation of and support for the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and its personnel, and to reiterate its call on the Government of the Sudan, donors, troop contributors and all relevant parties to facilitate the full deployment of the force at the earliest opportunity as planned by the Secretary-General.

6. To underline its concern for the security of civilians and humanitarian aid workers and about humanitarian access to populations in need, and to call upon all parties in Darfur to cease offensive actions and allow full, safe and unhindered access of relief personnel to all those in need.

7. To reiterate its conviction that a reduction in tensions between the Governments of the Sudan and Chad is essential for lasting regional security and to call on both Governments to abide by their obligations under the Dakar Agreement of 13 March 2008, the Tripoli Agreement of 8 February 2006 and other bilateral agreements.

8. To underline the need to ensure that all Security Council resolutions are implemented, that the rule of law is upheld in all situations and that due process must take its course.

### **III. Security Council mission to Africa: Chad**

*Led by Ambassador Jean-Maurice Ripert (France)*

1. To reaffirm the Security Council's commitment to the sovereignty, unity, territorial integrity and political independence of Chad and to the cause of peace in the region, in the context of the ongoing violence and activities of armed groups in Darfur, eastern Chad and the north-eastern Central African Republic.

2. To stress the Council's commitment to help the Chadian and Central African authorities to protect refugees from Darfur, internally displaced persons and other vulnerable civilian populations and facilitate the delivery of humanitarian assistance in eastern Chad and the north-eastern Central African Republic, through the deployment of a multidimensional presence in those areas.

3. To demonstrate the Council's support for the United Nations Mission in the Central African Republic and Chad and the European Union operation in Chad and the Central African Republic (EUFOR), and to recall that the Council has requested the Secretary-General to report to it in September, after due consultations with the Governments of Chad and the Central African Republic, on the arrangements for following up EUFOR, including a possible United Nations operation, depending on the developments in the situation.

4. To reiterate its conviction that a reduction in tensions between the Governments of the Sudan and Chad is essential for lasting regional security and to

call on both Governments to abide by their obligations under the Dakar Agreement of 13 March 2008, the Tripoli Agreement of 8 February 2006 and other bilateral agreements.

5. To recall the Council's condemnation of the continuing activity of rebel armed groups in Chad, and to urge all concerned parties to respect the Syrte Agreement of 25 October 2007.

6. To encourage the Chadian authorities to persevere in promoting political dialogue with respect for the constitutional framework, as initiated by the agreement of 13 August 2007.

#### **IV. Security Council mission to Africa: Democratic Republic of the Congo**

*Led by Ambassador Jean-Maurice Ripert (France)*

1. To acknowledge the primary responsibility of the Government of the Democratic Republic of the Congo to consolidate peace and stability, and to promote recovery and development in the country, which require long-term sustained efforts and appropriate international support.

2. To reaffirm the Security Council's commitment to contribute to the consolidation of peace and stability in the Democratic Republic of the Congo, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), bearing in mind that the Council has requested the Secretary-General to develop benchmarks for a future gradual drawdown of MONUC.

3. To express the Council's strong support for the new dynamic launched by the Nairobi joint communiqué of 9 November 2007 and the Goma conference of 6 to 23 January 2008, which together represent a major step towards the restoration of lasting peace and stability in the eastern part of the Democratic Republic of the Congo and the Great Lakes region.

4. To stress the Council's demand, as made in particular in resolution 1804 (2008), that the militias and armed groups that are still present in the eastern part of the Democratic Republic of the Congo lay down their arms, and to encourage efforts by the Government of the Democratic Republic of the Congo and regional cooperation to this effect, including improved relations between the Democratic Republic of the Congo and the Republic of Rwanda.

5. To urge the Congolese authorities, with the support of other States concerned, especially those in the region, to take appropriate steps to end the illegal trade in natural resources.

6. To call on the Congolese authorities to intensify as a matter of urgency their efforts to reform the security sector, including the army, the police and the justice sector, to welcome in this regard the round table on the reform of the security sector that was held on 25 and 26 February 2008 in Kinshasa and to discuss the way forward.

7. To emphasize the Council's support for the strengthening of democratic institutions, the rule of law, and good governance in the Democratic Republic of the Congo, including through the timely holding of local elections.

8. To encourage further efforts to address the grave humanitarian situation that persists in the Democratic Republic of the Congo, to protect vulnerable civilian populations, to promote and protect human rights and to fight impunity, including with regard to sexual violence perpetrated by armed elements.

#### **V. Security Council mission to Africa: Côte d'Ivoire**

*Led by Ambassador Michel Kafando (Burkina Faso)*

1. To welcome the ownership of the peace process by the Ivorian parties in the framework of the Ouagadougou Political Agreement and its supplementary agreements.

2. To welcome the significant progress made since the signing of the Agreement and its supplementary agreements.

3. To express the Council's support for the activities of the Facilitator, his Special Representative and the Special Representative of the Secretary-General.

4. To further encourage the parties to implement fully and in good faith all the provisions of the Agreement and its supplementary agreements, underline the need to meet the timelines established therein and assure them of the Council's support in that regard.

5. To welcome the signing of regulatory decrees relating to the organization of the elections, in particular setting the date of the first round of the presidential election for 30 November 2008.

6. To urge the Government and the Independent Electoral Commission to resolve promptly the technical issues concerning the elections.

7. To welcome the signing on 24 April 2008 of the Code of Good Conduct by the major political parties in Côte d'Ivoire, and stress the need for it to be observed scrupulously by all the signatories.

8. To call upon the parties to ensure an environment favourable to the holding of free, open, fair and transparent elections, recall the importance of certification of all stages of the electoral process by the Special Representative of the Secretary-General and encourage the Government of Côte d'Ivoire to facilitate the presence of international observers during the elections.

9. To encourage the Government to ensure the security of polling places, voters and the Independent Electoral Commission and the dismantling thereof.

10. To encourage the involvement of civil society in the implementation of the Agreement, in particular the electoral process.

11. To point out that the Council will examine the sanctions regime in the light of developments in the peace process and the elections.

12. To urge the Ivorian parties to ensure the protection of the civilian population, in particular women and children.

13. To commend and encourage the United Nations Operation in Côte d'Ivoire and Force Licorne for their peacekeeping efforts.