

This document contains the Introductory Note to my Report to the Seventy-fifth Ordinary Session of the Council of Ministers.

It focuses exclusively on the activities carried out by our Organisation since the last Council Session, and highlights some crucial developments that have taken place on the Continent.

The main objective of this Note is to underscore the key issues raised in my Report and to facilitate its reading.

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9 March, 2002

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INTRODUCTION

i. The February/March Session of the Council of Ministers is traditionally devoted mainly to consideration of Administrative and Budgetary Matters. However, you will recall that, while electing me to the helm of our Continental Organization, the Lusaka Summit of July 2001 entrusted me with a mandate: that of directing the transition of the OAU to the African Union. More specifically, this mandate requires that the OAU General Secretariat, under my direction, should put in place the four key Organs of the African Union, by drawing up the related texts.

ii. Since 17 September 2001, date on which I effectively assumed duty, the entire General Secretariat, rallying behind my initiatives and actions, took up the daunting challenge of executing this mandate, thereby living up to the confidence of the Heads of State and Government. In strict compliance with the guidelines I gave upon taking office, successive brainstorming meetings were convened, leading to the preparation of a Report which I submitted for the consideration of Government Experts and Representatives of Member States meeting in Addis Ababa, in accordance with the Lusaka Summit Decision.

iii. This Report is the culmination of the various value-added from the above mentioned meetings which could be summarized as follows:

- the brainstorming session over which I presided, with a view to a second reading between the lines of the Constitutive Act in order to elicit a clear picture of the nature of the African Union. This Session was held on 13 – 14 October 2001;
- the activities undertaken by the two Sub-Committees which I set up to deliberate on the texts relating to the four key Organs, co-chaired by the Assistant Secretaries General;
- the Meeting of the Co-Ordination Committee which I personally chaired and was attended by all the Assistant

Secretaries General, all Directors of Department, all Heads of Division and all the Consultants still in the service of the General Secretariat. During this Meeting, the two Sub-Committee took turns to present to participants the results of their deliberation. These presentations were followed by exhaustive and enriching debate culminating in the preparation of the Report referred to above.

iv. Consecutive to the drafting of the Rules of Procedure of the key Organs of the African Union, the General Secretariat also concentrated efforts on the accomplishment of its traditional functions in the socio-economic, cultural and political spheres. The present Session of Council, therefore, in addition to considering the progress achieved in the transition process, will also reflect on the initiatives of the General Secretariat in the socio-economic, cultural and political fields, thereby enabling our Continent to play its role in the management of world affairs. This Council Session will further examine the administrative and financial situation of the Organization with a view to endowing it with the necessary resources.

v. At the financial level, Council will analyze the financial situation of our Continental Organization. The persistent increase of arrears of contribution remains a constant in all previous financial years. This kind of financial structure is capable of seriously hampering the efforts of the OAU at achieving its major objectives. I therefore take this opportunity to draw the attention of Council on the absolute need to reverse this trend so that the future Commission of the African Union may be endowed with the resources commensurate with its ambitions.

vi. At the socio-economic level, Council will note that, despite the urgency accorded to implementation of the Lusaka Mandate, the General Secretariat carried out numerous activities, particularly, participation in the Assemblies of the Regional Economic Communities (especially those of the SADC, ECOWAS and IGAD); strengthening Afro Arab Co-operation; WTO Negotiations; and implementation of NEPAD. In this regard, mention must be made of the express will of the Regional Economic Communities authorities to move forward and reduce to the minimum the constraints they were facing in their march to integration. Similarly, Council will not only recognize the need for

Africa to be present in international negotiations in order to bring its contribution to bear, thereby avoiding further marginalisation, but also give deserved importance to NEPAD as a key instrument to speed up the process of integration of the Continent.

vii. At the political level, Council will note the Secretariat's efforts at consolidating the on-going democratisation process in Africa, maintaining peace and stability as well as preventing conflicts. Sustained actions were carried out to find lasting solutions to the numerous conflicts on the Continent, in co-operation with partner institutions, particularly those of the United Nations system. The different initiatives undertaken regarding the conflicts in the Great Lakes Region, the Mano River Region, the dispute between Ethiopia and Eritrea and the crisis situations in the Central African Republic, The Comoros and in Madagascar attest to the increased effort of the General Secretariat to achieve genuine and lasting peace on the Continent.

PART I – PROGRESS OF THE TRANSITION

1. Council will recall that the Constitutive Act of the African Union entered into force on 26 May 2001 after ratification by over two-thirds of Member States of the Organization of African Unity. About forty-five days after this historic date, the Lusaka Summit, having elected me to head our Continental Organization, entrusted me with the crucial mission of transforming the OAU into the African Union and establishing the key Organs of the Union and also to prepare the Rules of Procedure of these Organs. On 17 September 2001, that is, roughly over two months following my election, I took office to assume this daunting and historic challenge.

2. In pursuance of this mandate, first and foremost I organised a brainstorming at the level of the Secretariat for a more in-depth reading of the Constitutive Act with the aim of eliciting the necessary lessons from the various discussions on the nature and powers of the Union which had taken place within the Organs of the OAU since the Sirte Summit of the 9 September 1999.

3. The brainstorming enabled the Secretariat to highlight the need to:

- spell out the vision for the African Union;
- launch the Union starting with modest activities which have the backing of Member States;
- identify the pre-conditions for establishment of the Organs of the Union;
- draw inspiration from the integration models of other Regional Economic entities;
- identify the requisite resources and new sources of financing for the Union;
- take on board the new information and communication technologies.

4. The conclusions of these series of brainstorming meetings and the consultations which I carried out at various levels have been reflected in my Report titled “Report of the Secretary General on the Implementation of the Lusaka Summit Decision on the Texts Relating to the Key Organs of the African Union.” This Report also contains proposals on the contents of the four key Organs, particularly their composition, functions, powers and mode of operation, etc. The

Report has been distributed to all Member States and has been examined by two meetings of Government Experts and Permanent Representatives.

5. I would like, at this juncture, to mention that in addition to the total mobilization and effective participation of the General Secretariat, I also received the frank co-operation of the Representatives of OAU Member States in Addis Ababa. For instance, the Regional Deans individually and then collectively, gave me their contributions and support towards implementation of the initiatives which I have so far set in motion. Similarly, may I underscore the invaluable assistance of the entire African Diplomatic Corps to the General Secretariat towards implementation of the Lusaka Summit Decision.

A. First and Second Meeting of Permanent Representatives and Experts on the African Union

6. Council will recall that the 37th Ordinary Session of the Assembly of Heads of State and Government meeting in Lusaka, Zambia from 9 to 11 July 2001 identified, in its decision AHG/Dec.160 (XXXVII), the key organs of the African Union and mandated me to work closely with Member States with a view to working out the modalities and guidelines for their launching including the Preparation of the Draft Rules of Procedure of the key organs namely: the Assembly, the Executive Council, the Commission and the Permanent Representatives Committee.

7. As part of my continuing and sustained efforts at carrying out the Lusaka Mandate effectively and within the shortest possible time, I convened a meeting of Permanent Representatives and Experts in Addis Ababa from 21 to 25 January 2002. The meeting was attended by representatives of forty-three Member States as well as representatives of two Regional Economic Communities, namely, ECCAS and SADC. A number of UN Agencies and other institutions also send observers.

8. The first meeting was devoted to an exchange of views on the structure, powers and functions of the key organs of the union on the basis of the proposals contained in the Report of the Secretary General on the implementation of the Lusaka Summit Decision. The broad exchange of views helped to clarify issues and to harmonise viewpoints on issues ranging from the powers of the Union vis-à-vis national sovereignty of Member States to sanctions and appointment of the members of the Commission etc. The first meeting did not consider the Draft Rules of Procedure due to time constraints.

9. Consequently, I convened a second meeting in Addis Ababa from 14 to 21 February 2002 at which 44 Member States were represented. Three Regional Economic Communities were also represented, namely, COMESA, ECCAS and SADC. A number of international institutions were also represented by observers. This meeting considered all aspects of the various draft Rules of Procedure and agreed generally on draft texts for each of the organs, to be submitted for further examination by the Representative Ministerial Committee and thereafter by Council.

10. At the end of the deliberations, the Permanent Representatives and Experts adopted the Draft Rules of Procedure of the Assembly, the Executive Council and the Permanent Representatives as well as the Statutes of the Commission. However, there were divergent views on a number of issues which it consequently bracketed, regarding issues to be brought to the attention of the Representative Ministerial Committee particularly the question as to whether the Chairperson and the Deputy Chairperson should be elected on the basis of rotation, the number of Commissioners, whether they should be elected by the Assembly or Executive Council upon delegation of power by the Assembly, as well as the periodicity of meetings of the Assembly between Headquarters and outside Headquarters. In considering the Drafts, Council may wish to acknowledge the efforts deployed by, and express its appreciation to the Permanent Representatives and Experts for the comprehensive work they have done.

B. Support Project for the Planning of the Transition to the African Union

11. As part of my efforts to implement Decision AHG/160 (XXXVII) adopted by the Assembly of Heads of State and Government of the OAU, in its meeting in July, 2001 in Lusaka, Zambia, on the African Union, I launched the Initiative entitled, "Support Project For the Planning of the Transition to The African Union". I was compelled to do so because I realized that the human resource capacity at the OAU General Secretariat needed to be strengthened given the magnitude of work involved and the tasks to be carried out and the very short transition timeframe, and also the need for the General Secretariat to pursue its activities in the other fields.

12. The immediate objective of the project is to put in place a Transition Planning Support Team to assist me in the effective management of the transition. This Team is made up of both internal and external components. In addition to this Team which will work full time, I have set up a High Level Advisory Panel composed of Eminent African Personalities with vast international experience. The Panel will provide us with the benefit of their opinion on the propose

broad orientations of the Union prior to their submission to the decision-making organs.

13. Nine Working Groups have also been established within the General Secretariat as part of the project, with terms of reference focused on the specific tasks to be carried out in pursuance of the entrusted to the Secretary General by the Lusaka Summit Mandate. The said Working Groups are fully operational.

14. The total budget of the project is estimated at US\$ 12,075,272.00. OAU's contribution is limited to the payment of staff salaries and other usual entitlements payable to officials seconded to work full-time on the implementation of the project. The balance will be totally borne by the Continent's development partners. In this regard, I wish to inform Council that, following my consultations with the various partners, the UNDP has agreed to provide a take off grant amounting to 1 million US Dollars. This money has ready been released. Most of the other partners, particularly the "Friends of the OAU" and the G8 countries have already expressed their willingness to support the project.

PART II. FINANCIAL AND ADMINISTRATIVE SITUATION OF THE ORGANIZATION

A. Financial Situation

15. As I indicated earlier on, the financial structure of the OAU is characterized by the persistent increase of arrears of contributions. In other words, the payments made by Member States remain significantly out of tune with their commitments. This state of affairs had been highlighted several times in successive Reports of the Secretary General, well before my election. Successive Council Sessions had come up with proposals and taken decisions to reverse this structural trend in the OAU finances and thereby endow the Organization with adequate resources to accomplish its mission. It is however needful to recognize that the expected results of these proposals and recommendations have remained inadequate to effectively reverse this trend.

16. The Statement of Contributions received as of 31 December 2001 confirms the predominance of arrears. For example, as at the above date, that is seven months since execution of the present budget, only 25% of total expected contributions had actually been received, that is, US\$6.77 million out of the US\$26.81 million arrears recoverable under the 2001-2002 Financial Year. During the same period, the General Secretariat incurred expenses totaling US\$13.6 million, representing ten times the overall contributions. These expenditures

were made only as a result of the recovery of contribution arrears amounting to US\$12 million as at 31 December 2001.

17. As of the same date, Member States were indebted to the OAU to the tune of US\$54.6 million under the current financial year, and US\$34.6 million in terms of arrears of contribution brought forward from previous financial years. As at the close of the year 2001, arrears of contributions amounted to US\$54.6 million, a figure representing 1.76 times the current transition budget which stands at US\$31 million.

18. I would like to inform Council that, despite the structural economic crisis facing all African countries, which seems to partially explain the non-payment of contributions, the following nine Member States have fully paid up their contributions under the current budget: Angola, Botswana, Cameroon, Ethiopia, Namibia, Mauritius, South Africa, Swaziland and Zambia. I take this opportunity to express my sincere thanks to these nine Member States for having honoured their financial commitment to our Continental Organization at a time when budgetary austerity is the rule in the preparation of financial laws in all African countries. While congratulating these nine Member States, may I also take this opportunity to encourage the other Member States to follow in their footsteps and provide the Organization with adequate financial base.

19. Council will further note that the Secretariat had also been given the mandate to reorientate the current budget with a view to finding the necessary resources to finance the transition process. The savings thereby realized following the freezing of many posts and some of the traditional activities of the Organization, have been set aside entirely towards implementation of the transition. The allocation of this value-added was carried out in collaboration with Member States through the Advisory Committee. The following activities were or would be funded by the savings so realized: organization of the Second Meeting of Experts and Permanent Representatives; preparations for launching the key Organs of the Union; impact of the Constitutive Act on OAU/RECs relations; review of the structures, procedures and work methods of the Central Organ; popularization of the African Union; restructuring of ECOSOC; transfer of the assets and liabilities of the OAU to the African Union; review of the legal instruments; financing the interim structure of the African Energy Commission, providing interpreters and translators to strengthen the New York, Geneva and Brussels offices; and procurement of medical equipment for the OAU Clinic. The budgetary orientations recommended by the Lusaka Summit have therefore been directed to promotion of Union related activities.

20. In utilizing the funds, the General Secretariat has always been inspired by economic rationality. Furthermore, the General Secretariat has always integrated into its methods of management of available resources, the suggestions and recommendations of the Board External Auditors and, in particular those of the Advisory Committee on Administrative, Budgetary and Financial Matters.

21. I would like to recall that a team of experts has reviewed the Current Financial Rules and Regulations of the OAU with a particular focus on improving financial management and accounting procedures of the General Secretariat. I have instructed the Secretariat to examine the experts' report in the light of the needs of the African Union.

22. A Materials Management Manual has also been elaborated and has already become operational. Its objective is to improve Procurement and Stores Procedures. Lastly, Guidelines on Tendering Procedures have also been finalized for the use of staff members and the Finance Department.

23. The persistence of the pre-dominance of arrears of contributions calls for other appropriate financing modalities to be envisaged to take account of the difficulties faced by Member States in paying their contributions. I would like, in this regard, to inform Council that I have commissioned three studies aimed at ensuring greater understanding of the range of problems relating to the financing of the Union thereby providing the necessary remedy. The results of these studies would in due course be presented to the Assembly of Heads of State and Government for a decision.

B. Administrative Situation

24. The implementation of the Lusaka Decision has affected the ongoing restructuring exercise in the OAU General Secretariat. Following the voluntary departures and staff retrenchment, the General Secretariat initiated recruitment process to fill the vacant posts under the new structure. Vacancy announcements were published in Member States and applications received were processed. The short-listed applicants were considered by the Committee of Recruitment, Appointment, Promotion and Staff Development (CRAPSD) and then submitted to me for approval. I then instructed that some vital posts, notably those of Translator, Translator-Interpreter, be immediately filled given the exigencies of the Service.

25. Since human resources constitute a critical asset in the transition to the African Union, I have endeavoured to make sure that the Staff of General Secretariat:

- has understood the challenges and exigencies entailed in the fulfillment of its new missions;
- is living up to the tasks ahead thanks to the renewed and unflinching motivation, and the high level of competence and performance; and
- finally, works in an enabling and motivating environment.

26. Council by its decision CM/Dec. 554(LXXII) requested the General Secretariat to submit comprehensive proposals on staff motivation, including the upward review of staff salaries. Studies are already underway in this connection and I have given instructions for a report to be presented on the issue to the forthcoming session Council.

27. The current Pension and Insurance Schemes are now being reviewed in order to make them more responsive to the needs and aspirations of both the Organization and its staff members. An actuarial firm has been hired to carry out a study on the strengths, weaknesses and opportunities of these schemes, and come up with appropriate proposals.

28. As regards Staff Rules and Regulations, two Consultants were recruited to undertake their review within the framework of the ongoing restructuring of the General Secretariat. The Consultants have already completed their assignment and the draft documents are currently being examined in the light of the needs of the African Union.

29. With regard to the working environment, I would like to inform Council that improvements to the existing buildings are about to start. I do foresee by the time of their completion in a few months time, a renewed and performance friendly environment in the General Secretariat, and later on in the Commission. I seize this opportunity to express our gratitude to the Friends of the OAU who, by providing the funds needed for these improvements have shown their unreserved support and have continued to move forward with us in our march towards the African Union.

30. I have also directed that the ongoing computerization programme in the General Secretariat, should be completed. The system will be finalised and will become operational during the current year.

31. Concerning the OAU Medical Centre, the Extension work has been completed. This project includes four wards, offices, drug stores archives, a waiting room, etc.... The new premises will soon be commissioned. The purchase of equipment including furniture has been given priority and will be procured shortly with funds from the reorientated budget. A notable improvement to the Medical Centre is also the reorganization and computerization of its records, which inter alia facilitate storage and retrieval of medical files of patients.

32. I would like to inform Council that implementation of this project which started in 1998 has experienced some delay mainly as a result of the nearly four months strike (February - May 2001) by the Entrepreneur's workers, and the slow delivery of most of the installations, materials and equipment which had to be imported.

33. All the requisite installations, materials and equipment have now been delivered to the construction site and installation has started. Consequently, the construction work is expected to be completed at the end of May 2002.

PART III - ECONOMIC AND SOCIAL MATTERS

34. While giving priority to the implementation of the Lusaka Summit Decision on the Transition to the African Union the General Secretariat continued to pursue its activities in the economic and social fields. Despite the serious human resources constraints, the Secretariat continued to strengthen its relations with the Regional Economic Communities (RECs), support Member States in major international negotiations and organize and service OAU meetings in the economic and social fields, as well as work with the regional and international partners in addressing the new challenges of our time.

A. Implementation of the Treaty Establishing the African Economic Community

35. During the period under consideration, the activities of the General Secretariat were focused on intensifying co-operation with the RECs, particularly on following up on joint programmes and exchanging views on the transformation of the OAU into the African Union. Regarding the contributions and role of RECs in the launching of the African Union, the General Secretariat will spare no effort in ensuring and facilitating the full involvement of RECs in this process, in recognition of their status as pillars of the Union. The Secretariat also participated in all major meetings of the RECs held during the period under review, particularly those of SADC and ECOWAS.

1. Southern African Development Community (SADC)

36. The participation of the General Secretariat in the SADC Summit held in Blantyre, Malawi in August 2001, enabled it to ascertain the progress achieved in the area of integration in the SADC region. Among other things, the Summit approved and signed the following Protocols:

- Protocol on Security Policies, Defense and Co-operation;
- Protocol on Fire Arms, Ammunition and other related hardware;
- Protocol on Fisheries;
- Protocol on Culture, Information and Sports.

37. The Summit also devoted special attention to discussion of gender issues, disaster management, HIV/AIDS pandemic and the drug problem. The Summit further reviewed the conclusions of the restructuring of SADC, and took a decision to implement the outcome of that exercise. The new structure of SADC will bring together, in the SADC Secretariat in Gaborone, all the 470 projects and 19 sector co-ordinating units and commissions. This new arrangement will facilitate inter-sectoral co-ordination and augurs well for the promotion of integration and co-operation with the OAU, AEC and other RECs.

2. Economic Community of West African States (ECOWAS)

38. The meeting of the ECOWAS Policy Organs took place in Dakar, Senegal in December 2001. Much of the attention of the meeting was focused on progress in regional trade liberalisation, the achievement of policy convergence, as well as monetary co-operation programmes. In general, the meeting noted with satisfaction that the institutional arrangement for multilateral surveillance of national economic policies and performance was working effectively, and that Member States were fully aware of their responsibilities. On monetary co-operation issues, the meeting noted the progress made in establishing the West African Monetary Institute and the West African Bank. In this regard, it also noted the progress made in harmonising the statutes of National Central Banks, and that much of the activities in 2002 will focus on the creation of a second monetary zone.

39. The need for an autonomous financing arrangement for ECOWAS through the adoption of the protocol on the Community Levy was emphasised at the meeting. The levy is expected to replace assessed contributions by Member States. Reports were also submitted on the

establishment of an ECOWAS airline, to be known as ECO AIR, and on arrangements underway for the Organisation of a Civil Society Conference in order to facilitate the participation of the private sector in ECOWAS activities.

40. The General Secretariat of the OAU participated in the joint ECOWAS/UEMOA Ministerial Meeting on the implementation of the Strategy for the Acceleration of the West African Regional Integration Process held in Bamako in November 2001. The Bamako Meeting evaluated this strategy, as well as the modalities for future negotiations between West Africa and the EU on the Economic Partnership Agreements (EPA). The meeting also afforded the West African Region an opportunity to deliberate on the Transition from the OAU to the African Union and on the implementation of the New Partnership for Africa's Development (NEPAD).

B. International Negotiations and Initiatives

1. World Trade Organization (WTO)

41. The 4th WTO Ministerial Conference held in Doha in November 2001 was attended by 38 out of the 40 African countries members of the WTO. Botswana was elected as one of the Vice-Chairpersons of the Bureau. The OAU Secretariat and members of the Vice-Chairpersons of the Bureau. The OAU Secretariat and members of its Panel of Experts provided technical and logistic support to the African Group throughout the negotiations in Doha.

42. Africa was better prepared for the negotiations than ever before. Prior to the conference, the OAU in collaboration with ECA had organised a brainstorming sessions for African Senior Trade Policy Experts and Trade Negotiators in Addis Ababa in June 2001. This was followed by the Ministerial Conference of COMESA in Ciaro in July 2001; the LDCs Ministerial Conference in Zanzibar in July 2001; and the SADC Ministerial Conference in August 2001. The culmination of it all was the 4th Conference of Ministers of Trade organised in Abuja, Nigeria in September 2001 which spelt out clearly Africa's concerns, negotiating principles and objectives.

43. For the first time, the African Group was given due recognition and participated in the decision-making process of the WTO. Two African Ministers, namely those of Botswana and South Africa, were among the "friends of the Chair" and given responsibilities to conduct consultations on various issues. Africa managed to include some development dimensions in the Work Programme of the WTO such as the decision to examine issues relating to the trade of small economies. Africa also secured concessions from its development partners on the

Trade Related Intellectual Properties (TRIPS) Agreement and public health. The African Group managed to secure a waiver for the ACP-EU Cotonou Partnership Agreement by making a few compromises and to put on the agenda of the WTO, the issue of Trade, Debt and Finance. African countries now face the challenge of taking full advantage of the Doha Ministerial decisions and commitments on technical co-operation and capacity building as contained in many paragraphs of the Ministerial Declaration.

44. I wish to note that as a result of the working visits to the OAU by the Director General of the WTO, Mr. Mike Moore, and subsequently by its Deputy Director General, Mr. Ablasse Ouedraogo, in February 2002, the Transition Planning Support Team (TPST) of the African Union, in close co-operation with the Community Affairs Department, has embarked on formulating a programme of activities with the WTO with the aim of assisting Member States to implement the Decisions adopted in Doha. Accordingly, emphasis will be put on issues of critical interest to Africa, such as accession, implementation, agriculture, TRIPs, Regional Trade Agreements, Trade and Environment, etc.

2. Problems of Africa's Commodities

45. The 4th OAU/AEC Ministers of Trade Session held in Abuja, Nigeria, in September 2001 reviewed the problem of Africa's commodity prices, as they were inextricably linked to Africa's debt overhang. In this connection, the Ministers, while taking note of the call by the Group of 77 for an International Conference on Commodity Problems, requested the OAU Secretariat to organise an African Continental Conference on this issue. Council will also note that, as earlier requested by the Ministers of Trade, the Secretariat, with the technical support of a consultant, has finalised a study on the "OAU Regulating Mechanism for Stabilising Prices of African Commodities in particular to respond to the creation of an African Commodity Exchange as provided for in Article 46.1(d) of the Abuja Treaty establishing the African Economic Community and in accordance with the objectives of the African Union". This study will be examined during the Continental Conference on Africa's Commodity Problems, when it is eventually convened.

3. Africa's External Debt Problems

46. In accordance with the Decision of Council requesting the Secretariat to organize an Experts' Group Meeting and an African Regional Seminar on Africa's External Debt with a focus on the "Radioscopic Analysis of Africa's Debt", the Secretariat has continued its contacts with the Senegalese Government on the practical

arrangements for the meetings, particularly the preparation of an *Aide Mémoire* on financing, the structure, level of participation and other aspects of this meeting and seminar. It is hoped that, once the staffing situation at the General Secretariat improves, these meetings could be organized in collaboration with OAU Contact Group on Africa's External Debt.

4. Africa Growth and Opportunity Act (AGOA)

47. During the 4th Meeting of the OAU/AEC Ministers of Trade, it was noted that several eligible Member States of the OAU had started to benefit from the opportunities offered under the Africa Growth and Opportunity Act (AGOA). The Ministers also called on the US authorities to take further steps to improve the existing eligibility criteria and product coverage.

48. The Secretariat participated in the First Ministerial Meeting of the US - Sub-Saharan Africa Trade and Economic Cooperation Forum on AGOA held in Washington D.C., USA on the 29 and 30 October 2001 and in the 2001 Summit of the Corporate Council on Africa held in Philadelphia, USA on 31 October 2001. During these two events, which there were several panel discussions, emphasis was given to the need for the African Private Sector to be mobilized to take advantage of all the business opportunities that AGOA offered in such sectors as agriculture, textiles, insurance, air transport, etc.

49. As requested by the Ministers of Trade, the Secretariat has engaged a consultant to study the AGOA in order to make appropriate recommendations for the benefit of Member States.

5. ACP-EU Cotonou Partnership Agreement

50. Preparatory meetings on negotiations for WTO-compatible trade arrangements are in progress. However, the studies that would allow Member States to take a decision on geographical configuration are not yet ready due to delay in the mobilisation of resources to that end. African ACP Member States, which have not yet ratified the Cotonou Agreement, are urged to do so without further delay in order to facilitate the release of resources from the European Development Fund. As in Doha, Member States are encouraged to maintain their solidarity during the negotiations.

6. Africa/Europe Summit

51. Following Council directives in its 74th Ordinary Session held in Lusaka, in July 2001, the Bi-Regional Group (BRG) within the Follow Up Mechanism of the Africa-Europe Summit met twice; in September

and October 2001 in Brussels. In addition the first Africa-Europe Ministerial Conference on Implementation of the Cairo Plan of Action was convened in Brussels in October 2001. In preparation for these meetings the OAU Follow-Up Committee met more than three times in Addis Ababa and a meeting of the OAU Core Group and Morocco was held in October 2001 in Brussels.

52. These preparatory meetings enhanced the negotiating position of the African side, and in particular, facilitated the adoption by the African side, of a negotiating strategy including the designation of spokesperson or main negotiators, and a selection of priority issues to be tackled. These included the debt problem, return of cultural goods and public funds illegally acquired and taken out of the Continent.

53. The significance of the first Africa-Europe Ministerial Conference, after the Cairo Summit, lay more in the fact that the Ministers were able to meet, than in the outcome of the conference. As a matter of fact, contrary to expectations of the African side, the conference did not represent any degree of progress in implementing the Cairo Plan of Action, in concrete terms.

54. It has to be emphasized that the Second Africa-Europe Ministerial Conference, scheduled for November 2002 in Burkina Faso, should represent an improvement to the first, and a progress in implementation of the Cairo Plan of Action, in order for the process to be credible and worth the effort that is being deployed, particularly by the African side, towards its preparation.

55. At its 18th meeting held on 31 January 2002, the OAU Follow-up Committee accepted the offer of Morocco to host the 5th Meeting of the Bi-Regional Group (BRG). This meeting should engage seriously in preparing for the Second Ministerial Conference; and, in so doing, focus on substantive issues so that the outcome will represent real progress in implementing the Cairo plan of Action. There is a need for the African side to engage the EU side on concrete actions and measures, as well as to stress that these actions and measures need not await the ratification and entry into force of the Cotonou Agreement.

7. The New Partnership for Africa's Development

56. The Implementation Committee of Heads of State and Government on the New Partnership for Africa's Development (NEPAD) met in Abuja, Nigeria on 23 October, 2001 and reaffirmed its composition in accordance with the decision of the Lusaka Summit of the OAU in July 2001. The OAU has been given the lead to identify and prepare specific implementable projects and programmes on capacity

building on peace and security as well as on agriculture and market access. The details for a proposed conference on financing NEPAD have been worked out by the Secretariat and forwarded to Senegal for consideration.

57. The OAU should endeavor to co-ordinate all initiatives such as NEPAD, the CSSDCA and the TICAD process with current efforts to implement the transition to the African Union. To this end, I have directed that these initiatives should be taken fully into account in the preparations of the medium and long-term programmes of the African Union as well as in the structure of the Commission.

8. Tokyo International Conference on African Development (TICAD)

58. Council will recall that the 2nd Tokyo International Conference on African Development (TICAD II) held in Japan in October 1998 adopted the Tokyo Agenda for Action (TAA). In December 2001, the Secretariat of the OAU participated in the TICAD Ministerial Meeting in Tokyo, Japan. The objective of the meeting was to review progress in the implementation of the TAA and prepare for TICAD III.

59. The meeting afforded African countries and their development partners an opportunity to reflect on the two major African initiatives since TICAD II: establishment of the African Union (AU) and adoption of the New Partnership for Africa's Development (NEPAD). The potential synergy between the African Union, NEPAD and TICAD was highlighted. A major outcome of the TICAD Ministerial Meeting was the acknowledgement of the need to mainstream regional cooperation in the TICAD process. It was agreed that the TICAD process should serve as an instrument for attaining the objectives of the African Union.

60. The TICAD Ministerial Meeting provided a major opportunity for Africa's main development partners, including Japan, EU, USA, and China, to restate their commitment to support the continent's development efforts. It was agreed that Africa's development should remain one of the major priorities on the agenda of the international community.

61. The Government of Japan, supported by other co-organizers, announced that TICAD III would be held in the latter half of 2003. A TICAD III will build on the experience of TICAD II, anchored on increased development aid to Africa, and puts more emphasis on human capital investment, promotion of economic growth through application of the new information and communication technologies, as well as industrial and agricultural development. South-South

cooperation and regional integration can contribute to the achievement of sustainable development in Africa in the decades to come. African countries should therefore be well prepared for TICAD III.

62. In the light of the contribution which the TICAD process is expected to make to the achievement of the objectives of the African Union, the Secretariat of the OAU/the Commission of the African Union will need to play a greater role in the process.

9. World Summit on Sustainable Development

63. Council is no doubt aware of the on-going preparations undertaken at the regional level for the World Summit on Sustainable Development under the stewardship of an expanded Joint Secretariat created in January, 2000, comprising the OAU, ADB, UNECA, UNEP, RECs and UNDP Capacity 21. These preparatory activities culminated in a Ministerial Preparatory Conference held at the UNEP Headquarters in Nairobi, Kenya. One of the most important outcomes of this preparatory conference was an African Ministerial Statement that the OAU will have the privilege to present to the World Summit in Johannesburg in September 2002. The statement covers the three basic pillars of sustainable economy, namely: economic development, social development and environmental development. It underlines the all inclusive approach to achieving sustainable development in Africa as against the mainly environmental focus of the first summit - the United Nations conference on Environment and Development held in Rio de Janeiro, in 1992. That first summit came up with Agenda 21 and the Rio principles. Many environmental conventions, to which many African countries are now Parties, were also negotiated as a result of it.

64. In coming up with such an all inclusive Ministerial Statement, the African continent wish to set out clearly what its developmental priorities are, and to draw the attention of the international community and of development partners to these priority needs. It is therefore imperative that individually as nation states, and collectively as an organization, we relentlessly push forward these development agenda at the coming summit in Johannesburg. The twenty-first century holds a lot of promise for the Member States of the Organization of African Unity, and the World summit on Sustainable Development provides us with the opportunity to do this at the first all-inclusive global forum for sustainable development of the twenty-first century to be held on African soil.

10. The African Development Forum (ADF III)

65. The Economic Commission for Africa created the African Development Forum a few years ago as a platform for Africans from different sectors of society and their development partners to address critical issues affecting the socio-economic development of the Continent.

66. The OAU has always supported the Forum from its inception. With regard to this year's Forum (ADF III) whose theme is "Defining Priorities for Regional Integration", the General Secretariat participated actively in its preparation in its capacity as co-organizer.

67. The ADF III whose overriding objective is to contribute to the process of establishing and galvanizing the African Union, was held at the ECA Headquarters in Addis Ababa from 3 to 8 March 2002. The Meeting brought together a wide spectrum of stakeholders — including governments, parliaments, businesses, financial institutions, labour, civil societies, international organizations and the African Diaspora. Participants discuss integration related issues and came up with a consensus on the way forward for the African Union (AU).

68. The strategies for establishment of the AU were discussed in great detail in the ADF Plenary sessions. Discussions were followed by presentations on these thematic areas of particular importance to the development of the AU:

- Integration in Other Regions: Lessons for the AU
- Physical Integration through Infrastructural Development
- Economic Policies for Accelerating Regional Integration
- Peace and Security Architecture
- Building an effective African Union (AU)
- The Way Forward.

69. During its session, Council will be briefed on the outcome of the ADF III which, I believe, will make an important contribution to our collective efforts to build a strong African Union.

C. The 8th All Africa Trade Fair

70. Council will recall its Decision 561(LXXVII) by which it endorsed the decision of the 3rd conference of OAU Ministers of trade to organize the 8th All Africa Trade Fair in Egypt April/May 2002.

71. Preparations for the 8th All-Africa Trade Fair are progressing as planned. The Technical Organising Committee and the Working Group on the Investment Forum scheduled to take place alongside the Fair

met twice. The Sub-Committee on Information and Communications Technology and Tourism has also met to backstop the promotion of intra-African trade.

72. The 8th All Africa Trade Fair will take place in Cairo, Egypt from 22nd to 30th April 2002 under the theme "Promotion of Intra-African Trade and Investment Opportunities with in the framework of the African Union". The Slogan of the fair is " 8th All Africa Trade Fair: A step towards the African Common Market".

73. I wish to take this opportunity to urge all our member states to participate effectively in the 8th All Africa Trade Fair. I wish also to commend the Government of Egypt for the excellent preparations and facilities and our regional and international partners for their efforts to support the fair and ensure its success.

D. 15th Session of the Conference of African Ministers of Industry (CAMI-15)

74. The 73rd Ordinary Session of Council was briefed on preparations for the 15th Session of Conference of African Ministers of Industry made by the General Secretariat and its partners, particularly the United Nations Industrial Development Organization (UNIDO), and the United Nations Economic Commission for Africa (UNECA). I am pleased to inform Council that CAMI-15 was successfully held in Yaounde, Cameroon, in October 2001 with the support of the Government of the Republic of Cameroon.

75. The outcome of CAMI-15 included recommendations for the wider involvement of the private sector in Africa in the promotion of industrialization. It was therefore proposed that appropriate legislative and regulatory frameworks that will make it possible to develop the private sector.

76. The Conference also encouraged good governance, political stability as well as transparent and effective management of enterprises to ensure the effective use of venture capitals in such a way that would permit the emergence of competitive African industrial enterprises.

77. Africa needs to more vigorously pursue research and development for the industrial sector in the twenty-first century. Partnerships need to be developed with the private sector and research institutions, both locally and externally, in this respect. To take this industrial development agenda further Africa should pay particular attention to regional integration so that the continent could take advantage of the existing comparative industrial development

advantages of some of its regional economic integration communities as well as market opportunities offered by some others. These opportunities need to be identified and developed if Africa is to realize any significant developments in the industrial sector during the course of the next decades. To this effect there is need to accord high priority to industrial development issues in the programmes of the African Union.

E. Environment Related Issues

I. Preparation of an African Stockpile of Obsolete Pesticides Project (ASP)

78. Environmental issue which holds significant potential threat to human and animal health and lives is the stockpile of obsolete pesticides that have accumulated on the continent since the advent of the major droughts and locusts infestations of the 1970s and 1980s. Current FAO estimate of stockpile in Africa stand at 50,000 tones. Africa would need close to \$200 million to remove and destroy the present stock of obsolete pesticides, and an additional \$75 million to put in place a preventive mechanism that will guard against a repeat of such accumulation in the future.

79. The challenge facing Africa in relation to ridding the continent of this unwanted pesticides stock is enormous. This challenge is made even more complicated by the near total lack of removal and destruction facilities and the lack of financial as well as qualified and experienced manpower. The daily use of these pesticides by Africa's urban and rural populations, a result of their apparent efficacy against domestic and agricultural pests, has made these populations oblivious of their insidious health risks.

80. Recently however, a group of international, inter-governmental and non-governmental organizations and industry representatives, including the United Nations Agencies and the OAU, constituted themselves into a Steering Committee to develop a project proposal for a continent-wide operation to remove the stockpiles of obsolete pesticides and to transport them to European facilities for destruction. The project initiative has so far received financial assistance from the Global Environment Facility (GEF) and the World Bank Canadian Trust Fund as well as in-kind contributions from the Steering Committee member organizations and institutions, to facilitate work of the Committee towards the development of relevant project proposal which will be submitted for international donor funding in future.

81. Member States of the Organization of African Unity, who are the principal target beneficiaries of this project, are called upon to prepare to provide logistical and in-kind assistance for the implementation of the project when ever it takes off. Government contributions will include facilitation of administrative and customs operations, transparent identification of stockpile however small, identification of focal point to assist the coordination of project implementation and other local administrative support.

82. The General Secretariat will continue to participate in the activities of the international inter-agency Steering Committee and to collaborate with the Committee in discharging its responsibilities in the context of the preparatory activities for the elaboration of the proposed project. A major role of the Secretariat will be awareness creation amongst Member States and institutions and agencies participating in the project.

2. Revision of the 1968 African Convention on the Conservation of Nature and Natural resources

83. Significant progress has been registered by the General Secretariat towards revising the 1968 African Conservation on the Conservation of Nature and Natural Resources (Algiers Convention), at the request of four Parties to the Convention namely: Algeria, Burkina Faso, Cameroon and Nigeria. With technical assistance from the United Nations Environment Programme (UNEP) and the Environmental Law Commission of the International Union for the Conservation of Nature (IUCN) a draft revision which sought to up date the Convention to the quality and standard of modern international environmental and natural resources laws, has been prepared and reviewed at an OAU organized experts meeting in Nairobi, from 14 to 18 January, 2002. The draft that was amended and adopted by the said experts meeting will be made available for the consideration of Council at its July meeting before finally submitting to Summit for adoption and possible signature by the Heads of State and Government.

F. Transport, Communications and Tourism

84. Poor transport and communications infrastructure continues to be the most constraining factor to economic growth and development in Africa. The land transport network is rather sparse leaving huge areas without any means of modern travel and carriage. Most of the road and railway links are of low standard and cannot, therefore, adequately support generated traffic throughout the year. Maintenance costs have proved to be unbearable to most African countries. As such,

cases of infrastructure neglect are abundant in the continent. Likewise, the situation has not had significant improvements in air and maritime transport. In particular, problems of capacity and inefficiency in transport and communication services continue to plague the continent with adverse impact on the competitiveness of the international trade of African countries.

85. The disconcerting situation has always been a major concern of the OAU, the RECs, national governments and partner organisations. In this regard, the OAU has put in place on its priority programme activities aimed at formulating strategies for self-sustaining development and maintenance of infrastructure as well as expansion of capacity and enhancement of efficiency in the fields of transport, communications and tourism. Also, matters of safety, security and environmental protection continue to receive due attention.

86. Identifying new and innovative ways of mobilising funds for infrastructure expansion and improvement is going to remain a top priority of the OAU in the sector. The General Secretariat would continue to work on ways of improving the competitiveness of transport, communications and tourism services provided by African operators. This would be achieved through, among other measures, liberalisation of markets within the continent, promotion of traffic facilitation measures, dismantling of anti-competitive behaviour, levelling of the playing field as well as harmonisation of standards for infrastructure and equipment to enhance interconnectivity, safety and cross border mobility.

87. Currently, the General Secretariat is working with the ECA and the World Bank to promote implementation of the Sub-Saharan Transport Programme (SSATP). The programme's objectives include, enhancing mobility for both persons and goods, improving operational efficiency of transport equipment, improving traffic safety and mitigating the impact of transport externalities on the environment. The focus of the programme is on the land transport modes i.e. road and railway transport while due attention is also paid to non-motorised means of transport (NMTs) which are seen to be more appropriate to low income segments of the population in rural and urban areas.

88. Liberalisation of air transport services in the continent continues to be pursued through the implementation of the 1999 Yamoussoukro Decision (Côte d'Ivoire). A Monitoring Body constituted by the OAU, ECA, AFCAC, AFRAA and the RECs is spearheading the effort. It would be acknowledged that progress in this area is rather slow. I would like to urge the RECs and Member States to speed up implementation of

the Decision in order to improve the prospects of the African air transport sub-sector.

89. The survival of African carriers will largely depend on their readiness to co-operate and consolidate their operations. Opening up of skies is one of the key steps towards building a stronger airline industry in the continent.

90. In the area of telecommunications, efforts are being directed at developing capacity for the manufacture of equipment and materials in the continent. Currently, African telecommunications networks are made up of products which are generally not adapted to situations obtaining in the continent.

91. In addressing this problem, the OAU is collaborating with the ITU, ECA, ADB, ATU and UNIDO in the formulation and implementation of a project aimed at promoting the development of the telecommunications industry in Africa known as INDAFTEL. This will enable the production of appropriate telecommunications products for the continent as well as maximise economies in the development of the sector.

G. Population, Health, Labour and Social Affairs

I. Population and Development

92. The percentage of people in the “poverty trap” and infant maternal mortality remain high while life expectancy is plummeting. The vicious cycle of ignorance, poverty and communicable diseases has been compounded by the HIV/AIDS pandemic and internal and external migration arising from various forces of nature and man-made problems. It is in recognition of this that the 4th General Assembly of the African Population Commission (APC) was held February 2002 in Addis Ababa, Ethiopia on the theme “Mobilizing Political Commitment for National Action to Address Crucial Population issues Relating to HIV/AIDS, Youth and Migration”. Youth, the future of our Continent are most vulnerable to HIV/AIDS and the effects of migration, whether voluntary or forced.

93. I wish to express gratitude to the UNFPA (United Nations Population Fund) and other partners for their commendable efforts and cooperation. I wish also to call upon UNFPA to continue to intensify efforts to promote population and development issues on the continent.

2. The HIV/AIDS Pandemic, Tuberculosis and Malaria

94. "Health for All by the Year 2000" has remained just a dream for the majority of Africans who still suffer and die from preventable diseases as they lack access to basic health services. It was to meet this concern that the Heads of State and Government declared 2001 to 2010 an OAU Decade for African Traditional Medicine at their 37th Ordinary Assembly. The OAU with relevant partners is formulating a Plan of Action for the Implementation of the Decade. Integration of traditional medicine into conventional health services will dramatically improve access to health services by communities.

95. The HIV/AIDS pandemic, Tuberculosis and Malaria continue to devastate the continent, especially the Sub-Saharan Region. It is encouraging to note that many countries are already implementing both Abuja Declaration and Framework Plan of Action on Malaria and on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases. It is clear, however, that implementing these commitments has to go hand-in-hand with general health systems development and poverty alleviation programmes; in addition to other development strategies. A number of Member States has advanced far in the implementation process. The Global Fund to Fight AIDS, Tuberculosis and Malaria (GFATM) became operational in January this year and will focus on both prevention and treatment programmes. Africa has to use rationally funds and this entails political commitment at all levels of leadership and community involvement.

96. Council will recall that the Lusaka Summit of Heads of State and Government mandated the Secretariat, in collaboration with relevant partners, to develop a Mechanism for Monitoring Implementation of the Abuja Declaration and Framework Plan of Action on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases. This is necessary because one of the constraints encountered in implementation of many strategies has been inadequate resources and lack of feedback. The Secretariat has just finalised the mechanism which has been approved by Ministers of Health and is now submitted to Council for endorsement.

97. Focusing on these three diseases, however, should not lead to complacency with control of other important health conditions which intensify under-development. These include mental health, childhood infectious diseases (preventable by immunisation), unsafe motherhood, problems of new-borns, nutritional deficiency conditions and tobacco-related problems. Investment and improvement of the general health

delivery system is, therefore, one of the answers to Africa's underdevelopment.

3. The African Child

98. Council will recall that the 37th Session of the Assembly in July 2001 adopted a Declaration and a Plan of Action on the future of children. The Declaration and Plan of Action will be Africa's contribution to the UN General Assembly Special Session (UNGASS) on Children to be held in May 2002.

99. I wish to draw Council's attention to the African Committee on the Rights and Welfare of the Child which was established at the Lusaka Assembly of Heads of State and Government in July 2001. Preparations are underway to organize the first meeting of the Committee which, among other things, will formulate its Rules of Procedure and the Guidelines for the Initial Reports to be submitted by Member States and adopt its work programme. At the same time, the Chairperson of the Special Committee on Children in Situations of Armed Conflict will report on the activities undertaken during her term of office and hand-over any pending issue to the African Committee.

100. Over the last few years, the number of reports of children being trafficked and exploited across borders has steadily increased in Africa, especially in the West and Central Regions. Although some cases of trafficking of children for agricultural, industrial, commercial and sexual etc. exploitation have been reported. However, the available statistics are probably far beyond the reality.

101. The question of child trafficking was considered at length during the 24th Session of the OAU Labour and Social Affairs Commission which was held in Yamoussoukro (Côte d'Ivoire) in April 2001. Among the recommendations made, was the need for Member States to enact deterrent legislation against trafficking of children. As a follow-up, the OAU participated in a meeting on Child Trafficking and Exploitation organised by ICPO-INTERPOL in collaboration with the Government of the Republic of Côte d'Ivoire in January 2002. Awareness of this problem should be matched with increased practical interventions in this area.

4. African Decade of Disabled Persons (1999-2009)

102. It should be recalled that in 1999, the 23rd Session of the OAU Labour and Social Affairs Commission recommended that the period 1999 - 2009 be proclaimed African Decade of Disabled Persons. This was endorsed by the 72nd Council of Ministers and 36th Session of the Assembly of Heads of State and Government. The OAU and relevant

partners were requested to formulate a Plan of Action for implementation of the decade. In this connection, the first Pan-African Conference on the African Decade of People with Disabilities was organized in Addis Ababa in February 2002. This milestone is worthy of note as African communities have a large percentage of persons with disabilities; a fact that tends to be overlooked in planning socio-economic development strategies.

5. Draft OAU Policy Framework and Plan of Action on Ageing

103. It will be recalled that the OAU Labour and Social Affairs Commission, at its Twenty-Fourth Ordinary Session in Yamoussoukro, Côte d'Ivoire in April 2001, recommended that the Draft OAU Policy Framework and Plan of Action on Ageing be subjected to a tripartite review for further enrichment. It is within this context that the OAU, in collaboration with Help Age International, organized the Conference to review the Draft OAU Policy Framework and Plan of Action on Ageing which the Government of Kenya kindly hosted. The Conference was held from 3 to 6 December 2001 in Nairobi, Kenya.

104. The Plan of Action, which is being presented to this Session of Council for endorsement, is based on the realization that although at the moment Africa's population is predominantly youthful, the number and proportion of older persons is growing. While today people aged 60 years and over account for only 4.52% of the population of Africa, it is projected that this number will rise to 11.32% by the year 2050. Consequently, OAU Member States need to develop new policies, strategies and programmes that are rooted in the socio-cultural and economic realities of the various African countries. It is against this background that the Labour and Social Affairs Commission recommended that issues of ageing be placed high on the agenda of the Organisation and the OAU Member States. In the same vein, the Nairobi Conference also prepared Africa's input into the outcome document of the 2nd UN World Assembly on Ageing which is scheduled to be held in Madrid in April this year. It is my hope that Member States will actively participate at this meeting.

6. Labour and Employment: Preparation for the 25th Session of the OAU Labour and Social Affairs Commission

105. Following the Assembly Decision AHG/Dec.166(XXXVII) accepting the offer of Burkina Faso to host a Ministerial meeting on employment in conjunction with the 25th Session of the OAU Labour & Social Affairs Commission, the Secretariat organized preparatory meetings with the host country and partners to ensure the successful

holding of the two meetings. I wish to report that all preparations are now complete and the meetings will be held from 16 to 21 April 2002. I wish to take this opportunity to express my gratitude to the Government of Burkina Faso for hosting the meeting and for the ILO for its continued financial technical and material support.

106. I would also like to inform Council that the OAU Labour and Social Affairs Commission will celebrate its Twenty-fifth Anniversary at its next session. The Commission whose meeting is statutory meeting has become a tripartite organ in which reigns an exemplary spirit of collaboration and co-operation between Government representatives, employers and workers. Preparations are underway for the drawing up of a special programme to celebrate the event.

H. Education and Culture

107. In the areas of education and culture, important activities were carried out. For instance the African Bureau of Educational Sciences (BASE), a specialized institution of the OAU based in Kinshasa, DRC, was completely restructured at the initiative of the OAU at a meeting of the Executive Committee held in Brazzaville, Congo, in July 2001. The new institution, the Pan-African Institute of Education for Development (IPED), is still based in Kinshasa. We take this opportunity to appeal to Member states to honour their commitment to enable the new institution to get on with implementation of the Decade of Education in Africa (1997-2006). During the transition period, contributions will be paid directly to the OAU Headquarters.

108. The OAU also participated in the Ministerial Conference of the Association for the Development of Education in Africa (ADEA) held in Arusha, Tanzania in September 2001, in the UNESCO General Assembly in October 2001 and in the meeting on the establishment of the African Parliamentary Forum for Education in Dakar, Senegal in January 2002. Furthermore, the Secretariat which was the initiator of the Pan-African Music Festival (FESPAM) held every other year in Brazzaville, Congo, participated in the Steering Committee meeting charged with the preparation of the Third Edition of the Festival. This was successfully held in August 2001 under the dual auspices of the Minister of Culture of the Republic of Congo and his counterpart of the Democratic Republic of Congo, as recommended by the OAU.

109. Consultants recruited at the initiative of the OAU, UNESCO and Ford Foundation for establishment of an Observatory Cultural policies in Africa are still going on with their assignment. The definitive establishment of the Observatory, the activities of which have already taken off, will take place in the first half of the year 2002. The OAU also actively participated in the International Seminar on the

“Prospective Approaches and Innovative Strategies for Africa’s Development in the 21st Century” organized by UNESCO in Paris in November 2001. It further attended the Consultative Committee Meeting of the Performing Arts Market (MASA) in Abidjan in January 2002. Lastly, at the instance of Mali, the Secretariat convened a meeting of Government Experts to work on the establishment of the African Academy of Languages. The meeting took place at the Headquarters of the OAU in February 2002.

I. Afro-Arab Co-operation

110. During the period under review, the two General Secretariats (LAS/OAU) engaged in consultations with a view to revitalizing Afro-Arab Co-operation in the light of the new developments both in Africa and in the Arab world. Following these consultations, the two Secretariats agreed that both sides, each in its areas of competence, should prepare a document reflecting its Organization’s position on the issue. The documents so elaborated would then be examined by a brainstorming meeting to be convened at the Headquarters of the League, bringing together high-ranking officials of both Organizations and the representatives of some Member States to examine both documents and formulate recommendations accordingly.

111. The General Secretariat also buckled down to the launching of the activities of the Afro-Arab Cultural Institute. A meeting between OAU Experts, the League of Arab States and ALESCO was convened in Addis Ababa in December 2001 to draft the administrative and financial texts to govern the Institute’s operations. It was proposed that the Director General and the Deputy Director General should assume duty in March 2002 for an interim period of 4 months during which they will prepare the scientific programme and organizational framework of the Institute, the regular budget, etc. thus ensuring the effective take off of the Institute.

112. Furthermore, African and Arab economic operators attach great importance to trade cooperation projects between the two regions. Notwithstanding the political situation prevailing in the Middle East, the 5th Afro-Arab Trade Fair held in Tripoli, Lebanon from 6 to 14 October 2001 brought together 32 African and Arab countries. The event made it possible to strengthen the already existing relations of co-operation and partnership between African and Arab exhibitors. The provisional report on the event shows that the Afro-Arab Trade Fair is a viable project which should be perpetuated.

113. The next meeting of the Afro-Arab Standing Commission is scheduled to be held in an OAU Member State. The General Secretariat had initiated contacts with Member States to host the

Commission's 13th Ordinary Session. A number of countries have expressed their desire to host the meeting, and the usual formalities are being worked out between these countries and the Secretariat. The next session of the Standing Commission is very important, in that it is expected to examine, among other things, the vital issue of new orientation for the Afro-Arab Co-operation. Indeed, the numerous challenges facing African and Arab countries, which affect peace and stability in their respective regions require more than ever before consultation between African and Arab Leaders.

PART IV - POLITICAL MATTERS

A. Central Africa

1. Democratic Republic of Congo (DRC)

114. Council will recall that, at its Seventy-fourth Ordinary Session held in Lusaka, Zambia, in July 2001, it was briefed on the significant progress made in the peace process in the DRC. This progress was mainly as a result of the will to engage in dialogue demonstrated by the Parties and the leaders of the region. At the end of its deliberation, Council, in its Decision CM/Dec.592 (LXXIV), welcomed the unreserved readiness of the Parties to implement the Lusaka Ceasefire Agreement; the adoption by the Political Committee of the plans and sub-plans for the disarmament, demobilisation, re-integration, repatriation or re-installation (DDRRR) of the armed groups, and for the withdrawal of foreign forces from the DRC; as well as the adoption by the UN Security Council of Resolution 1355 (2001) of 15 June 2001, which among other things, extended the mandate of MONUC to 15 June 2002. At the same time, Council appealed to the Security Council to take into account, when designing and planning the third phase of the deployment of MONUC, the need to guarantee the stability and security of the DRC after the withdrawal of foreign troops. Council commended the efforts deployed by the Facilitator Sir Ketumile Masire to prepare the Inter-Congolese Dialogue. Lastly, Council took note of the Report of the United Nations Experts Group on the illegal exploitation of the natural resources and other riches of the DRC, as well as the reactions of the States and other players implicated in the Report, and requested the United Nations to speed up the investigations so as to draw the final conclusions and take appropriate course of action. Pending conclusion of the investigations, Council requested the importing countries to set up appropriate mechanisms to identify the origin of these products with a view to limiting their transactions.

115. Since that Council session, the peace process in the DRC has generally been evolving positively. Apart from the fact that the ceasefire has been generally observed, and the process of disengagement and redeployment of forces on ground has been virtually completed, I am particularly reassured by the fact that the leaders of the region have continued to favour dialogue and consultation to resolve the outstanding issues. For instance, the meeting held between Presidents Kabila and Kagame under the auspices of the United Nations Secretary General on the occasion of the Lusaka Summit, made it possible for the two Presidents to meet once again in Malawi on 26 September 2001. Similarly, President Paul

Kagame visited Angola from 8 to 9 January 2002, and President Joseph Kabila paid a visit to his peers in Zimbabwe and Angola in January 2002. High ranking officials of the DRC, Angola, Rwanda and Uganda met in Luanda on 8 January 2002 to examine the ways and means to give fresh impetus to the peace process and establish a mechanism to promote the withdrawal of their troops from the DRC. Lastly, the Foreign Minister of Burundi Therenice Sinuguruza, paid a working visit to Kinshasa from 6 to 8 January 2002. According to the Joint Communiqué issued at the end of that visit, the Government of Burundi made a commitment to commence the effective withdrawal of its troops from the DRC. For its part, the DRC Government undertook to contribute further to the successful conclusion of the Arusha Peace Process.

116. The Extraordinary SADC Summit which took place in Blantyre, Malawi, on 14 January 2002, which the OAU attended, offered to the leaders of the region another opportunity to consult with one another on the progress of peace process in the DRC.

117. It should further be mentioned that many delegations from foreign countries, Africa's traditional partners, were also in the region to confer with the Parties and infuse fresh dynamism into the peace process. I wish in particular to highlight the visits to the region of high ranking government officials from Great Britain, France and Belgium.

118. I am particularly pleased to inform Council that, in conformity with the pertinent decision adopted by the Central Organ, necessary measures were taken to open an OAU Office in Kinshasa. Following consultations with the DRC authorities and the signing of a Headquarters Agreement, on 25 January 2002, I appointed Mr. Martin Bongo former Gabonese Foreign Minister as my Special Representative and Head of the Office. Mr. Bongo has already assumed duty in Kinshasa. His presence will enable the OAU to make further contribution to the peace process in the DRC, including the Inter-Congolese Dialogue.

119. However, I remain very much concerned at the prevailing situation in the East of the DRC as a result of the military activities conducted by the various armed groups, particularly the Mai-Mai, the former FAR/Interahamwe militia as well as Burundian rebels; the dispute between the MLC of Jean-Pierre Bemba and RCD-ML-K of Mbusa Nyamwisi; and the ethnic clashes among some local populations.

120. At its 12th Session held in Kigali, on 14-15 September 2001, the Political Committee for implementation of the Lusaka Ceasefire Agreement, expressed serious concern at the war raging in the East of

the DRC. The Political Committee, while welcoming the progress made in the process of troops disengagement and redeployment, further expressed concern at the re-occupation by certain Parties of the positions they had previously vacated, and made an appeal to the Parties to comply strictly with the Kampala and Harare Plans and Sub-Plans. The Political Committee reiterated its appeal to the United Nations to start without further delay Phase III of the deployment of MONUC. The 76th Ordinary Session of the Central Organ of the OAU Conflict Prevention, Management and Resolution Mechanism held in Addis Ababa on 20 September 2001 expressed satisfaction at the results of the meeting of the Political Committee.

121. There has been no significant progress in the withdrawal of foreign forces from the DRC since the complete withdrawal of Namibian troops and the withdrawal of most of the Ugandan forces. Regarding the Ugandan forces, the MONUC and the JMC fear that their presence in the East of the DRC will be consolidated if fighting were to continue in that region. It is however needful to note that the Zimbabwean defence forces announced the withdrawal of some battalions from the Equator Province and from the East of the country. Lastly, on 9 November 2001, while addressing the Joint Meeting of the Security Council and the Political Committee held in New York, the Angolan Foreign Minister indicated that his country had withdrawn some troops from the DRC.

122. To obtain first hand information on the situation, the United Nations Secretary General, from 1 to 5 September 2001 visited the region during which he held talks both with the various stakeholders and with the Facilitator of the Inter-Congolese Dialogue. On that occasion, the UN Secretary General highlighted some of the problems such as the persistent fighting in the East of the DRC, the demilitarisation of Kisangani, the withdrawal of foreign forces from the DRC, the DDRRR programme and the conditions for Phase III deployment of MONUC. A Security Council mission also visited the area as from mid-December 2001.

123. On 9 November 2001, the Security Council convened in New York. The Political Committee was invited to that session in which the OAU participated. At the meeting, the signatory Parties to the Agreement reiterated the need for a speedy deployment of MONUC Phase III. On the same day, the Security Council adopted Resolution 1376 (2001) which among other things endorsed the take-off of the deployment of MONUC Phase III, and underscored the importance of the deployment of MONUC in the East of the DRC. To this end, the Security Council spelt out a number of measures to be taken by the Parties.

124. Council will recall that, at its session held in Lusaka, the transfer of the Joint Military Commission (JMC) to Kinshasa and its co-location with MONUC were reiterated. It is now my pleasure to inform Council that, following the endorsement by the Political Committee meeting in Kigali, the transfer of the JMC and its co-location with MONUC were completed on 30 October 2001. Consequently, the JMC held its 15th Meeting in Kinshasa on 11-12 January 2002.

125. The DDRRR is a critical component of the peace process; and consequently, it requires the commitment of all the Parties. At the JMC meeting held in Lusaka on 5-6 September 2001 and the Political Committee meeting in Kigali on 14-15 September 2001, the RCD-Goma accused the DRC Government of continuing to support the armed groups in violation of the Lusaka Agreement. The Government for its part denied these allegations. It informed the Political Committee meeting that some elements of the armed groups had been encamped in Kamina as part of the DDRRR programme.

126. It is against this background that President Joseph Kabila addressed to me a letter dated 28 January 2002 stating his concerns over the continued presence of Rwandese troops on the territory of the DRC on the grounds that Rwanda's security would be compromised by the armed groups supporting his country. President Kabila then suggested that, to reassure Rwanda and the other partners, and in view of what had been done on the question of the illegal exploitation of the wealth of the DRC, a Commission should be set up with the specific mandate to investigate Rwanda's allegations by Rwanda concerning the armed groups.

127. There is hardly any need to over-emphasise the importance of the Inter-Congolese Dialogue to the success of the peace process in the DRC. The period following the Council Session in Lusaka was characterized by intensification of efforts aimed at the convening of this Dialogue. May I mention in this connection, that a preparatory meeting was held in Gaborone, Botswana, from 20 to 25 August 2001. This meeting which took place in a serene atmosphere and in a spirit of compromise and tolerance, ended on 25 August with the adoption of a Declaration of Commitment, the Draft Agenda of the Meeting and the Rules of Procedure of the Dialogue, as well as a final Communiqué summing up the decisions adopted by consensus. The meeting decided that the Dialogue would take place in Addis Ababa, Headquarters of the OAU and the African Union, as from 15 October 2001.

128. The success of the preparatory meeting in Gaborone was reassuring for all of us. On 27 August 2001, the Secretariat issued a Communiqué in which it welcomed its conclusions of the meeting and

the decision by the Congolese Parties to hold the Dialogue in Addis Ababa. At its 76th Session at Ambassadorial Level, the Central Organ expressed satisfaction at the positive and encouraging results of the meeting and requested the Secretariat to provide the Facilitator with necessary assistance and to take all appropriate measures to enable the OAU to fully discharge its role under the Lusaka Ceasefire Agreement. Pursuant to this recommendation, a contribution of US\$200,000.00 was made available to the Facilitator. Furthermore, necessary measures were taken by the General Secretariat to provide the requisite logistics support towards the preparation of the Addis Ababa meeting.

129. In conformity with the decision of the meeting in Gaborone, the Inter-Congolese Dialogue effectively kicked off in Addis Ababa on 15 October. The meeting was solemnly opened by Ato Meles Zenawi Prime Minister of Ethiopia, in the presence of Mr. Frederick Chiluba, former President of Zambia then Current Chairman of the OAU and Chairman of the Regional Initiative for Peace in the DRC, as well as the United Nations Secretary General's Special Representative in the DRC. I personally attended this solemn Opening Session. In my statement on that occasion, I urged the Congolese Parties to live up to the importance of the meeting and to seize the opportunity to open another page in the history of the country. We cannot but express regrets that the differences which emerged among the Congolese Parties on the nature of the meeting and its powers finally led to its postponement, only a week after its opening. However, the Congolese parties agreed to meet again in South Africa at a later date.

130. At its 77th Ordinary Session at Ambassadorial Level held in Addis Ababa on 22 October 2001, the Central Organ was briefed by the Facilitator on the conduct of the meeting and the difficulties that led to its postponement. At the end of that session, the Central Organ reaffirmed its unalloyed support for the Facilitator and welcomed the fact that the Inter-Congolese Dialogue had been set in motion. The Central Organ expressed regrets at the difficulties faced during the Addis Ababa meeting. The Central Organ lastly requested me to take all the necessary measures to lend the Facilitator solid political support and all other requisite assistance including establishment of an appropriate mechanism for liaison with his office.

131. On the occasion of the Addis Ababa meeting, I held talks with the representatives of some of the Congolese Parties at which I underscored that the success of the dialogue first and foremost depended on the will of the Congolese people. I called on the various Congolese parties to make the needed concessions in order to make the Inter-Congolese Dialogue as inclusive as possible and to enable it result in democratic transition.

132. In the aftermath of the Addis Ababa meeting, numerous initiatives were taken for the resumption of the dialogue. For instance, informal consultations between the Government, the MLC and the RCD were organised in New York in November 2001 by the UN Under Secretary General for Political Affairs Mr. Ibrahima Fall, in cooperation with the Office of the Facilitator. These Parties met again in Abuja from 6 to 8 December 2001, also at the invitation of the United Nations. At the end of this meeting, the representatives of the three Parties signed an agreement on the representation of the various groups at the Dialogue.

133. An informal meeting preparatory to the Inter-Congolese Dialogue was convened in Brussels from 15 to 17 January 2002 at the initiative of the Government of Belgium. Representatives of the Congolese political opposition and the civil society, as well as those of the United Nations, the OAU, the European Union and the Office of the Facilitator attended the meeting which was chaired by Mr. Louis Michel, Belgian Minister for Foreign Affairs. The objective was to harmonize the positions of the Congolese parties in attendance on such issues as transition, citizenship and elections.

134. Lastly, the United Nations organised a third informal consultation in Geneva from 4 to 8 February 2002 between representatives of the Government, the RDC-Goma and the MLC. However, even before the end of the deliberations, the RDC-Goma decided to withdraw from the talks on the grounds that the Government was not giving deserved attention to their concerns regarding the military situation in the East of the DRC. The Parties however expressed the wish to remain open to contacts before the resumption of the dialogue. In the meantime, the Facilitator of the Inter-Congolese Dialogue, taking advantage of his field trip to Kinshasa, Goma and Gbadolite from 24 to 30 January 2001, declared on 29 January while in Kinshasa, that the dialogue would resume in Sun City, South Africa on 25 February 2002.

135. As scheduled, the Inter-Congolese Dialogue resumed at Sun City on 25 February 2002. The official opening ceremony was marked by a series of Statements notably by President Thabo Mbeki of South Africa, Levy Mwanawasa of Zambia in his capacity as the current Chairman of the OAU and Bakili Muluzi of Malawi in his capacity as the current Chairman of SADC, and also by the Representative of the UN Secretary General in DRC, the Facilitator and myself. In my address, I once again appealed to the Congolese Parties to put the interest of Congo and his people above any other consideration. However, unresolved issues such as the representation of a section of the political opposition quickly came back to the fore. At the time of finalizing this

report, the Facilitator, with the support of President Mbeki, was working hard to find solutions to such unresolved issues to enable the dialogue to resume and ensure its successful conclusion

136. The Experts Group on Illegal Exploitation of the Natural Resources and other Wealth of the DRC submitted an Addendum to its April Report to the Security Council on 19 November 2001. The Group confirmed its earlier conclusions that some States and non-State entities were taking advantage of the protracted war in the Country to exploit the natural resources of the DRC. The Panel therefore recommended the imposition of a moratorium on the purchase and importation of some products originating from the DRC. The conclusions of this report were rejected by the countries and entities indicted.

137. In his statement during consideration of the report, the Chairman of the Security Council noted with concern the continued and unabated plundering of the natural resources and other wealth of the DRC. He strongly condemned these activities which prolonged the conflict in the country, hindered economic development and exacerbated the sufferings of the population. He reaffirmed the principle of the territorial integrity, the political independence and sovereignty of the DRC, including sovereignty over its natural resources.

138. The volatile security situation in the DRC has a negative impact on the humanitarian situation. The recent eruption of the Nyiragongo volcano around Boma and the floods in Mbandaka have worsened this humanitarian situation. As a gesture of solidarity with the victims of the volcanic eruptions, the OAU made a US\$100,000 donation to the UNHCR to backstop the assistance by the international community to the affected populations.

139. The peace process in the DRC has reached a turning point. In this connection two elements need to be noted: the Phase III deployment of MONUC, and the Inter-Congolese Dialogue. The Phase III deployment of MONUC should facilitate implementation of the two plans adopted by the JMC and the Political Committee concerning the DDRRR Programme and the withdrawal of foreign troops; on the other hand, the Inter-Congolese National Dialogue should help the DRC to regain its political and territorial unity.

140. Once again, I appeal to the warring parties in Congo to show some vision and to seize the opportunities now offered to them to definitely resolve the long lingering conflict. To this end, the Parties should give MONUC maximum support for the Phase III deployment, implementation of which are contingent on conditions requiring firm

political will and genuine commitment to peace. I appeal to the countries with troops in the DRC to get on with and speed up the withdrawal of these troops in keeping with the relevant Security Council resolutions and OAU decisions. I urge the Congolese Parties to demonstrate a sense of compromise so as to facilitate a successful conclusion of the Inter-Congolese National Dialogue and the restoration of a new political order in the country.

2. Burundi

141. At its session held Lusaka, Zambia, in July 2001 Council was briefed on the evolving situation in Burundi. The briefing focused on the efforts deployed to find a solution to the two basic issues left unresolved in the Inter-Burundi Peace Talks in Arusha, namely: the question of leadership of the Transition, and the cessation of hostilities as well as conclusion of a Ceasefire Agreement.

142. Council, for its part, adopted Decision CM/590 (LXXIV) on the situation in Burundi wherein it expressed grave concern at the stalemate in the process of implementation of the Arusha Peace and Reconciliation Agreement in Burundi and the continued deterioration of the security and humanitarian situations in the country. Council condemned the pursuit of hostilities and other acts of violence of which the civilian population is the main victim, and demanded that the belligerents embark without delay on negotiations for cessation of hostilities and conclusion of a Cease-fire Agreement. Council called on the Parties to the conflict to overcome their differences in order to reach, as quickly as possible, a consensus on the presidency and transition modalities, and also called on the countries of the region, and all the parties to the conflict, to seize the opportunity offered by the next Regional Summit scheduled to take place in Arusha at end of July 2001, to take appropriate measures to facilitate implementation of the Arusha Peace and Reconciliation Agreement.

143. The post Council period was characterised by intensified efforts at creating the conditions conducive to a rapid implementation of the Arusha Peace and Reconciliation Agreement. Thus, between July and October 2001, three Summit meetings were organised by the Regional Initiative on Burundi. The OAU participated in all the meetings.

144. The 15th Regional Summit held in Arusha on 23 July 2001 marked a turning point in the peace process. Indeed, it was at that Summit that the Heads of State resolved the issue of leadership of the transition by endorsing the proposal of the Mediator, Nelson Mandela to appoint Major Pierre Buyoya (of the G 10 Political Family) President under the first phase of the transition which was to last 18 months, while Domitien Ndayizeye, General Secretary of the Front for

Democracy in Burundi (Frodébu) and member of the G7 Political Family, would hold the post of Vice-President. Major Buyoya and the Vice-President designate signed a document containing a series of conditions to be observed during the transition period. The Summit also decided that the Transition Government should be installed in Bujumbura not later than 1 November 2001.

145. With specific reference to the Special Protection Unit, the Summit decided that it should be made up of an equal number of Burundian soldiers/ police drawn from the G7 and G10. This Unit would be placed under a joint command, supported and trained by military experts from Ghana, Nigeria, Senegal and South Africa. The Mediator informed the Summit of the above countries' readiness to provide peace-keeping troops. The Summit took note of the offer, and appealed to the UN Security Council to authorise the deployment of a peace-keeping force pursuant to the Arusha Agreement.

146. The conclusions of the 15th Regional Summit were received with satisfaction by the International community, particularly, the European Union and the UN Security Council. At its 75th Ordinary Session at Ambassadorial Level held in Addis Ababa on 22 August 2001, the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution also welcomed the conclusions of the Summit. It urged all the parties to take all necessary steps to ensure scrupulous implementation of the relevant decisions of the Summit. The Central Organ further requested the Security Council to favourably consider the appeal for deployment of a peace-keeping force in Burundi.

147. The Transition Government was installed in Bujumbura on 1 November 2001, in accordance with the decisions of the 15th Regional Summit, and the deliberations of the 16th and 17th Regional Summits held respectively in Arusha and Pretoria on 1 and 11 October 2001. I personally attended the swearing-in ceremony of this Government, alongside the Heads of State from the Region and many other African delegations who came to commend this encouraging breakthrough in the peace process, and to show their support for and solidarity with the people of Burundi.

148. It should also be pointed out that the progress accomplished at the 17th Regional Summit facilitated installation of other transition institutions. On 3 January 2002, the Transition National Assembly was put in place. A week later, following democratic elections, the Assembly elected a Bureau headed by Jean Minani, Chairman of Frodébu, whose first ordinary session opened on 4 February 2002. Meanwhile, the Transition Senate was established on 24 January 2002. Its Bureau which was elected on 4 February started sitting

immediately after, under the Chairmanship of Libère Bararunyeretse of the UPRONA (G10).

149. As stated above, the 15th Regional Summit agreed on the creation of a Special Protection Unit. At the 17th Regional Summit, in the light of the delay in putting this Unit in place, South Africa, Ghana, Nigeria and Senegal expressed their willingness, in the meantime, to provide security cover for the political leaders returning from exile. South Africa, in particular, accepted to deploy at the latest by 1 November 2001, a protection unit that would then be joined by the contingents of the other above mentioned countries. On 22 October 2001, President Pierre Buyoya addressed a letter to President Thabo Mbeki requesting that elements of the South African Protection Unit be made available to the Burundian Government. I am informed that similar requests were addressed to Ghana, Nigeria and Senegal. Few days later, South African Foreign Minister, Mr. N.C. Dlamini Zuma sent correspondence to the President of the Security Council, informing him of South African Government decision in response to President Buyoya's request for deployment in Burundi of a battalion to serve as temporary protection unit pending establishment of a wholly Burundian Unit to undertake that assignment.

150. In its resolution 1375 (2001) of 29 October 2001 the Security Council declared itself in favour of the efforts deployed by the Government of South Africa and other Member States to backstop implementation of the Arusha Agreement. In this connection, Council gave its strong support to the installation of an interim multinational security outfit in Burundi at the request of the Burundian Government for the protection of the political leaders returning to the country. The South African battalion whose advance party arrived in Bujumbura on 27 October 2001 has already become operational. Another encouraging development is the fact that the Implementation Monitoring Commission held its first session in Bujumbura on 26 November 2001. In this regard, I note with satisfaction the fact that virtually all the exiled members of the Commission have returned to Bujumbura.

151. These successes notwithstanding, one cannot but remember that violence has continued to decimate the people of Burundi. Nobody is spared of the growing insecurity, not even school children who are targets of increasingly frequent incidents of kidnapping perpetrated by armed factions in many schools. The intensification of these acts of violence jeopardizes the implementation of the Arusha Peace Agreement. It also dampens the hope generated by the installation of the Transition Government, particularly the acceleration of the peace process through cessation of hostilities and eventual conclusion of a cease-fire agreement.

152. Faced with this situation, last December, the Government of Burundi sent a mission to the countries of the Region with a message from President Buyoya to the Heads of State of the Regional Initiative, with the objective to sensitize them to the gravity of the situation and to the need to take appropriate measures to address it. On 31 January 2002, President Buyoya personally travelled to Tanzania to meet his counterpart and request his assistance for a speedy cessation of hostilities.

153. I also wish to inform Council that my Special Representative in Burundi and the UN Secretary General's Representative in the Great Lakes Region seized the opportunity of their mission at the end of December last year, as part of preparations for the International Conference on Peace, Security and Stability in the Great Lakes Region, to draw the attention of the host Heads of State to the situation. They appealed to the leaders of the region to consider ways and means to renew their support for the Mediation, so as to bring the armed factions to engage in negotiations for a cessation of hostilities and conclusion of a cease-fire agreement.

154. The problems of security particularly the involvement of the armed groups in the peace process were at the heart of the talks between the Burundian Minister of External Relations and Cooperation Mr. Therence Sinunguruza and his Congolese counterpart Leonard She Okitundu during the former's visit to Kinshasa in early January 2002. In the Communiqué issued at the end of this visit, the Congolese Government made a commitment to help involve the Burundian rebel groups in the Arusha process considered as the only valid framework for consideration of their demands, steer the negotiations organised under the auspices of the Regional Initiative to a successful end, and take steps to prevent the territory of the DRC from being used as a base for attacks against Burundi. For its part, Burundi made a commitment to withdraw its troops from the Congolese territory. I wish to add my voice to that of the UN Security Council in welcoming the normalisation of relations between Burundi and the DRC, which cannot but facilitate the quest for peace and stability in the region.

155. On 5 February 2002, President Buyoya had a meeting with members of the Security Council in New York. He briefed them on the situation in his country, with emphasis on the persistent acts of violence. President Buyoya requested the Security Council to consider, should the diplomatic process fail, mobilizing all necessary resources to save the peace process from being held to ransom by the rebels. For its part, the Security Council, in a statement by its President on 7 February, indicated that continued attacks against the legitimate transition Government set up as part of implementation of an all-

inclusive peace agreement was totally unjustifiable and unacceptable, and constituted a threat to implementation of the peace process. Council called on the armed factions to immediately lay down their arms in the interest of all Burundians, adding that only a negotiated solution could bring an end to the hostilities.

156. In the meantime, efforts at achieving a cessation of hostilities and eventual conclusion of a cease-fire have continued. At the 17th Regional Summit, to which the CNDD/FDD, the Palipehutu/FNL were invited, the regional leaders appealed to the armed groups to cease hostilities and engage in negotiations leading to a cease-fire agreement. It was also against this background that Mr Jacob Zuma, South African Vice President visited Burundi from 10 to 12 January 2002. It is recalled the Vice-President together with President Omar Bongo of Gabon, was conducting the negotiations for cessation of hostilities. The Vice-President later travelled to Dar-es-Salaam where he had consultations with President Mkapa. Lastly, from 19 to 22 February 2002, talks were held in South Africa between the Government and CNDD/FDD.

157. At its Session on 22 August 2001, the Central Organ once again made an urgent appeal to the armed factions to put an immediate end to the armed conflict. To this end, the Central Organ expressed support for the efforts deployed by President Bongo and Vice President Jacob Zuma. Similarly, the Central Organ reiterated OAU's commitment to do its utmost to maintain the momentum of the peace process.

158. Last December, I met the spokesman of CNDD-FDD, Jean Marie Ngendahayo in Pretoria. I subsequently directed my Special Representative to intensify contacts with the armed groups and to invite them to a meeting with the Secretariat in Addis Ababa. I am happy to inform Council that the Palipehutu/FNL and the CNDD-FDD reacted positively to this invitation. At the time of finalizing this Report, arrangements were underway for a meeting with the FNL and with the CNDD-FDD.

159. Concurrently, the OAU Mission in Burundi (MIOB) continued to make contacts with all the Burundian political stakeholders including President Buyoya and Vice President Ndayizeye. The Mission has continued to participate in the various meetings organised as part of the Arusha process, and to make its contribution to bear on the peace efforts. I should also add that the Mission's human and material resources have been beefed up to enable it to more effectively contribute to the peace process in line with the responsibilities devolving on the OAU under the Arusha Agreement.

160. In the above mentioned Communiqué of 22 August 2001, the Central Organ made an appeal to Member States and to the rest of the international community to lend all necessary support to the Transition Government. The Central Organ also appealed to donors who had made pledges during the December 2000 Donors' Conference in Paris to urgently honour their commitments. In this regard, on 5 October 2001, the Secretariat sent correspondence to all the concerned donors. Germany, Japan and the European Union responded by informing the Secretariat of the status of their assistance programme in Burundi and the additional initiatives they intended to take in the light of the installation of the Transition Government. I wish to express my gratitude to them and to other bilateral and multilateral donors, for their assistance. It should be recalled that a Donors' meeting took place in Geneva on 6 - 7 December 2001 during which donors pledged a total amount of US\$764 million. It is my hope that these pledges would be fulfilled promptly, especially as many years of conflict have taken a heavy toll on the Burundian economy, and national reconstruction will only serve to strengthen the on-going fragile peace process. In his statement to the Security Council on 5 February 2001, President Buyoya indicated that the number of persons living below the poverty line had doubled, moving from 35% in 1992 to over 60% today, and that the country's current external debt stood at over 180% of the GDP.

161. Council will recall that, in its Decision CM/Dec.590 (LXXIV), it directed me to consult with the HCR and the UN Security Council to examine the possibility of repatriating Burundian refugees living in Tanzania, and to take measures to guarantee the security of the returnees. During the period under review, MIOB continued to closely monitor the situation of Burundian refugees living in Tanzania. The Mission regularly participated in the activities of the HCR Delegation in Burundi on this issue, specifically in the meetings of the Technical Working Group of the Burundi/Tanzania/HCR Tripartite Commission. It also participated in the field visits designed to evaluate the efforts deployed by Burundian authorities in collaboration with the HCR and other partners to prepare for the reception of the refugees returning home.

162. Furthermore, a delegation of the OAU Commission on Refugees I visited Burundi from 14 to 20 January 2001. The delegation took part in the Second Meeting of the Tripartite Commission on voluntary repatriation of Burundian refugees living in Tanzania held in Bujumbura on 15 January 2002. The delegation also visited the Mugano and Songore transit camps in the Muyinga province and the other facilities put in place for reception of returnees. The visitors met many Government officials and representatives of the United Nations

Agencies in the country. The Commission members were later received in audience by President Buyoya and Vice President Ndayizeye.

163. There is no doubt that significant progress has been made in implementation of the Arusha Agreement with the installation of Transition Government and institutions, the return from exile of many political leaders some of whom already occupy positions in the various institutions, and the installation of the Implementation Monitoring Commission in Bujumbura. Meanwhile, the peace process will remain fragile as long as violence does not stop with the attendant untold sufferings wreaked on the civilians population. I hereby encourage the Burundian parties to continue to strive to consolidate the gains so far made, thereby ensuring that, in the very near future, peace and national reconciliation would become a reality for the Burundian people. I also wish to express my deep gratitude to the Mediator Nelson Mandela for the high sense of commitment with which he discharged his duty, and to reiterate OAU's support for the efforts of President Bongo and Vice President Zuma at achieving cessation of hostilities and conclusion of a cease-fire. The OAU, for its part, will continue to back the efforts invested by the Burundian, in close coordination with its partners in the International Community.

3. Central African Republic (CAR)

164. The Council of Ministers meeting in its 76th Ordinary Session in Lusaka from 6 to 8 July 2001 was briefed on developments in the situation in the Central African Republic (CAR), particularly in the light of the attempted coup d'Etat of 27- 28 May 2001. For its part, the Council, after having reiterated OAU's strong condemnation of the attempted coup d'Etat, commended the Members States as well as CEN-SAD which gave support to the legally constituted institutions of the Central African Republic and towards re-establishment of constitutional order. The Council of Ministers furthermore urged the players in the Central African Republic political life to seek rapid solution to the crisis tearing their country apart, through dialogue and observance of democratic principles and good governance. The Council appealed to Member and the rest of the international community to provide the necessary economic and financial assistance for the reconstruction of the country.

165. Since then, the General Secretariat has continued to monitor closely developments in the situation in the country, dominated by repercussions of the attempted coup d'Etat of May 2001 and the concomitant legal ramifications. In the aftermath of the attempted coup d'Etat, the authorities of the Central African Republic set up a Joint Judicial Commission of Inquiry. It was within the framework of the work carried out by this Commission that Mr. Jean-Jacques

Demafouth, former Minister of Defense, was arrested on 25 August 2001 and subsequently placed under house arrest. On 26 October 2001, President Patasse relieved the Chief of Staff of the country's Armed Forces, General Francois Bozize on the ground that he had been implicated in the coup attempt.

166. On 2 November 2001, the Joint Judicial Commission of Inquiry issued an arrest warrant against General Bozize. The General who rejected all the accusations levelled against him, first refused to comply with the Commission's arrest warrant. In the end, however, he accepted to be heard at a neutral venue, following negotiations by the Special Representative of the United Nations Secretary General in Bangui, General Lamine Cisse. On 7 November, while the forces belonging to General Bozize were, as expected, in the process of removing the barricades they had mounted, the Government forces went on the attack and succeeded in re-taking control of the situation. The authorities of the Central African Republic justified their decision by the discovery of a document proving that General Bozize was in reality in the process of preparing a coup d'Etat. The General and his supporters retreated to the north of the country before finding refuge in Chad.

167. Immediately after the outbreak of this new crisis, I dispatched to Bangui a delegation with the mandate, among other things, to convince the players in the political life of the Central African Republic to seek a negotiated solution to the crisis. The OAU delegation which arrived in Bangui on 7 November 2001 at the same time as a delegation from CEN-SAD, had talks with President Patasse as well as with all the players in the country's political life.

168. During the talks with the OAU delegation, the Central African authorities underscored the fact that the 2 November crisis was a result of General Bozize's refusal to appear before the Joint Judicial Commission of Inquiry. They further underlined the negative impact which the recurrent crisis was having on the economy and solicited increased assistance from the OAU and the international community. The opposition parties for their part underscored the need for genuine dialogue to address the problems confronting the country. They proposed a number of measures to help reduce tension in the country, particularly the dissolution of the Joint Judicial Commission of Inquiry.

169. On 27 November 2001, the Central Organ meeting in its 78th Ordinary Session at Ambassadorial level in Addis Ababa discussed the situation in the CAR. After deliberation, the Central Organ urged the Central African parties to resolve their differences through dialogue and consultation. The Central Organ encouraged the leaders of the

region, as well as the other African leaders to pursue their efforts towards helping the Central African parties to overcome their differences and promote lasting peace and security in the CAR.

170. The crisis of 2 November 2001 and the resultant situation were at the origin of two meetings organized by CEN-SAD and the Central African Economic and Monetary Union (CEMAC) in Khartoum and Libreville respectively on 3 and from 4 to 5 December 2001. At the invitation of President El Bashir and Bongo and pursuant to the decision of the Central Organ requesting me to monitor closely developments in the situation in the CAR, I participated in these two meetings. The Representative of the United Nations Secretary General in the CAR also attended the two meetings.

171. The Khartoum mini-Summit decided to set up a peace-keeping force in the CAR and a Political Committee comprising the Foreign Ministers of the Sudan, Chad, Libya, Burkina Faso and Gabon, the Secretaries General of the OAU and CEN-SAD, as well as a Representative of the United Nations to help in the promotion of mutual understanding in the CAR. The mini-Summit requested President Patasse to facilitate the adoption of a general amnesty law and create an atmosphere conducive to reconciliation.

172. The CEMAC Heads of State for their part agreed on the need to re-launch political dialogue in the CAR. To this end, they called on President Patasse to take appropriate appeasement measures by facilitating, among other things, the adoption of an amnesty law. The Heads of State decided to establish an Ad Hoc Commission under the chairmanship of President Bongo with Presidents Idriss Deby and Sassou Nguesso as members. The main objective of the Commission would be to bring together the political players as well as the civilian and military elements implicated in the events of 2 November with a view to creating conducive environment for promotion of peace, security and stability in the CAR.

173. Developments in the CAR have been encouraging since the Khartoum and Libreville meetings. On 24 December 2001, the Prosecutor's Office of the Bangui Appeal Court gave a ruling describing as inopportune the proceedings against General Bozize and others and ordered the immediate release of the people charged under the said proceedings. It should be noted that on 21 November the Prime Minister received the Trade Union leaders. On 23 November 2001, he received all the political leaders. This meeting marked the easing of relations between the opposition and the Government which had not met since 25 June 2001.

174. On 10 January 2002, the UN Security Council examined the situation in the CAR. At the end of the meeting, the Security Council expressed its concern over the increasingly serious problems which worsen the political and economic situation in the CAR. In the same vein, it welcomed the positive measures taken by the authorities of the Central African Republic and called on them to promote dialogue and national reconciliation.

175. On 16 January 2001, the Heads of State of CEMAC held another Extraordinary Summit in Brazzaville to examine the situation in the CAR. The special envoy of the Current Chairman of CEN-SAD, President El Bashir, and the CEN-SAD Secretary General attended the meeting as observers. The Summit welcomed the appeasement measures taken by President Patasse. Furthermore, in order to avoid proliferation of incidents at the CAR and Chad border, the Summit decided to dispatch to the border a mission of experts under the authority of the Chairman of the ad hoc Committee on the situation in the CAR. The mission will include representatives of CEMAC Member States, the representative of the UN Secretary General in CAR, a representative of the OAU Secretary-General and a CEN-SAD representative as observer.

176. At the request of the Great Socialist People's Libyan Arab Jamahiriya, the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution held its 8th Ordinary Session in Tripoli on 26 January 2002 to examine the situation in the CAR. President Ange Felix Patasse who addressed the meeting renewed his commitment to spare no effort to consolidate peace and stability in his country as well as with the immediate neighbours of CAR.

177. At the end of its deliberations, the Central Organ expressed serious concern at the precarious situation prevailing in the CAR and its potential for undermining regional security and stability. It welcomes the initiatives taken by the CEN-SAD and the CEMAC aimed at facilitating the speedy restoration of peace and stability in the country, including in particular the call for the adoption of an amnesty and the resumption of political dialogue in the CAR. It also urged the parties in the Central African Republic to settle their differences through dialogue and work together to seek solutions acceptable to all on the basis of democratic principles, observance of human rights and good governance, and to facilitate the efforts deployed by the international community for the resumption of political dialogue through the convening of the meeting of political actors, civilian and military elements, as agreed at the CEMAC Summit. Similarly, the Central Organ welcomed the appeals for national unity made by the authorities of the Central African Republic and the decision to put an

end to the legal proceedings against General Bozize and his supporters.

178. After expressing its concern at the serious security problems facing the CAR, the Central Organ at Ministerial Level appealed to the UN Security Council to consider positively and as matter of urgency the request to deploy a peace keeping force to maintain peace and security in the CAR. In this respect, it requested me to formally approach the UN Security Council to ensure the speedy deployment of such a force. It welcomed the willingness of OAU Member States to contribute troops to the envisaged peace-keeping mission. Pending the deployment of this mission, the Central Organ encouraged the CEN-SAD and CEMAC to take appropriate measures towards ensuring the consolidation of peace and security in the CAR.

179. On 31 January 2002, I wrote a letter to the UN Secretary General, requesting him to apprise the Security Council of the request for the deployment of a peace-keeping force in the CAR. The Permanent Representative of Zambia at the United Nations, in his capacity as representative of the OAU Current Chairman, wrote a letter on that same day to the President of the Security Council, requesting him to circulate the communiqué of the Central Organ as a document of the Council.

180. The Central African Republic is experiencing a particularly difficult socio-economic situation characterised notably by huge unpaid salary arrears in the public service. It is obvious that this situation largely explains the political problems facing the CAR which, in turn, have wiped away all efforts at socio-economic recovery. It was in view of this situation that that both the Khartoum mini-Summit and the Extraordinary CEMAC Summit appealed to the international community to support the economic recovery efforts in the Central African Republic. The mini-Summit decided to establish a financial support fund for the CAR, to which Libya has contributed US\$1,250,000. At the time of writing this Introductory Note and in response to the request from the office of the Current Chairman of CEN-SAD, the General Secretariat was in the process of examining the modalities of OAU's contribution to this Fund.

181. In conclusion, I would like to stress the need for the international community to pursue its efforts to speed up the return of stability and security to the CAR. I would also like to seize this opportunity to commend the United Nations through BONUCA, CEN-SAD and CEMAC for their laudable initiatives. I would like, more particularly, to renew my gratitude to Presidents El Bashir and Bongo as well as Leader Kaddafi for their commitment. It is my firm conviction that the CAR Government and the Parties concerned will work towards

promotion of dialogue and consultation in their country and lend their support to the efforts deployed by the international community. The OAU for its part will continue to contribute to the current efforts.

4. Chad

182. For the past few years, Chad has been faced with a rebellion led by Mr. Youssouf Togoimi, former Minister of Defence and Leader of the Movement for Democracy and Justice in Chad (MDJT). Though confined to the extreme North of the country, this rebellion posed a threat to peace and stability in the country. It was against this background that a Peace Agreement was signed in Tripoli on 7 January 2002 between the Chadian Government and MDJT, at the initiative of Colonel Kadhafi. The Agreement provides among other things for an immediate cease-fire, cessation of all media campaigns and free movement of people and goods. It also provides for declaration of a general amnesty and the release of prisoners detained by either party, participation of MDJT in the Government and in state institutions, as well as integration of MDJT forces in the Chadian national army. Lastly, the Agreement provides for the establishment of a Tripartite Follow-up Commission comprising representatives of the Government, MDJT and Libya.

183. On 8 January 2002, I issued a Press Release in which I welcomed the signing of this Agreement. I expressed my gratitude to Libya for its mediator role and stressed that the Agreement will help strengthen peace, security and stability in Chad and in the region as a whole. In a letter addressed to the General Secretariat on 6 February 2002, the Chadian Minister of Foreign Affairs expressed the hope that the OAU would continue to back the efforts of the Chadian Government in the search for a lasting peace in Chad and in the Sub-region. As part of implementation of the Agreement, the Chadian National Assembly on 26 February 2002 adopted an amnesty law for MDJT elements. I welcome this measure and urge the parties to continue to abide by the Peace Agreement signed in Libya. I plan to enter into consultations with the Chadian authorities and the other concerned players to examine together in which way OAU could contribute to the consolidation of the gains of the Agreement of 7 January 2002.

5. Angola

184. During its 74th Ordinary Session, in Lusaka, Zambia, in July 2001, Council was informed about the evolution of the situation in Angola, in particular the continued re-affirmation by the Government of Angola of its commitment to the 1994 Lusaka Protocol, as well as the steps taken by the latter to facilitate the search for a peaceful and

lasting solution to the conflict, the intensification of the attacks carried out by UNITA against the civilian populations, and the resulting catastrophic humanitarian consequences. Also during that session, the Chairman of the OAU Ad-hoc Committee on the Follow-up of the UN Security Council Sanctions Against UNITA at Ministerial level, the Minister of Foreign Affairs of the Federal Republic of Nigeria, Alhaji Sule Lamido, briefed Council on the work of the Committee.

185. Following its deliberations, Council adopted Decision CM/Dec.596 (LXXIV) in which it, inter-alia, welcomed the reaffirmation by the Angolan Government of its commitment to the Lusaka Protocol, and urged UNITA to translate into concrete action the statements it made regarding the validity of the Lusaka Protocol. Council expressed grave concern over the escalation of the war and at its humanitarian consequences. Furthermore, Council noted with satisfaction the work accomplished by the OAU Ad Hoc Committee and urged all Member States to continue to cooperate fully with the Committee. It also welcomed the activities undertaken by the UN Monitoring Mechanism, as well as those of the UN Security Council Committee on Sanctions against UNITA.

186. Since July 2001, no significant progress has been made in the efforts aimed at finding a negotiated solution to the conflict in Angola. Indeed, while making statements on its readiness to embark on dialogue, including a set of proposals for the solution of the Angolan conflict released in August 2001, UNITA stepped-up its armed attacks against civilians. On 10 August 2001, UNITA launched an attack against a train carrying 500 passengers, in the vicinity of Zenza do Itombe, resulting in the death of 252 people, with more than 165 injured. Reacting to the attack, President dos Santos expressed his deep indignation and despair, and stressed that “such actions contribute nothing towards the people’s confidence in any intention of peace or goodwill expressed by UNITA in communiqués and public statements”.

187. The UN Security Council also condemned the attack, and reiterated its earlier call on UNITA to implement immediately and fully its commitments under the Lusaka Protocol, and to engage seriously in the search for peace.

188. At its 75th Ordinary Session at Ambassadorial Level, held in Addis Ababa, on 22 August 2001, the Central Organ condemned the attack, and called on OAU Member States and the wider international community to fully implement the sanctions imposed on UNITA and its leaders.

189. On 23 August 2001, in a speech delivered at the opening of MPLA's (ruling party) Central Committee meeting, President Jose Eduardo dos Santos extensively reviewed the situation in Angola. He stated that his Government had re-established military and political control over more than 90% of the territory and the population, and that the military activities of the rebel forces were of a terrorist nature and confined to specific areas. He further pointed out that an increasing number of defections had steadily depleted the ranks of UNITA, which was also increasingly being isolated politically, both at the regional and international levels. Finally, he indicated that he would not be seeking re-election in the elections scheduled to take place in 2002.

190. On 20 September 2001, at the request of the Permanent Mission of Angola in New York, the United Nations Security Council held a private meeting to consider the situation in Angola. The OAU Permanent Mission to the UN was invited to participate in the meeting as an observer. On that occasion, the Angolan Minister for Interior, Mr. Fernando Dias dos Santos, addressed the members of the Council, expounding on the situation prevailing in this country, including the Government's efforts to bring about peace in Angola on the basis of the Lusaka Protocol, the forthcoming elections, the sanctions against UNITA, and the steps taken to improve the socio-economic conditions of the population.

191. At the conclusion of the meeting, the Security Council reiterated its position that the primary responsibility for the continued fighting in Angola rests on the leadership of the armed faction of UNITA led by Mr. Jonas Savimbi. It condemned, in the strongest terms, the terrorist attacks by UNITA forces on the civilian populations, and expressed its determination to keep sanctions in place until it is convinced that the conditions specified in its relevant resolutions are met. The Security Council called on the Angolan authorities to continue with their efforts aimed at national reconciliation and the stabilization of the situation in the country, in consultation with all segments of the Angolan society. Finally, the UN Security Council expressed support for the intention of the Government to hold elections as part of the ongoing democratization process in Angola.

192. From 5 to 8 November 2001, following an invitation from the Government of Angola, I dispatched a fact-finding mission to Angola, led by the Assistant Secretary-General for Political Affairs. The objective of the mission was to renew to the Government and people of Angola the solidarity of the OAU and to assess the situation in the country, with a view to determining how the Organization could further assist in the search for a lasting solution to the conflict.

193. During that Mission, the OAU delegation held consultations with a number of high-ranking officials in Luanda. The Angolan authorities indicated that UNITA was no longer a threat to the Angolan State and institutions, stressing that there was no other alternative for the latter but to surrender its arms unconditionally to the United Nations and to join the peace process on the basis of the Lusaka Protocol. They provided an account of the measures taken by the Government to curb illegal diamond mining and trading, in order to reduce the illicit trade in diamonds and to curb UNITA's access to the same. The authorities appealed for a stronger involvement of the OAU to help advance the peace process, including through the establishment of a liaison mechanism to enable the Organization follow developments within Angola and in the Central African Region more closely. On his part, the Head of the Delegation expressed OAU's appreciation for the Government commitment to the Lusaka Protocol, as well as for its efforts to close the loopholes which had made the illegal diamond mining and trade possible. He also appealed to the authorities to provide the OAU Ad Hoc Committee with as much information as possible to facilitate the implementation of its mandate.

194. I should also like to report that the UN Under-Secretary General and Special Advisor on Africa, Amb. Ibrahim Gambari, visited Angola from 8 to 14 December 2001. Amb. Gambari's visit had a two-pronged objective, namely to hold consultations with the Government and other stakeholders on how the UN could assist in accelerating the peace process within the framework of the Lusaka Protocol, and to consider ways and means to improve the humanitarian situation in the country. During his stay in the country, Amb. Gambari met with President dos Santos and other senior officials. Briefing the Security Council on his visit on 21 December 2001, following his return to New York, Amb. Gambari stated that there was a window of opportunity to advance the peace process, and that, for the first time, a convergence of views had emerged that the UN should play a more pro-active role.

195. As repeatedly stressed by OAU's Policy Organs and the wider international community, the scrupulous implementation of the UN Security Council sanctions against UNITA constitutes a key component of the efforts aimed at achieving a lasting peace in Angola. In this respect, I would like to inform Council that, on 12 October 2001, the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola, Amb. Richard Ryan, submitted to the Security Council the Supplementary Report of the Monitoring Mechanism. In addition to the information on the violations of the sanctions imposed against UNITA, the Report provided an account of the measures taken by Organizations such as SADC and OAU.

196. In the meantime, and ahead of the discussion of the Report of the Monitoring Mechanism, the Angolan Minister for External Relations, Mr. João Bernardo de Miranda, wrote to the President of the UN Security Council. In the letter, the Minister underscored his Government's position on the need to keep the sanctions against UNITA until the goals for which they were imposed are met. He stated that the time had come for the members of the Security Council to impose new restrictive measures against UNITA in the area of telecommunications. Subsequently, in its resolution 1374 (2001) of 19 October 2001, the Security Council decided to extend the mandate of the Mechanism for a further period of six months, ending 19 April 2002.

197. I wish also to report that the OAU Ad Hoc Committee has, during the period under review, initiated a number of actions in fulfillment of its mandate. Apart from efforts aimed at gathering information on some specific aspects of the sanctions against UNITA, the Committee from 23 February to 1 March 2002 undertook fact-finding missions to a number of African countries (Côte d'Ivoire, Burkina Faso and Benin) and held consultations with the ECOWAS Secretariat in Abuja, Nigeria.

198. On Friday 22 February 2002, it was announced that during a fighting between Angolan Government troops and UNITA forces in the Eastern Province of Moxico, the Leader of UNITA Mr. Jonas Savimbi was killed. Following the death of Mr. Savimbi, the Angolan Government called on his followers to lay down their arms to facilitate the consolidation of the process of democratization and national reconciliation. The Government indicated that it will, in due course, issue a detailed program on the final cessation of hostilities in Angola. Finally, the Government reiterated its commitment to implement the Lusaka Protocol. The readiness of the Government to take rapid steps to secure a ceasefire was reaffirmed by President dos Santos a few days later in Lisbon, Portugal, and in Washington, USA, following meetings with the Portuguese Foreign Minister and the US President, respectively.

199. At its 80th the ordinary session at Ambassadorial level, held in Addis Ababa on 23 February 2002, the Central Organ was briefed by the Ambassador of Angola on the situation in his country in the light of the death of Mr. Savimbi. The Ambassador recalled the disposition of his Government to comply with the Lusaka Protocol and to cooperate fully in the pursuit of the peace process. He stated that UNITA has always been an obstacle to peace. Finally, he called upon the OAU and the rest of the international community to continue to support the Angolan people in their efforts aimed at restoring peace and security in Angola. The Central Organ took note of this statement.

On my part, I issued, on 4 March 2002, a communiqué in which I welcomed the renewed disposition of President dos Santos to work towards the speedy conclusion of a ceasefire agreement and the completion of the peace process, through the scrupulous implementation of the Lusaka Protocol. I called upon UNITA to commit itself to dialogue and peace, in conformity with the Lusaka Protocol.

200. It is my fervent hope that all the parties concerned will take advantage of the new situation to redouble their efforts, with a view to bringing about peace and stability in Angola. This is all the more imperative as the humanitarian situation in Angola is appalling, inflicting tremendous suffering on the civilian population. Clearly, the restoration of peace and stability in Angola will be beneficial to the entire region.

B. EAST AFRICA

1. The Comoros

201. A report was submitted during the last session of Council in Lusaka on implementation of the Framework Agreement for Reconciliation in the Comoros signed on 17 February 2001. At the end of its deliberations, Council adopted Decision CM/Dec.591(LXXIV), in which it, *inter alia*, welcomed the progress achieved in the implementation of the Framework Agreement, in particular, the establishment and the commencement of work of all the Commissions and sub-Commissions. Council commended all the Comorian Parties for their commitment to the reconciliation process and urged them to maintain the momentum to ensure the scrupulous and timely implementation of the Framework Agreement, including the need to expeditiously work towards the drafting of the constitution of the New Comorian Ensemble, the establishment of the transitional government of national unity and the organization of the constitutional referendum.

202. At the request of the Comorian Government, a team of international experts on constitutional matters, including an Expert from Madagascar, was dispatched to the Comoros, from 1 to 3 August 2001, to assist their Comorian counterparts in the drafting of the preliminary draft constitution. The preliminary draft was submitted to the Follow-up Committee on 6 August 2001. Subsequently, the Law sub-Commission (in charge of drafting the constitution) and the Tripartite Commission (responsible for the definition of the New Comorian Ensemble) met at Fomboni, Moheli, from 1 to 6 September 2001, and from 6 to 8 September 2001, respectively, to review the

preliminary draft and agree on a final draft constitution that would be submitted for referendum. Finally, at its 8th ordinary session, which started on 6 October 2001, the Follow-up Committee, enlarged to the Bureau of the Tripartite Commission, the National Independent Electoral Commission and the Law sub-Commission, endorsed the draft constitution and fixed 23 December 2001, as the date for its submission to referendum.

203. The referendum took place, as scheduled on 23 December 2001, in a climate of calm, transparency and serenity. The Comorian authorities took the necessary measures to ensure that the Comorian people were given the opportunity to express their will freely and in a transparent manner. The outcome of the constitutional referendum, which was observed by an OAU Observer Team was as follows: Turnout: 75.37%. In favour of the constitution: 76.99%. The OAU Observer Team, in collaboration with the observers from the *Organisation internationale de la Francophonie*, the European Union and the Indian Ocean Commission, issued a joint communiqué on 25 December 2001, in which they reflected on the conduct of the referendum. On my part, I issued, on 26 December 2001, a statement welcoming the adoption of the constitution as a major step in the process of national reconciliation.

204. The new constitution provides, *inter alia*, that the "*Union des Comores* (the new name for the country) is composed of the autonomous islands of Mwali (Moheli), Maore (Mayotte), Ndzuwani (Anjouan) and N'gazidja (Grand Comoros)." It stipulates that, in the respect for the unity of the Union and the intangibility of its borders as internationally recognized, each island shall freely administer and manage its own affairs. In this regard, each island shall freely adopt its own constitution, in conformity with the provisions of Union Constitution. According to the new constitution, the latter has exclusive powers on matters pertaining to religion, nationality, external relations, external defense and national symbols. However, the constitution also provides for domains of shared powers between the Union and the islands.

205. Council will recall that the availability of weapons of war in the hands of the militia and civilian population in Anjouan was a major cause for concern for the OAU and all the Comorian parties involved in the implementation of the Framework Agreement. On several occasions, the Comorian parties, in particular the Authority of Anjouan, stressed to the OAU the need to undertake, as a matter of urgency, the collection of such weapons before the constitutional referendum.

206. I wish to inform Council that the Central Organ, meeting at its 78th ordinary session at Ambassadorial level, in Addis Ababa on 27 November 2001, authorized me to deploy, as a matter of urgency, an OAU Military Observer Mission to the Comoros, composed of 16 Observers, to oversee the operation of arms collection in Anjouan, in conformity with the operational plan I presented in my report to the Central Organ. Following this authorization, I addressed a communication to the Governments of Madagascar, Mauritius, Mozambique, Togo and South Africa, to request them to avail Officers for this important mission. The Governments of Mauritius, Mozambique, South Africa and Togo responded favourably. Altogether, fourteen Officers were thus deployed for the Mission. The activities of the OAU Mission were funded from a contribution by the French Government of French Francs 1,500,000 to the OAU Peace Fund, which was covered by an Agreement signed with the Government of France in Moutsamoudou, Anjouan, on 17 December 2001. As of that date, the Mission had collected and/or inspected a total of 315 weapons out of estimated 415 weapons to be accounted for, as well as several grenades and rounds of ammunition. This figure did not include the 46 weapons collected by the Anjouanese authorities before the deployment of the Mission.

207. I wish to inform Council that, following a communication by the Commander of the Mission, Lt.-Col. Charles Payne of South Africa, to the General Secretariat on the difficulties experienced by the Mission in the completion of its assignment within the minimum period of three weeks authorized by the Central Organ, the General Secretariat on 8 January 2002, addressed a letter to the Chairman of the Central Organ to update him on the status of the weapons collection operation and seek his (and the Central Organ's) understanding on the need to extend the duration of the mission for another period of three weeks, starting from 15 January 2002, i.e. until 7 February 2002. A communication was also addressed to all the Member States which had contributed to the Mission, to inform them about the extension of the Mission and request them to take the necessary measures to ensure that their Officers could remain in the Comoros until the new deadline.

208. I would like to conclude on this matter by noting that the OAU Military Observers had done their utmost to perform their duty, often amidst difficult conditions, and that their performance was outstanding. The presence of the OAU Military Observers in Anjouan also contributed to confidence building and to the creation of favorable conditions for the high turnout observed in the island during the constitutional referendum of 23 December 2001. I should therefore like to convey my personal appreciation and that of the General

Secretariat to those countries mentioned earlier which had responded favourably to our appeal and contributed Officers for the operation.

209. I wish to inform Council that Article 38 of the new constitution stipulates that the new institutions envisaged for the Union of the Comoros shall be established within a period not exceeding twelve months, starting from the adoption of the constitution. The transition officially began with the official publication of the results of the referendum on 26 December 2001. However, it was only in mid-January 2002 that the Comorian parties were able to reach an Agreement on all the outstanding issues pertaining to the modalities of the transition, including the formation of the Transitional Government of National Unity.

210. It will be recalled that the Follow-up Committee for the implementation of the Framework Agreement met three times in extraordinary session (in October and two in December 2001) to examine these issues, without reaching a compromise. However, progress was achieved during the 11th ordinary session of the Follow-up Committee, which was convened at the beginning of January 2002. On that occasion, the electoral code was finalized. A calendar for national and local elections, including constitutional referendum in the islands, was adopted. Consensus was reached over the composition of the transitional government of national unity, which was officially established on 20 January 2002, with the outgoing Prime Minister, Mr. Hamada Madi Bolero, as the head of the transitional government. Furthermore, in a presidential decree signed on 21 January 2002, Colonel Azali announced his resignation from the office of Head of State of the Comoros.

211. I am pleased to inform Council that the Transitional Government of National Unity is now in place. However, it is important to note that, although progress had been achieved in the reconciliation process, the country was subjected to destabilization attempts which, if they had succeeded, could have seriously undermined the ongoing process and undermined the efforts to achieve the objectives of the OAU in the Comoros, i.e. the preservation of the unity and territorial integrity of the archipelago and the speedy return of the country to constitutional rule.

212. At the invitation of the Comorian Government, I undertook an official visit to the Archipelago from 16 to 18 December 2001. During my visit, I held talks with the Head of State of the Comoros, Colonel Azali Assoumani, the authorities of the islands, representatives of all the Comorian Parties signatory to the Framework Agreement, members of all the key implementation organs provided for in the Framework Agreement, as well as representatives of OAU's international partners

in the Comoros. A Ministerial delegation from the countries of the region led by the South African Foreign Minister Dr. N.C. Dlamini-Zuma visited the Comoros from 19 to 21 December 2001.

213. Council will also recall that on the eve of the Constitutional Referendum, another destabilization attempt took place in the island of Moheli on 19 December 2001. In the Press Release I issued on the same day, I condemned this deplorable destabilization act as an action that could only impede the efforts made by the Comorian parties, with the support of the OAU and its international partners, to find a lasting solution to the crisis faced by the archipelago for several years. I also urged all the Comorian parties to demonstrate unity and cohesion in the face of this new situation.

214. The events of Moheli have raised serious concern about the security of the country. During their talks with the Ministerial delegation of the countries of the region, which visited the country from 18 to 21 December 2001, the Comorian authorities, including the authorities of Anjouan, insisted on the necessity for the countries of the region to assist the Comoros in the domain of security.

215. The question of security was also extensively discussed during the meeting of the Ministers of Foreign Affairs/External Relations and other Representatives of the countries of the Region and the OAU Troika, which was held in Pretoria, South Africa, on 18 January 2002. The Ministers were seized with the request addressed by the Comorian authorities to the Government of South Africa for assistance in enhancing their capacity in the area of law enforcement. At the end of the discussions, the Ministers issued a communiqué in which they, *inter alia*, expressed satisfaction at the progress achieved in the implementation of the Framework Agreement. They agreed to dispatch to the Comoros, under the auspices of the OAU, a team of military and security experts of the countries of the region, to review the state of security in the Archipelago and make recommendations on the appropriate means of assisting the country to meet its security needs.

216. The Ministers also made several recommendations aimed at ensuring that the last phase of the ongoing process takes place in a climate of calm and serenity. To this end, they appealed to OAU Member States, the United Nations and its specialized agencies, the European Union and the international community at large to extend maximum financial and logistic support to the Independent National Electoral Commission and the Transitional Government of National Unity, in order to facilitate a smooth organization of the elections provided for in the new constitution. Appeal was also made to assist the Comoros in providing training in the areas of administrative, fiscal

and resource management within the framework of the autonomy granted to the islands to administer and manage their own affairs.

217. The Ministers further appealed to the countries of the region, OAU Member States and the international community at large to provide requisite assistance to civil society actors, acting within the framework of the renewed OAU-civil society partnership, in the sector of civic education and training. They also requested me, working closely with the Government of Mauritius, to undertake, as soon as possible, the necessary consultations aimed at the convening in Mauritius during the first half of 2002, of the donor conference on the Comoros, to address the urgent need for post-conflict reconstruction and the socio-economic development of the country. Finally, the Ministers recommended that, after the installation of the Transitional Government of national unity, the Comoros should be able to participate in all aspects of the work of the OAU, in line with the decision of its Policy Organs.

218. I dispatched an evaluation mission to the Comoros from 29 January to 5 February 2002. The mission noted that the security situation in the Comoros has stabilized since the events of November and December 2001, and that the referendum of 23 December 2001 has bolstered the ongoing political transformation. As a result, preparations for the elections that will take place in March and April 2002 are proceeding as planned.

219. The mission also noted that, despite the fact that the majority of Comorians had voted in favour of the constitution, a small minority was still dissatisfied with the ongoing process. There were also dissatisfactions with the armed forces and with the large number of military personnel standing for elected offices. The mission was of the view that this factor could have a negative influence on the ability of the security forces to safeguard the transitional process and the vulnerable period following the elections. This situation is compounded by the fact that there was no security plan for the elections, which would secure polling stations and ballot boxes. Furthermore, the mission, while noting that there was to date no evidence of threat to the public order, such a possibility could not be totally excluded after the elections, as there were bound to be dissatisfactions with the outcome and, possibly, public disorder. The mission also expressed doubts as to the ability of the current security forces to deal effectively with potential security threats during or after the elections. In this regard, it strongly recommended the deployment of external forces to create a climate of confidence and to oversee the territorial waters and ensure the safety of election-monitoring personnel and material. It also stressed the necessity for a deterrent capability to discourage any external intervention, and made proposals to this end.

220. However, in the absence of a consensus among the parties in the three islands on the necessity for the OAU to deploy such a force during the course of the election programme, the mission recommended an alternative option, consisting of the deployment of an OAU Observer Mission composed of 60 unarmed members, and a Technical Assistance Team of 20 members, with a view to assisting in monitoring the security situation in the islands and to serve as early warning for any internal or external security threat. The mission also recommended that a standby arrangement be made for a force to be based in a country of the region, with the view to intervening, if need be, when the lives of the citizens of the Comoros and/or the OAU Observer Mission are threatened, and to serve as deterrence. At the time this report was being finalized, no decision had been taken on these recommendations.

221. I wish to stress that the availability of funds is critical to the successful conclusion of the ongoing process. Several countries of the region and the General Secretariat have made substantial contributions to the implementation of the Framework Agreement. Additionally, several international institutions and partners have undertaken to assist the Comoros in this respect.

222. In conclusion, I am pleased to inform Council that, despite some setbacks in the ongoing process, major progress has been achieved in the reconciliation process. Significant in this regard is the way in which the referendum was conducted and the massive vote obtained in favour of the constitution. There are also positive indications that the Comorian Parties are making genuine efforts to overcome and transcend their differences, and to reach a consensus on all other outstanding issues.

223. However, there still remains a certain degree of mistrust within the political class. Although several impasses in the implementation process have been resolved in a constructive manner, this outcome has often been difficult and costly to achieve. Therefore, there still is a need for more support in confidence-building measures among the key actors of the reconciliation process at both the national and the island levels.

224. I wish, once again, to stress the need for the international community to sustain the reconciliation dynamic in the Comoros with the provision of commensurate socio-economic assistance during and after the transition. In this regard, I would like to reiterate OAU's support for the decision by international financial organizations, particularly the World Bank, to finance emergency economic recovery

projects in the Comoros and negotiate debt rescheduling for the country.

225. Finally, I wish to pay tribute to the countries of the region, under the able leadership of the Government of South Africa, for their outstanding commitment to assist the Comorian parties in their efforts to maintain the unity and territorial integrity of the country and ensure the speedy return of the country to constitutional rule. I wish, in particular, to express OAU's gratitude to the countries of the region for their generous contribution to the implementation process and for the humanitarian assistance extended to the Comoros. I also wish to express my appreciation to OAU's international partners in the Comoros, namely the *Organisation internationale de la Francophonie*, the United Nations, the League of Arab States and other partners, for their firm and continued support. On its part, the OAU will continue to make every effort to continue to assist the Comorian parties during this last phase of the process leading to the establishment of the new institutions.

2. Madagascar

226. The Presidential election was held in Madagascar on 16 December 2001. It must be recalled that there were 6 Candidates in the race. Following the voting the Constitutional High Court (HCC) pronounced itself on 25 January 2002 by which the two candidates who came on top were Mr. Marc Ravalomanana, Mayor of Antananarivo, with 46.21% and Mr. Didier Ratsiraka, outgoing President, with 40.89%. The Constitutional High Court, therefore, ordered a second round. However, a few days of the voting, the support committee of Mr. Ravalomanana had, on the basis of its own counting of votes, declared that its candidate had won from the first round with 52% of votes. From 4 January 2002, mass demonstrations, claiming the victory of Mr. Ravalomanana and the verification of the results, were organised, bringing out to the "Place du 13 Mai" huge crowds every day. These demonstrations continue to-date.

227. While the OAU was not invited to send observers to Madagascar, it has been closely monitoring the situation therein, and is totally disposed to assist in finding a solution to the problem confronting this country today. Consequently, the Central Organ of the OAU Conflict Prevention, Management and Resolution Mechanism met on 11 January 2002 and issued a Communiqué expressing its concern about this situation, and urged the parties involved and the Malagasy people to show restraint, resolved to monitor the situation and directed the General Secretariat to continue to keep in touch with all parties in

Madagascar and to take the most appropriate steps to diffuse the tension in the country.

228. It was within that framework that I went to Madagascar from 9 to 14 February 2002 on a consultation mission with all the Malagasy Parties concerned. It should be pointed out that on the eve of arrival of my delegation in Antananarivo, candidate Marc Ravalomanana was, under the mediation of a mission of the Francophone Parliament, on his way to meet the President - candidate Didier Ratsiraka at the Presidential Palace, but turned back at the last moment, arguing that the latter had stated to maintain the date of the second round on 24 February and that under those conditions, the meeting was without purpose. I, therefore, arrived at a moment of high tension where candidate Marc Ravalomanana and his supporters demanded a verification of the records of the different Polling Stations, failing which they threatened to inaugurate the candidate as the President of the Republic on the basis of their own copy of the counting records.

229. As soon as I arrived, I held several meetings with the two candidates, President Ratsiraka and Mayor Ravalomanana, to try to bring closer their view points. Within the same purview, I met many political actors particularly the Speakers of the Senate and the National Assembly, the Prime Minister, the 4 other candidates of the First round, the political family of Mayor Ravalomanana, the African Ambassadors, the Christian Federation of Churches, the Consortium of Observers, the representatives of donors, the representatives of economic operators and other personalities. From the first contacts, it emerged that there were two irconcilable positions:

- on the one hand, Candidate Ravalomanana and his supporters, particularly the Church Leaders and his political allies, wanted absolutely to compare the records to confirm their candidate as the winner of the election and rejected the judgement of the Constitutional High Court casting doubts on its neutrality and independence;
- on the other hand, the President - candidate Ratsiraka who relied on constitutional legality, through the judgement pronounced by the HCC and was preparing his campaign for the second round fixed for 24 February 2002.

230. Under such circumstances, during my shuttling between the candidates, I explained that it was necessary to establish a bridge between legality and legitimacy and that could only be done through dialogue and the search for a negotiated political solution.

231. In that endeavour, I held several meetings with the supporters of candidate Ravalomanana to whom I said clearly that if their candidate was inaugurated outside the constitutional norms, the OAU would not tolerate nor accept that unconstitutional change of Government, in conformity with the Lome Declaration of July 2000 adopted for that purpose. I stressed, for their attention, the major risks of an unconstitutional inauguration for the political and economic situation of the country which would be isolated from the International Community. I, therefore, encouraged them to accept the second round to confirm the choice of voters.

232. On the other hand, in my contacts with the outgoing President and his main colleagues, I stressed the need to postpone the date for the second round in order to establish the necessary conditions and to enable adequate preparation by all the Parties concerned for that important event. I drew the attention of the President to the danger that would be posed if the second candidate, Ravalomanana, who had 46% of the officially recognized votes, were to be absent from the second round. I added that the result he would obtain, as the only candidate under such circumstances, would surely not be credible and such a possibility would increase the tension in the country. Based on these arguments, I urged the two candidates to meet so as to discuss all the outstanding issues and find solution thereto prior to moving to the second round of the election.

233. However, under strong pressure from the population which has been demonstrating for over a week at the 13 May Square in Antananarivo, and particularly church leaders and his political Alliance, Candidate Ravalomanana refused to meet the candidate President and rather demanded that the meeting be held at another neutral ground such as the Senate Building (Palais du Senat). On this issue, President Ratsiraka, for his part, declared that he was still the Head of State and he would not accept any venue other than the Presidential Palace.

234. Following numerous and painstaking consultations not only with the two candidates but also with their supporters, the Mayor – Candidate agreed to go to the Palace in my company to meet the President of the Republic on 12 December 2001. This meeting was, in the first instance, held face-to-face between the two candidates for two hours; and then with me in attendance, to brief me on the positions held by either side and to seek my input. The two candidates agreed to set up a 10-Member Joint Committee with the presence of an OAU representative, to examine all pending issues.

235. The two candidates further gave their approval in principle on the following matters: postponement of the Second Round of Voting;

fielding of international observers; the restructuring of the National Electoral Council; and the assurance by the President not to impose sanctions against the striking civil servants. Other issues raised by the Ravalomanana camp could not be endorsed in principle by the two personalities. These issues were: confrontation of the reports; establishment of a transitional Government, and restructuring of the High Constitutional Court. These issues were to be referred to the Joint Committee for in-depth examination, with a view to exploring possible solutions.

236. On the decision of the Joint Committee, the OAU Representative Ambassador Said Djinnit, Assistant Secretary General in charge of Political Affairs, chaired the meeting of this Committee held from 13 to 19 February 2002. The meeting was able to make some progress in the search for solution. At the end of the first round of the Joint Committee meeting, my representative on 19 February 2002 issued a statement giving an account of the progress of the negotiations, with the agreement of the two delegations. He indicated that the meeting had made it possible to explore all the possibilities on offer, for a solution acceptable to both parties. He further stated that while there were still deep disagreements, the two parties were ready to pursue the dialogue under the auspices of the OAU.

237. In the meantime, candidate Marc Ravalomanana, on 20 February 2002, indicated the intention to get himself vested with the functions of President of the Republic, despite the 25 February 2002 ruling of the High Constitutional Court on the official results of the First round of the Presidential elections.

238. In the face of this turn of events, on that same day, I issued a Press Statement in which I drew the attention of Mr. Ravalomanana on the implications of his decision, and appealed to him to respect the agreement concluded under OAU auspices and enable the Joint Committee set up with his consent to continue its work and come up with an equitable solution to the crisis, in strict compliance with Constitutional legitimacy and legality.

239. Despite efforts by many Heads of State and other personalities to convince the candidate Ravalomanana to reconsider his decision, he went ahead and declared himself President of the Republic in the Antananarivo Municipal Stadium on 22 February 2002. Following that decision, President Ratsiraka issued a decree proclaiming a state of national emergency for a duration of three months.

240. Immediately after, on 22 February, I issued a Press Release in which, in conformity with the Lome Declaration on unconstitutional changes of Government, I strongly condemned candidate Marc

Ravalomanana's decision and urged him to resume the dialogue already set in motion under OAU auspices. I also brought the matter to the attention of the Current Chairman of the OAU. On 23 February, I convened an emergency meeting of the Central Organ of the OAU Conflict Prevention, Management and Resolution Mechanism. The Central Organ expressed serious concern at the unfolding situation in Madagascar and the risk it poses for civil peace in the country and stability in the region. The Central Organ endorse my Press Release and strongly condemned the decision of candidate Ravalomanana which constitutes a flagrant violation of constitutional legality and brutally jeopardizes the process of de-escalation and the search for a negotiated solution put in place under OAU auspices. The Central Organ requested me pursue consultations with the United Nations, the OLF, the Indian Ocean Commission and all the other partners of the OAU to generate concerted and appropriate international reaction in the face of the new developments in Madagascar. The Central Organ urged candidate Ravalomanana and his supporters to rejoin the negotiation process underway under OAU auspices to find a negotiated solution to the crisis. To this end, the Central Organ invited me to take all the necessary steps to ensure a speedy resumption of the negotiation process aimed at finding a solution to the outstanding issues.

241. I am therefore actively engaged in consultation with all the parties concerned and partners of the International Community with a view to exploring conditions for the resumption of the process of negotiation between the two parties. It was against this background that I dispatched an OAU Contact Group to Madagascar to continue with the mediation efforts initiated by the OAU. The Contact Group was led by Antonio Mascarenhas Monteiro, former President of the Republic of Cape Verde

3. Ethiopia-Eritrea

242. At its session in Lusaka, Council was extensively briefed on the peace process between Ethiopia and Eritrea. Council's attention was drawn to the difficulties facing the implementation process. At the same time, it was stressed that significant strides, such as the establishment of the TSZ, though not formally accepted by the two parties, and the commencement of the work of the Boundary and Claims Commissions, had been made in the implementation of the Agreement on Cessation of Hostilities and the Comprehensive Peace Agreement, signed in Algiers on 18 June and 12 December 2000, respectively. In this regard, Council was informed of the contribution made by the United Nations Mission in Ethiopia and Eritrea (UNMEE) and the OAU Liaison Mission in Ethiopia and Eritrea (OLMEE).

243. It was against this background that Council adopted decision CM/Dec.597 (LXXIV). In that decision, Council welcomed the progress made in the implementation of the Algiers Agreements, commended the parties for the commitment they had demonstrated and urged them to co-operate fully with UNMEE in order to address the outstanding issues. Council further expressed satisfaction at the commencement of the work of the Boundary and Claims Commissions. It commended OLMEE as well as UNMEE for the work done for its contribution to the peace process. Finally, Council expressed gratitude to all the countries which have extended support for the implementation of the peace process.

244. While Council was meeting in Lusaka, UNMEE formally reopened the Mereb River bridge, which links Rama, in Ethiopia, and Adi Quala, in Eritrea, thus creating a crucial gateway for the peacekeeping mission and between the peoples of Ethiopia and Eritrea. In this respect, I wish to pay tribute to the Dutch Government, which donated the bailey bridge span, and to the Indian Contingent, which installed it.

245. During the reporting period, the OAU has continued to play the role assigned to it by the Algiers Agreements. My predecessor, Dr. Salim Ahmed Salim, prior to his departure from office as OAU's Secretary General, paid a working visit to Eritrea, from 4 to 5 September 2001. On that occasion, he expressed appreciation to the Government and people of Eritrea for their cooperation with the OAU during his tenure, and encouraged them to remain committed to the peace process. On my part, since my assumption of office, I have maintained close consultation with the Special Representative of the United Nations Secretary General, Ambassador Legwaila Joseph Legwaila, to exchange views on the evolution of the peace process to determine how best to advance it, through joint efforts by the UN and the OAU. I have also been in continuous contact with the parties to and the Guarantors of the Algiers Agreements.

246. At the operational level, OLMEE, notwithstanding its small size, has continued to discharge its mandate satisfactorily. In particular, it participated in the monitoring of the situation in the TSZ and adjacent areas, through regular visits to the Sectors and joint investigation patrols with UNMEE. The Senior Political Representative has also maintained close consultation with UNMEE officials and the respective authorities of the parties. The Senior Military Representative continues to participate at the meetings of the Military Co-ordination Commission (MCC), and to complement the efforts of the UNMEE Force Commander in the field. I am also pleased to inform Council that, since its last session, steps have been taken to strengthen the

human resources of OLMEE, to enable it to further contribute to the peace process.

247. UNMEE also continues to carry out its mandate. The UNMEE military component, which is fully deployed in the TSZ, carries out daily patrols, with a view to ensuring compliance with the relevant provisions of the Agreement on Cessation of Hostilities. On 13 September 2001, the UN Security Council adopted resolution 1369 (2001), in which it decided to extend the mandate of UNMEE until 15 March 2002, and called on the parties to cooperate fully and expeditiously with the Mission in the implementation of its mandate and to abide scrupulously by the letter and spirit of their Agreements. The Security Council further emphasized that the Algiers Agreements link the termination of UNMEE with the completion of the work of the Boundary Commission and that the TSZ must be completely demilitarized. Finally, the Council called on the parties to urgently resolve the outstanding issues in accordance with the Algiers Agreements.

248. I am happy to inform Council that the situation in the TSZ has remained generally calm. However, in the month of November 2001, tension arose, following Ethiopian allegations on an Eritrean military build-up in the TSZ, along the border with Ethiopia. The Eritrean side refuted these allegations. On its part, UNMEE carried out on-the-ground investigations, and concluded that the allegations were unfounded.

249. As part of my efforts to facilitate the efforts aimed at defusing the tension, I met with Prime Minister Meles Zenawi on 16 November 2001. I assured him of OAU's determination, working closely with UNMEE, to ensure that the integrity of the TSZ was respected. Subsequently, I visited Eritrea, on the 29th and 30th November 2001. I seized the opportunity of my discussions with President Isaias Afwerki and other officials, to raise a number of issues pertaining to the peace process. The Eritrean authorities assured me of their continued commitment to the implementation of the Algiers Agreements.

250. On 30th November 2001, the Prime Minister of Ethiopia again wrote to me, as well as to the other co-guarantors and co-signatories of the Algiers Agreements, "out of concern over the implementation of the key provisions". He requested us "to help ensure that the Peace Agreement is upheld by Eritrea".

251. The peace process continues to be confronted with a number of challenges. These include the strength of the Eritrean militia and police deployed in the TSZ, over which UNMEE's requests are yet to be met. It also includes the issue of the freedom of movement for UNMEE.

In his last report to the Security Council, the UN Secretary General indicated that, while UNMEE continues to have good access to the positions of the re-deployed Ethiopian forces, it had been faced with an increase in the incidence of restrictions by the Eritrean authorities in the adjacent area north of the TSZ. However, an improvement has been recently reported, as the Eritrean authorities have begun to allow UNMEE to visit locations in adjacent areas north of the TSZ, upon 24 hours' prior notification.

252. Since the Lusaka session of Council, no progress has been made regarding the issue of high altitude direct flights between Asmara and Addis Ababa. While Eritrea continues to maintain that UNMEE should use the most direct route, Ethiopia's position is that UNMEE should make a two-minute deviation to avoid certain sensitive Ethiopian installations. The situation remains also the same with regard to the Status of Forces Agreement (SOFA) which, to date, has not been signed by Eritrea. It should be recalled that Ethiopia signed the SOFA, as early as March 2001.

253. Pursuant to the provisions of the Comprehensive Peace Agreement of 12 December 2000, the parties, in cooperation with the ICRC, started the process of the release and repatriation of the prisoners of war and other persons detained as a result of the armed conflict. However, following initial progress, the exercise was halted in July 2000, as a result of a dispute on the fate of an Ethiopian fighter pilot captured by Eritrea in June 1998. However, in October 2001, Eritrea released and repatriated 24 Ethiopian prisoners under ICRC auspices. A month later, Ethiopia released 23 Eritrean prisoners. The release of the other detainees has continued, albeit slowly with the assistance of ICRC. I seize this opportunity to remind the parties of their obligations under the Comprehensive Peace Agreement and the Geneva Conventions for the immediate release of all the POW's and the other persons detained as a result of the armed conflict.

254. I should also like to draw attention to the fact that as consequence of the war, large quantities of landmines and unexploded ordinance (UXO) have been left on the ground, posing a very serious threat to both the local population and the United Nations personnel. In spite of the commendable work of the UN Mine Action Coordination Centre (MACC), numerous incidents have been reported during the period under review, resulting in death and injuries. In this respect, there is no doubt that the maps on minefields in the TSZ and areas adjacent to it handed over recently to UNMEE by Ethiopia will go a long way in facilitating the demining exercise.

255. The importance of the delimitation and demarcation of the border for the achievement of lasting peace between Ethiopia and Eritrea

needs hardly to be over-emphasized. The Neutral Boundary Commission was expected to announce the outcome of the delimitation exercise by the end of February 2002. However, the announcement has now been postponed to April 2002. In a letter dated 18 February 2002, the President of the Commission, Sir Elihu Lauterpacht, informed me that the decision of the Commission regarding the delimitation was nearing completion and that the modalities for its transmission to the parties were being actively considered.

256. The humanitarian situation in the TSZ and adjacent areas has witnessed an improvement, with the massive return of refugees and IDPs. In addition to the work being carried out by UN agencies, NGOs and the respective Governments, UNMEE is undertaking Quick Impact Projects (QIP) in both countries to help alleviate the plight of the affected populations. The OAU, on its part, has provided a total amount of US\$200,000 to support the humanitarian activities. Out of this amount, US\$75,000 has been donated to each of the two countries, while an amount of US\$50,000 is being utilised by OLMEE for the implementation of OAU's Quick Impact Projects.

257. On 15 January 2002, the Security Council issued a presidential statement on the peace process. In this statement, the Council stressed that the parties have committed themselves to accepting fully the verdict of the Boundary Commission. The Council welcomed the recent reduction in the use of hostile propaganda by the parties, and encouraged them to continue to defuse tension and exercise greater degrees of flexibility in their approaches to the peace process. The Security Council noted that UNMEE had proved allegations made in the recent past by the parties, including concerning military build-up in the TSZ and adjacent areas north of the zone, to be unfounded.

258. The Security Council also noted that Eritrea had begun to allow UNMEE to visit some locations in the adjacent areas north of the TSZ upon 24 hours' notification, and called again on Eritrea to grant UNMEE the full freedom of movement it requires in this area. It reiterated its call on Eritrea to disclose the strength and location of its militia and police inside the TSZ and to refrain from deployment close to the southern boundary of the TSZ. The Security Council further reiterated its call on Eritrea to sign the Status-of-forces agreement.

259. The Security Council took note of the information provided by Ethiopia regarding mines, and called on it to communicate to UNMEE further details on the types of mines used in the TSZ and adjacent areas, as well as more specific information on minefields already cleared by Ethiopian Armed Forces, with the view to facilitating the return home of internally displaced persons and the forthcoming border demarcation work. The Security Council expressed its regret

that there had been no progress regarding the establishment of a direct high-altitude flight route for UNMEE between Asmara and Addis Ababa. Finally, it called on the parties to release and return unconditionally and without further delay all the remaining POW's and release all other persons detained as a result of the armed conflict.

260. Council will recall that, within the framework of the Cessation of Hostilities Agreement, provision was made for the establishment by the UN and the OAU, with the agreement of the parties, of a Military Coordination Commission (MCC), to coordinate and resolve issues relating to the mandate of the peacekeeping mission. To date, the MCC has held 11 meetings, the last one having been held in Djibouti on 5 February 2002. The MCC meetings have helped to address some of the aspects of the peace process, in particular the return of the unburied remains of those killed in action and the establishment of joint investigation teams. However, the MCC still faces major problems, which have hampered its effectiveness, including the venue of its meetings. Both the OAU and the UN had hoped that the Mereb River bridge would be the permanent venue for the MCC meetings, but regrettably the parties have failed to agree on this matter.

261. In order to enable its members have a first-hand information on the current status of the peace process, a Security Council delegation comprising the 15 members of the Council, led by Ambassador Ole Peter Kolby of Norway, visited Ethiopia and Eritrea from 21 to 25 February 2002. The Mission was undertaken in support of the peace process and the efforts to implement the Algiers Agreements and relevant Security Council resolutions. The Mission's terms of reference included, *inter alia*, discussing with the parties measures to implement all aspects of the Boundary Commission determination, addressing elements related to the renewal of the mandate of UNMEE, encouraging confidence-building measures and reconciliation efforts, and stressing the overall objective of the peace process, which is the normalization of the relations between the two countries.

262. During its visit, the Mission held discussions with the authorities of the two countries and representatives of UNMEE and troops contributing countries, as well as other members of the diplomatic community, religious leaders and NGOs. I had a fruitful exchange of views with the Mission on 22 February 2002. In its Report to the Security Council, on 27 February, the Mission made a number of recommendations to enhance the peace process, particularly in the aftermath of the announcement of the delimitation of the border. In addition, the Mission appealed to the Guarantors of the peace process and the friends of Ethiopia and Eritrea to continue to intensify their contacts with the authorities of both countries in order to promote a

constructive dialogue with the aim of opening a new page in the history to their relations.

263. In conclusion, I wish to observe that, since the last session of Summit and Council and in spite of some difficulties encountered, slow but steady progress has been made in the implementation of the Agreements signed between Ethiopia and Eritrea. In this respect, the forthcoming announcement by the Boundary Commission of its verdict will mark a turning point. However, many challenges still lie ahead, which can only be overcome if the parties continue to demonstrate an unreserved commitment to the peace process, and extend full cooperation to the UN and the OAU. I, therefore, encourage them to take every necessary step to ensure the successful implementation of the Agreements they have signed. In this respect, I welcome the initiatives taken by the Ethiopian and Eritrean religious leaders, with the assistance of the Norwegian Church.

264. I would like to express my gratitude to UNMEE for its efforts, to the troop-contributing countries for their sacrifices, and the international community at large for its contribution to the efforts of the UN, the OAU and the parties. I wish to express gratitude to the countries and institutions that have made financial contributions, thus facilitating the work of OLMEE, namely Canada, China, Denmark, European Union, Germany, Ireland, Italy, Japan, Norway, South Korea, Sweden and USA. My gratitude goes also to the Member States providing the Liaison Officers, namely Algeria, Botswana, Ghana, Nigeria, South Africa, Senegal and Zambia. The OAU, on its part will leave no stone unturned until lasting peace and reconciliation between Ethiopia and Eritrea is restored as this is also of paramount importance for the region as a whole.

4. Somalia

265. It will be recalled that last July, in Lusaka, Zambia, Council was extensively briefed about the serious difficulties facing the reconciliation process in Somalia. Council was informed that a number of faction leaders had established the Somali Reconciliation and Restoration Council (SRRC) in March 2001, in Awassa, Ethiopia. Council was also briefed on efforts made to help advance the reconciliation process in Somalia, which, up to that point in time, did not yield the expected results. The precarious security and humanitarian situation prevailing in the country, largely as a result of the lack of progress in reaching a consensus between the TNG, and the factions that remained outside the Arta Process was also highlighted.

266. At the end of its deliberations, Council adopted decision CM/Dec.594 (LXXIV) on the situation in Somalia. In that decision,

Council, *inter-alia*, reiterated its commitment to the unity, territorial integrity and sovereignty of Somalia, and called on the TNG to intensify its efforts to bring about an all-inclusive process of national reconciliation, building upon the outcome of the Arta Peace process. Council also reaffirmed that a lasting solution to the conflict in Somalia can only be found through dialogue and the involvement of all the parties, in a spirit of mutual accommodation and tolerance, and commended those political forces in Somalia which had agreed to engage in this process without preconditions. Council welcomed the efforts being made by IGAD to assist the TNG in broadening and sustaining the peace process, including the initiatives taken by the current Chairman of IGAD, President Omar Hassan El Bashir of Sudan. Council expressed concern at the continued insecurity and the prevalence of acts of violence in some parts of the country and the consequences thereof for the humanitarian situation and the activities of humanitarian workers. Finally, Council requested the Secretary-General, in close cooperation with the regional Organizations concerned, to continue to support the TNG in its efforts to sustain reconciliation and reconstruction in Somalia.

267. Since then, the General Secretariat has continued to follow closely the developments in Somalia, particularly the efforts aimed at furthering the reconciliation process. Since then, the General Secretariat has continued to follow closely the developments in Somalia, particularly the efforts aimed at furthering the reconciliation process. On 18 August 2001, Dr. Mustafa Osman Ismail, Minister of Foreign Affairs of the Republic of the Sudan, in his capacity as current Chairman of IGAD Council of Ministers, wrote to the OAU, indicating that, on the margins of the OAU Summit in Lusaka, the Presidents of Sudan and Djibouti and the Prime Minister of Ethiopia, had met to review the efforts pertaining to the completion of national reconciliation in Somalia, on the basis of the Arta Peace Conference and the decisions of the 8th IGAD Summit, held in Khartoum in November 2000. He further indicated that the three leaders had agreed to convene a National Reconciliation Conference in Khartoum, to bring together, in addition to the TNG, all Somali faction leaders, and that President Omar Hassan El Bashir's Special Envoy for Somalia, Ambassador Ali Abdel Rahman Nimeri, had visited Mogadishu from 26 July to 2 August 2001, where he held consultations with President Abdiquassim Salad Hassan and other senior Somali officials and leaders, with a view to expediting the convening of the Somali National Reconciliation Conference. In response to this letter, the Assistant Secretary General for Political Affairs wrote, on 18 September 2001, indicating that the OAU was encouraged by the steps taken to convene a National Reconciliation Conference, and that it would continue to do its utmost to support the reconciliation process in Somalia, working closely with IGAD to that end.

268. On 31 October 2001, following an open debate, the UN Security Council issued a statement on the situation in Somalia. In that statement, the Security Council reiterated its support for the outcome of the Arta Peace Conference, and encouraged the TNG to continue, in the spirit of constructive dialogue, the process of engaging all groups in the country, with a view to preparing for the installation of permanent governance arrangements through a democratic process. The Security Council expressed its belief that the Arta peace process continued to be the most viable basis for peace and national reconciliation in Somalia. In this respect, it urged the TNG, political and traditional leaders and factions to make every effort to complete, without preconditions, the peace and reconciliation process. At the same time, the Security Council emphasized that, while the search for a national solution continues, attention must be paid to achieving local political settlements as well. The Security Council called on the concerned States in the Horn of Africa to contribute constructively to the efforts in Somalia, and insisted that the territory of Somalia should not be used to undermine stability in the sub-region.

269. From 1 to 4 November 2001, President Daniel T. arap Moi of Kenya convened, in Nairobi, a Somalia Reconciliation meeting that brought together the TNG and some of the factions associated with the SRRC. In the Communiqué issued at the end of the meeting, the participants acknowledged the importance of having a broad-based all inclusive reconciliation process that ensured the unity, sovereignty and territorial integrity of Somalia. They adopted, as the basis for future deliberations, an agenda that includes the following:

- implementation of the resolution of the 8th IGAD Summit on Somalia and other relevant OAU and UN Security Council resolutions on the situation in Somalia;
- power sharing on the basis of representation of all Somali clans;
- renunciation of violence as a means of settling political differences; and
- commitment to international principles of peaceful coexistence and good neighborliness.

270. As a follow-up to the November meeting, another reconciliation meeting was convened in Nairobi from 13 to 24 December 2001. The meeting resulted in the signing of agreements between the TNG and each of the three groups that were in attendance, namely the Somalia National Alliance (SNA), some of the factions belonging to the SRRC,

and the USC/SSA. These agreements provided, among others, for the establishment, within one month, of an all-inclusive transitional national government; and the commencement, thereafter, of a program of national disarmament, rehabilitation and integration under the auspices of the United Nations.

271. During the period under review, the SRRC factions that still oppose the TNG reiterated their commitment to finding a lasting solution to the crisis in Somalia on the basis of relevant IGAD resolutions. They indicated, in this respect, that the SRRC was prepared to discuss with the TNG, not as a national Government, but only as one organization among many. They again reaffirmed the rejection by the SRRC of the Arta process. At the same time, he expressed the hope of an increased OAU involvement in Somalia, adding that such a role should complement the IGAD process.

272. The 9th IGAD Summit held in Khartoum, from 10 to 11 January 2002, discussed extensively the situation in Somalia. The OAU was represented at the Summit by a delegation led by the Assistant Secretary-General for Political Affairs, Ambassador Said Djinnit. The Summit, having reaffirmed IGAD's commitment to the unity and territorial integrity of Somalia, called upon the frontline States (Kenya, Ethiopia and Djibouti), under the supervision of IGAD's Chairman, to coordinate their efforts for national reconciliation in Somalia. In addition, the Summit decided to hold a Reconciliation Conference on Somalia in Nairobi within two months, under President Moi, as coordinator of the frontline States, to continue the peace process in Somalia and, to that end, mandated IGAD Foreign Ministers to prepare for the Conference. Finally, the Summit called upon the international community to join IGAD in the search for peace in Somalia. On his part, the Assistant Secretary-General expressed OAU's appreciation for the efforts being deployed by the leaders of the region and its determination to play a more active role to help expedite the peace and reconciliation process in Somalia.

273. From 14 to 15 February 2002, IGAD Foreign Ministers met in Nairobi to discuss the reconciliation process in Somalia, in conformity with the resolution of the 9th IGAD Summit. The meeting also underscored the urgent need of intensifying efforts in the national reconciliation process, and recognized the achievements attained thus far in this respect. The meeting agreed to set up a technical committee that would comprise the frontline States and whose mandate would include drawing up the terms of reference for the Somali Reconciliation Conference, now set for April 2002, and deciding on participation. At the same time, the meeting expressed its grave concern over the situation in Somalia. While noting that the frontline States had borne the socio-economic fallout of the crisis, it further stressed that the

conflict in Somalia had resulted in an exodus of refugees into neighboring countries and that arms destined to factions had contributed to illicit trade and proliferation of small arms, leading to increased insecurity in the Region.

274. Also During the period under review, the internal political situation in Somalia witnessed important developments. Towards the end of October 2001, the TNG Prime Minister, Ali Kalif Galaydh, resigned following a no-confidence vote by the Transitional National Assembly (TNA). He was replaced by Hassan Abshir Farah, who, at the time of finalizing this Note, was yet to announce the composition of a broad-based Cabinet, in accordance with the Agreements reached in Nairobi in December 2001. In Puntland, serious political problems and fighting have occurred as a result of the differences that emerged over the extension of the mandate of the administration of the region, which had expired on 30 June 2001. In Somaliland, a referendum on a new constitution asserting the independence of the region was held on 31 May 2001. Presidential and parliamentary elections are due to be held in the course of 2002.

275. Over the past months, the Secretariat has maintained close contacts with the parties to the Somali conflict. As indicated above, Hussein Aideed met with a member of the Secretariat, in Addis Ababa, on 15 November 2001. On my part, on 28 November 2001, I met with the newly appointed Prime Minister, Hassan Abshir Farah. In my discussions with him, I wholeheartedly supported his initiative to consult with the neighbouring countries and the OAU. I also assured him that the OAU will take the necessary steps to support the IGAD initiative aimed at bringing about a comprehensive peace in Somalia. On 14 December 2001, I met with the Special Envoy of the President of the TNG, Ambassador Yusuf Hassan Ibrahim. Ambassador Yusuf briefed me on TNG's efforts to promote national reconciliation, and appealed to the OAU, working closely with the international community, to provide the requisite assistance to that end, and to provide support for the rehabilitation of the country. I reiterated the need for the TNG to vigorously pursue its efforts, so as to facilitate the early completion of the national reconciliation process, in conformity with IGAD and OAU resolutions and decisions. Also on the same day, I met with Ambassador Nimeri, the Special Envoy of President El Bashir for Somalia. I seized the opportunity of the meeting to commend the efforts being deployed by the current Chairman of IGAD to help bring about peace and National Reconciliation in Somalia.

276. On 27 December 2001, President Abdikassim Salad Hassan wrote to me on the efforts of the TNG and the reconciliation process. In his letter, the President recalled that, since its establishment, the TNG has been engaged in the resolution of the internal problems of the

country, as well as in the process of reconciliation with the faction leaders who did not participate in the Arta Conference. In this respect, he referred to the outcome of the December 2001 Nairobi meeting, which he described as a major step in the search for a solution to the Somali conflict. President Salad Hassan appealed to the OAU to help the Somali people in their endeavour to achieve peace and stability, by persuading those faction leaders who have not yet done so, to join hands with their brothers and sisters in the TNG for the reconstruction of their war-torn country.

277. In the wake of the 11 September 2001 terrorist attacks against the USA, there has been persistent reports that Somalia could be a target for military action over the alleged existence of Al-Qaeda bases and operatives in the country. However, such allegations have been denied by the TNG. According to the interim Prime Minister, Hassan Abshir Farah, Somalia has sent to the American Administration a letter of invitation to come to Somalia and to assess the situation themselves. In its presidential statement of 31 October 2001 referred to above, the UN Security Council welcomed the stated intentions of the TNG to take steps for the implementation of resolution 1373 (2001) of 28 September 2001 on terrorism. The Security Council urged the international community to provide assistance to Somalia for the implementation of the aforementioned resolution. On its part, Sudan, in its dual capacity as Chairman of IGAD and CENSAD, issued a statement on 12 December 2001, urging the international coalition, in particular the USA, to refrain from any military action in Somalia, especially as the TNG has pledged its full disposition to cooperate in the fight against terrorism.

278. The commitment of the TNG to contribute to the fight against terrorism was reaffirmed by Ambassador Yusuf Hassan Ibrahim, Special Envoy of President Abdikassim Salad Hassan, during the meeting I had with him in Addis Ababa, on 14 December 2001. While sharing the concerns expressed by the TNG over a possible military action in Somalia, I encouraged them to continue to extend full cooperation to the efforts of the international community to fight terrorism, in conformity with relevant OAU and UN Security Council decisions and resolutions.

279. For their part, during their February 2002 meeting, the IGAD Foreign Ministers observed that the absence of a central authority over the last decade in Somalia had created a situation whereby terrorists and extremist groups operate freely in Somalia, thereby threatening the national security of neighbouring States. The Ministers urged the TNG and all other parties in Somalia to commit themselves to combat terrorism in all its forms. At the same time, the Ministers welcomed

the TNG's willingness to cooperate with the international community in combating terrorism.

280. In spite of the efforts deployed by the TNG in Somalia, the security situation in the country remains of serious concern. The grenade attack on the residence of the Prime Minister in Mogadishu, early in February 2002, and the fighting reported in various parts of the country, bear testimony of the tenuous security situation prevailing in the country. A region such as Puntland, that remained relatively stable until recently, has also witnessed factional fighting, as a result of leadership struggles. This situation has delayed the establishment of a UN Peace Building office in Mogadishu. It has also impacted on the humanitarian situation in the country.

281. Over the past months, sustained efforts have been made to further the reconciliation process in Somalia. In this respect, I wish to pay tribute to IGAD Member States, in particular Presidents El Bashir and arap Moi, for their commitment and determination. I urge them to persevere in their efforts in spite of the many obstacles to be overcome. I would like to assure them of OAU's continued support. In this respect, I wish to stress that, at the time of finalizing this Report, the Secretariat was engaged in an exercise aimed at defining how best it can assist the ongoing initiatives. While acknowledging the achievements thus far attained, I appeal to all the Somali parties to participate in the reconciliation process in the interest of their people and their country. Finally, I wish to urge the international community to continue to provide humanitarian support that is commensurate with the needs of the country.

5. The Sudan

282. In July 2001, in Lusaka, Council was briefed about the various initiatives aimed at resolving the conflict in Southern Sudan, in particular the efforts being exerted by IGAD, including the meeting at Summit level of the IGAD Committee on the Sudan, held in Nairobi in June 2001. Council was also informed of the decision of the Summit of the League of Arab States held in Amman, Jordan, at the end of March 2001, in supporting the Joint Egyptian - Libyan Initiative for National Reconciliation in the Sudan (JELI).

283. I wish also to recall that, on 6 July 2001, the Foreign Minister of the Arab Republic of Egypt, Ahmed Maher Al-Sayed, and the Secretary of the General People's Committee for African Union of the Great Socialist People's Libyan Arab Jamahiriya, Ali Abdussalem Treki, wrote to my predecessor in office, to inform him that their two countries had submitted, on 26 June 2001, to the Government of the Sudan and the Sudanese political opposition forces, a document containing the

principles and procedures of the peace process in the Sudan. They indicated that both parties had communicated their written acceptance of the document and that their two countries would proceed to the next phase, *i.e.* the implementation of what had been agreed upon, in consultation with the African countries concerned and the OAU. In essence, the Egyptian-Libyan proposals revolve around the following: the unity of the land and the people of the Sudan; the recognition of the multi-racial, multi-religious and multi-cultural nature of the Sudan; the guarantee of the principle of multi-party democracy and separation of powers; the respect of all human rights, the establishment of a decentralized administrative system within a united Sudan, the formation of an interim government composed of all political forces, that will, among others, convene a national conference for the revision of the constitution; and the commitment by all the parties to arrive at a comprehensive cease-fire in the event of an agreement on the above.

284. On 18 July 2001, the Embassy of the Republic of the Sudan in Addis Ababa sent a communication to the Secretariat, informing it that the Government of the Sudan had “*officially and unconditionally*” accepted the Libyan-Egyptian proposals “*based on its unwavering position and commitment to realize peace and national consensus in the country*”. The note indicated that the Sudanese government had further called upon the countries sponsoring the Initiative to take the necessary steps for its implementation.

285. Subsequently, an OAU Secretariat delegation led by the then Acting Secretary General, Ambassador Mahamat Habib Doutoum, and comprising Ambassador Saïd Djinnit, Assistant Secretary General in charge of Political Affairs, met with Dr. Ghazi Salah Eldin, Special Adviser to the President for Peace Affairs, in Addis Ababa, on 24 August 2001. During the meeting, Dr. Ghazi briefed the OAU on the status of the peace process in the Sudan, including efforts by IGAD, the governments of Egypt and Libya, as well as Nigeria. He stressed his government’s readiness to advance the peace process, and called for an increased OAU involvement in the search for a lasting solution. On its part, the OAU delegation emphasized the need to urgently bring to a negotiated end the conflict in the Sudan. In this respect, it expressed appreciation for the commitment of the Sudanese Government and assured the Special Envoy of OAU’s determination to play a more active role, including facilitating the coordination of the various peace initiatives.

286. I wish to also report that, over the past months, President Olusegun Obasanjo of Nigeria had taken some initiatives to assist in the search for peace in the Sudan. Basically, his efforts seeks to bring together southern political forces to build a common platform so as to

facilitate the holding of a national peace Conference. As a first step in this direction, President Obasanjo, on 20 September 2001, convened, in Abuja, a meeting which some southern political leaders attended. In early November 2001, President Obasanjo dispatched to the OAU Special Envoy to brief the Secretariat on his peace efforts and request the Organization to support his initiative.

287. For its part, IGAD had, since 1993, been playing a crucial role in the Sudanese peace process. At their 9th Summit held in Khartoum, from 10 to 11 January 2002, in which the OAU participated, IGAD leaders expressed concern at the slow progress in the peace process and urged the parties to move expeditiously towards reaching a comprehensive cease-fire, with a view to ending the human sufferings, build confidence and create a conducive atmosphere for a constructive negotiation in order to arrive at a lasting settlement of the conflict. The Summit called upon President arap Moi, Chairman of IGAD Sub-Committee on the Sudan, to rejuvenate the IGAD peace process and invite other initiatives with a view to coordinating the efforts.

288. The period under review was also marked by the intensification of efforts by the international community to facilitate speedy settlement of the conflict in Southern Sudan. In this regard, in January 2002, the Government of the Sudan and the SPLM/Nuba held talks in Buergenstock, Switzerland, under the auspices of the Governments of the United States and Switzerland. These culminated with the signing, on 19 January 2002, of the Nuba Cease-fire Agreement. The main purpose of the Agreement is to contribute to the settlement of the conflict in the Nuba Mountains and to facilitate the conduct of relief and rehabilitation programs aimed at addressing the basic needs of the population.

289. Clearly, there have been over the past months renewed efforts to find a lasting solution to the conflict in southern Sudan. The appointment, on 13 February 2002, of Mr. Alan Goulty, as the new UK Special Representative for the Sudan, is a further reflection of the renewed interest of the international community in the search for peace in the Sudan. Today, a real window of opportunity exists to move forward the peace process in the Sudan and bring to an end the 18 years long civil war in the country and the untold suffering inflicted on the civilian population. Every effort should be made to seize this opportunity, and the parties should be encouraged to fully cooperate with the international community and to comply strictly with the agreements reached so far in the Nuba Mountains.

290. I would like to pay tribute to IGAD leaders, as well as to Egypt, Libya and Nigeria, for their sustained efforts in the search for peace in the Sudan. I would also like to express my gratitude to the

Governments of the United States of America for its engagement and for facilitating, jointly with Switzerland, the Nuba Cease-fire Agreement. In this regard, the urgency of closely coordinating the various initiatives in order to arrive at a viable peace process on the basis of which the parties can be meaningfully engaged needs hardly to be emphasized. The OAU, which has been supporting all efforts aimed at promoting a solution to the longstanding conflict in Southern Sudan, intends to enhance its role in the peace process. I wish to put on record my appreciation to the Government of Sudan for its disposition to seek a peaceful solution through negotiation and dialogue. I pledge to do all what is within my means to contribute towards the efforts for an early solution to the conflict.

6. Relations between Rwanda and Uganda

291. From the 26 to 30th October, 2001, following press reports about renewed tensions between Uganda and Rwanda, I paid a visit to the two countries. During my respective meetings with Presidents Museveni and Kagame, I conveyed to them, my own concern and that of the OAU, following media reports alleging troop movements along the common border of Uganda and Rwanda.

292. Both Presidents, in turn, raised with me, their concerns. For my part, I impressed on the two leaders the need for their two countries to solve their problems through dialogue, considering the blood ties and political and economic factors, which bind their peoples together. I welcomed the two leaders' readiness to avoid military confrontation and to resolve their differences through dialogue. In this connection, I wish to recall that during the course of my visit to the two countries, specifically on the 29th October 2001, the Defense Ministers of Uganda and Rwanda met to discuss issues pertaining to the tension between the two countries.

293. During my visit, I was also informed by the two Presidents, that they were scheduled to meet in London on 6 November 2001, under the aegis of the British Government. I would like to express my satisfaction at the fact that the London Meeting resulted in an "Understanding Between Presidents Kagame and Museveni". In that Understanding, the two countries decided to strengthen their co-operation in the security economic and legal fields and to permit the free movement of peoples, goods and services.

294. I am encouraged by the perseverance with which the two Leaders have tried to defuse the tension between the two countries. I therefore encourage them to persevere in this direction.

C. WEST AFRICA

1. Mano River Basin

295. Council will recall that at its 74th Ordinary Session, it reviewed the situation within the Mano River Union. It adopted CM/Dec. 595, which called on the countries in the Union, *inter alia*, to do everything possible to ensure restoration of durable peace, to pursue a policy of good neighbourliness, avoid the use of force in resolving disputes, take measures to prohibit the activities of armed rebel groups operating on their respective territories and open all their borders without delay. Council also called for further efforts to be made to implement the decisions adopted by the ECOWAS Summits of Bamako and Abuja, held in December 2000 and April 2001, respectively and welcomed the establishment by ECOWAS Mediation Committee composed of the Presidents of Mali, Nigeria and Togo; and expressed the support of the OAU for the on-going efforts to convene a meeting to be attended by the three Presidents of the countries of the Mano River Union. However, it will be recalled that Council expressed its continued concern over the alarming humanitarian situation in the countries of the Mano River Union.

296. Progress has been marked in Sierra Leone with the completion of the disarmament of former combatants. However, the security of the whole sub-region is inextricably linked, in as much as trouble in one country has repercussions in neighbouring countries. It is for that reason, I am very concerned about the renewed war in Liberia between the Liberia Armed Forces and the Liberians United for Reconciliation and Democracy, (LURD) which has aggravated the humanitarian situation in sub-region.

a) Sierra Leone

297. Council will further recall that during its 74th Ordinary Session, it exhaustively reviewed the evolving situation in Sierra Leone. Subsequently, Council adopted CM/Dec. 593, which, *inter alia*, welcomed the progress achieved in the implementation of the Abuja Ceasefire Agreement, in particular, the progressive deployment of UNAMSIL and the Sierra Leone Army in new areas of the country, the strides made in the on-going Disarmament, Demobilization and Reintegration (DDR) Programme, the improvement in the overall security situation in Sierra Leone, especially in the areas along the common border between Sierra Leone and Guinea; encouraged the parties and UNAMSIL to work towards the full deployment of UNAMSIL and the Sierra Leone Army throughout the whole country; called upon Member States and the International Community to make urgent financial and material contributions to the DDR programme to

prevent the on-going implementation of that programme from stalling; appealed to the international community to provide UNAMSIL with adequate means to effectively carry out its mandate; and appealed to Member States and the International Community to urgently provide humanitarian assistance to the affected population in Sierra Leone.

298. I am pleased to inform Council that significant strides had been made in the peace process, and this has given the OAU confidence that Sierra Leone has finally emerged from its decade-long civil war and can take the next step towards presidential and parliamentary elections in May 2002, thereby embarking on the path towards sustainable peace and development. It will be recalled that by Resolution S/2001/874, the UN Security Council decided to extend the mandate of UNAMSIL for a period of six months, from 30 September 2001. This extension and the consequent full deployment of the peacekeepers in Sierra Leone has resulted in the improvement of the overall security and has engendered increased freedom of movement, the gradual return of refugees and an economic resurgence in the country. The government has resumed full control over the areas previously controlled by the rebels.

299. In that connection, it will be recalled that at a symbolic ceremony on 18 January 2002, during which weapons collected from Sierra Leone's warring factions were burnt to mark the end of the disarmament programme, President Kabbah declared that the war had ended. Statements by the Chairman of the RUF's Political and Peace Council, Omrie Golley, indicate that the RUF also considered the end of the disarmament and the end of the war the first stage of the consolidation of the peace process. It is estimated that close to 47,000 combatants had handed in their weapons under the DDR, since the programme resumed in May 2001.

300. The next major challenge is to ensure that the former combatants are reintegrated into society and that they are provided a means of livelihood and can lead normal and productive lives. The importance of this cannot be over-emphasized, since failure to effectively reintegrate or reinsert the combatants into society could have dire consequences on the stability, not only of Sierra Leone, but also of the whole sub-region.

301. In that regard, as of 9 December 2001, over 17,000 former combatants in Port Loko, Lunsar, Kambia, Freetown, Lungi, Koidu, were reported to have received reinsertion assistance. In addition, a total of 1,361 disarmed ex-combatants had been selected for reintegration into the Sierra Leone Army. To date, 13,741 former fighters have participated in vocational and formal education programmes. However, it is to be noted that there is still a limited

availability of reintegration opportunities due to lack of adequate funding. I, therefore, wish to appeal to Member States for contributions toward the reintegration and reinsertion phases.

302. With regard to the elections, which will be the real test for democracy, plans are underway for the registration of voters in preparation for the presidential and parliamentary elections scheduled for May 14, 2002, with a possible run-off thereafter, if necessary. In that connection, the National Electoral Commission has indicated that over 2 million voters had already registered. It has also been reported that more than 21 parties have registered to participate in the electoral process, including the RUF.

303. Meanwhile, the RUF has received assistance from the Government of Sierra Leone in obtaining offices in Bo and Makeni for its metamorphosis into a political party, as was stipulated in the Lome Peace Agreement, following a demonstration, on its part, that it was prepared to play the game by the democratic rules. In furtherance of this transformation, the Government of Nigeria has provided training for RUF party officials in political party management and democratic practices, and has further offered to provide some office equipment for the RUF party offices.

304. I would like to indicate that, still in connection with the democratic process in Sierra Leone, the UN Secretary General's Special Representative, in a letter dated 13 October 2001 had requested financial assistance for the RUF as had been promised by my predecessor. The Special Representative of the Secretary General had indicated that, although the Government of Sierra Leone had provided the RUF with office space, there still remained the question of logistic support, which the Lome Peace Accord had requested to be provided by the International Community. It was in that regard and the apparent commitment and cooperation on the part of the RUF that he felt confident enough to solicit the assistance of the OAU.

305. In my response to him, dated 15 December 2001, however, I informed him that steps had been taken to sensitize Member States to contribute to the reintegration process. With regard to the support to the RUF, however, I responded that given the fact that it remained an outstanding issue since the inception of the peace process five years ago, the OAU had decided to help in the transformation of the RUF into a political party by making a contribution in the form of logistic support, subject to the understanding of President Kabbah.

306. Subsequently, I received a letter from the Sierra Leone Minister of Foreign Affairs, dated 3 January 2002, alluding to the OAU's promise of logistic support to the RUF, and the President Kabbah's

concern that this would create an uneven playing field. In my reply dated 8 February 2002, I indicated that, in view of the heavy demand on the resources of the Organization at this vital moment of the transition, the OAU remained committed to fully support, within its means, the restoration of democratic rule in Sierra Leone through free and fair elections, in which all contenders can participate in a fair, just and equitable manner.

307. For its part, the Secretariat is considering ways to be involved in the whole electoral process. This will involve, among other things, dispatching observers to monitor the process as soon as possible to ensure that the elections are free and fair. This will ensure that all parties will find the outcome of the elections acceptable.

308. The situation in Sierra Leone was also an important topic on the agenda of the ECOWAS Summit sitting in Dakar, Senegal from 20 to 21 December 2001. It also extensively reviewed the political and security situation of the sub-region as a whole, and expressed satisfaction with the significant progress achieved in Sierra Leone with regard to restoration of peace and security. It further congratulated the Government of Sierra Leone and the National Committee on Disarmament, Demobilization and Reintegration for the efforts deployed in implementing the Disarmament, Demobilization and Reintegration (DDR) programme, and commended the Government for the ongoing preparations towards the holding of elections scheduled for May 2002. The Summit then urgently appealed to the international community to provide the much-needed financial assistance to Sierra Leone for the demobilization and reinsertion of combatants, and to assist in the rehabilitation and return of refugees, displaced persons, and ex-combatants.

309. On 10 January 2002, the United Nations Security Council, by Resolution S/RES/1389(2002), mandated that UNAMSIL shall undertake election-related tasks within the parameters set out in paragraphs 48-62 of the Secretary General's report of 13 December 2001 (S/2001/1195), within its existing mandate, capabilities and areas of deployment. These tasks include assisting with logistic support to the National Electoral Commission for the transport of electoral materials; facilitating the free movement of people, goods and humanitarian assistance throughout the country.

310. In the economic field, the World Bank and the International Monetary Fund agreed in September 2001, that Sierra Leone had met the criteria for access to debt relief under the enhanced HIPC Initiative. It is expected that Sierra Leone will qualify for debt relief by the end of March 2002. This is very encouraging.

311. Pursuant to sustained efforts by Member States for the reconstruction of Sierra Leone, a joint Libya/South Africa/Nigeria mission was fielded in Sierra Leone in October 2001. The objective of this mission which was decided following a meeting of the Leaders of Libya, Nigeria and South Africa, was to assess the state of the infrastructure and to propose an emergency package to assist the reconstruction of the country. The mission reported massive destruction of every sector of the country: schools, hospitals, public utilities, and commercial centers. To reactivate the country's economy, the mission recommended the implementation of prudent fiscal and monetary policies, including access to enhanced HIPC resources, which, it anticipated, would create the basis for sustainable economic recovery and progressive improvements of living standards.

312. In its correspondence dated 23 October 2001, the Secretariat congratulated the tripartite delegation for the highly useful task it had undertaken and the seriousness with which the mission had been taken up. It declared itself in agreement with the observation that only Africans can best appreciate an African problem, and added that only Africans should best help other Africans, expressing the hope that other OAU Member States would join this noble initiative in the future.

313. As a result of the appeals to the international community for financial assistance to Sierra Leone, the Paris Club of creditor nations, in October 2001, decided to restructure Sierra Leone's foreign debt and to cancel about \$72 million of it. The restructuring will reduce Sierra Leone's debt service payments due its Paris Club creditors from about \$180 million to about \$45 million. The debt relief will allow Sierra Leone to put more money into priority areas such as health, education and agriculture.

314. The peace process will not be complete without some mechanism for accountability, justice and reconciliation. In that regard, Council will recall that the UN Secretary General had proposed the establishment of a Special Court to prosecute those deemed to bear the greatest responsibility for war crimes committed during the last five years. Established at a signing ceremony in Freetown on 16 January 2002, the Court is intended to bring justice and reconciliation in Sierra Leone, and has the power to prosecute persons who committed the following crimes as part of a widespread or systematic attack against any civilian population: murder, extermination, enslavement, deportation, imprisonment, torture, rape, sexual slavery, enforced prostitution, forced pregnancy and any other form of sexual violence; persecution on political, racial, ethnic or religious grounds; and other inhumane acts. The objective of the court is to promote a culture of peace.

315. In sum, I am pleased to note that events in Sierra Leone are moving in the right direction, and the aspirations of the people of Sierra Leone will soon be fulfilled. Hitches in the democratic process, even under the most ideal circumstances, are inevitable. It is for that reason that it becomes incumbent upon the OAU not to relent in its efforts, but to collaborate with Sierra Leone Government, the UN, the European Union as well as the other organizations and entities working towards sustainable peace in Sierra Leone, not only for the benefit of Sierra Leone, but for the whole sub-region and for the Continent. In this regard, I will continue to appeal to Member States to contribute to any measure possible towards the rehabilitation and post-conflict reconstruction needs of Sierra Leone, as highlighted in the Report of the assessment mission by Nigeria, Libya and South Africa in October 2001.

b) Liberia

316. I remain concerned over the increasingly grave security and humanitarian situations in Liberia - a marked contrast to the improvements that are beginning to be evident in the other Mano River countries. Indeed, I am concerned that the escalation in the fighting in Liberia, could fundamentally undermine efforts to achieve permanent peace and development in the Mano River sub-region at large, including in Sierra Leone where the restored peace is still fragile, and instability in countries which share borders with the three Mano River basin countries. The regional dimension of the conflict should be kept in perspective particularly, given the inter-relatedness in the history and nature of the conflicts in the three Mano River countries.

317. Council may wish to recall that the present escalation in the fighting in Liberia was intensified towards the end of 2001. In late November 2001, it was reported that the group calling itself Liberians United for Reconciliation and Democracy (LURD) had launched an attack on Bopolu, a city about 100 km north of Monrovia. At about the same time, the Liberian government stated that LURD had kidnapped hundreds of women and children in the Gbarpolu County, where several villages were also attacked.

318. In early December 2001, fighting reportedly erupted in the Belle Yealla region, about 250km from Monrovia. LURD claimed responsibility for an ambush that resulted in the death of the Liberian Deputy National Security Minister in the Belle Forest region. Also, in early December 2001, there were reports that Liberian troops had clashed with the rebels near the border with the Republic of Guinea. Subsequently, the fighting that had been contained mainly in Lofa and Gbarpolu counties spread rapidly, and on 7 February 2002, the LURD rebels attacked Klay Junction, just 35 km away from Monrovia.

Following that attack, President Charles Taylor, of Liberia on 8 February 2002, declared a state of emergency. The Liberian Parliament, while ratifying the state of emergency declared by President Taylor, directed Liberian military and paramilitary personnel fighting against the rebels, to respect the rights of the civilian population.

319. In December 2001, Amnesty International documented continuing human rights abuses of civilians in northern Liberia. Amnesty International blamed both sides in the conflict and requested the United Nations to deploy human rights monitors in the country to help end the abuses.

320. The escalation in the fighting in Liberia points to the need to build on and intensify the efforts currently being made by the leaders of ECOWAS, and the actions undertaken by the Mano River Union Women's Network, to resolve the crisis. It will be recalled that the conflict in Liberia, received the attention of the Heads of State of ECOWAS, during their Summit which took place in Dakar, Senegal from 20 to 21 December 2001. At that Summit, ECOWAS leaders expressed their concern over the negative impact of the sanctions imposed by the United Nations against Liberia and requested that assistance be extended to the Government of Liberia to enable it consolidate the economic and social reconstruction of the country. They also urged the Government of Liberia to embark on a course of national reconciliation within the country.

321. Following the upsurge in the fighting in Liberia in early February, 2002, I issued a statement on February 13, 2002 in which I expressed my concern over the deteriorating humanitarian situation and the tension in that country, resulting from the ongoing fighting between the Liberian Armed Forces and the rebels of Liberians United for Reconciliation and Democracy. I was concerned that the fighting had forced thousands of innocent Liberian civilians to flee their homes. I was further concerned that, coming so soon after the last round of conflict in that country, which resulted in the death of many Liberians, the destruction of infrastructure, with refugees fleeing into neighbouring countries and internal displacements, the renewed fighting in Liberia would undermine the efforts that have been made to reconstruct the country, and the consolidation of the processes of democratization and national reconciliation of Liberia. I strongly urged all concerned to immediately put an end to the hostilities and to seek a peaceful solution to the current problems through dialogue in a spirit of accommodation and in conformity with OAU principles.

322. As a follow-up and in order to enable the Organization assess the situation on the ground, I dispatched a high level mission to Liberia

and the sub-region, led by the Mr. Keli Walubita, former Foreign Minister of Zambia. Hon. Walubita is currently engaged in discussions with the Liberian government on how the OAU can help to contribute to the efforts aimed at resolving the ongoing conflict in Liberia. He will also hold talks with the leaders in the Region.

323. For his part, the UN Secretary General, in a statement issued on 11 February, 2002, also expressed concern about the recent upsurge of fighting in Liberia, stating that it could only bring more suffering to innocent people. He reiterated his appeal to all parties to eschew violence and resolve their differences through dialogue. The UN Secretary General also welcomed the efforts of the Liberian Government to ensure the safety of civilians and ensure access for relief workers, and called on all the dissident forces to respect human life and particularly, the lives of civilians caught in areas affected by the fighting.

324. On 13 February 2002, Members of the UN Security Council deplored the violence and expressed their concern regarding the humanitarian and social situation in that country. They reiterated the Security Council's principled stand on armed incursions referred to in paragraph 4 of resolution 1343 (2001) by demanding that States in the region take action to prevent armed groups and individuals from using their territory to prepare and launch attacks on neighbouring countries. They called upon the Government of Liberia to take effective action to respect human rights and ensure the safety of civilians, particularly the most vulnerable, as well as to ensure access for relief workers and humanitarian agencies.

325. At the time of finalizing this report, there were reports of a meeting of the Heads of Liberia, Guinea and Sierra Leone, taking place in Morocco. The outcome of the meeting was not readily available.

326. I wish to reiterate my call to all the parties to exercise maximum restraint and to extend their full cooperation to my Special Envoy as well as to the leaders of the region in their tireless efforts to bring about peace and security in the region.

D. NORTH AFRICA

1. Western Sahara

327. At its 74th Ordinary Session held in Lusaka, Zambia, in July 2001, the Council of Ministers was informed that in spite of earlier efforts deployed, the deadlock in the peace process in Western Sahara had remained unresolved. Since then however, Mr. James Baker, the Personal Envoy of the UN Secretary General on Western Sahara, had

introduced a new initiative, but its fate as a way out of the stalemate, already seemed to be in serious doubt.

328. The Framework Agreement which was presented to the UN Security Council last June, would appear to contain a new approach for the solution to the Western Sahara dispute and not for a referendum of self-determination, as had been the internationally supported approach, but, rather, on the granting of a limited autonomous status to the Territory, under the sovereignty and jurisdiction of the Kingdom of Morocco.

329. The reaction of the Polisario Front to Mr. Baker's proposals, incorporated in the Framework Agreement, was total rejection. It described the Agreement as being wholly inconsistent with established UN principles as well as a contravention of firm international commitments to peoples of non-self governing territories, to enable them exercise their inalienable rights to self-determination.

330. Similarly, Algeria, as one of the countries recognized by the UN Settlement Plan as an interested Party, also criticized the Framework agreement, as being contrary to United Nations decisions on the right of the people of Western Sahara to self-determination. Algeria therefore adjudged as inadmissible this Framework Agreement since it undermines international legality. For its part, Mauritania, the other interested Party in the dispute, stated that it will support any solution so long as it was acceptable to the two Parties.

331. The UN Security Council, in its resolution 1359, adopted in June 2001, did not endorse the Framework Agreement, but rather encouraged the Parties to consider it "as well as any other proposal for a political solution... to arrive at a mutually acceptable agreement". Neither did the Security Council decide to abandon the Settlement Plan that it had endorsed at the onset of the peace process, and in the same resolution, called for "consideration of the official proposals submitted by the Polisario Front to overcome the obstacles preventing the implementation of the Settlement Plan", before the adoption of the said resolution.

332. In pursuance of that Security Council decision, the Personal Envoy of the Secretary General, in August 2001, convened a meeting of the Parties, in Pinedale, Wyoming, USA, to discuss their views on the Framework Agreement. During those consultations, both the Polisario Front and Algeria maintained their known positions and rejected the Framework Agreement which was considered as designed to legitimize Morocco's occupation of Western Sahara. On the other hand, Morocco, which was not invited to the Wyoming consultations as its positive views on the Framework Agreement had already been

communicated to the Personal Envoy, expressed readiness to accept and support the new initiative.

333. In the light of the foregoing, it is clear that the Framework Agreement is not the mutually acceptable route that would lead to progress in the peace process in Western Sahara.

334. In spite of that, the mandate of MINURSO was extended by the Security Council, to the end of February 2002, in order to enable the Personal Envoy engage the Parties before its expiry, and follow-up on earlier contacts, in an effort to explore other possibilities that might permit the peace process to move forward.

335. In the meantime, disquieting developments recently observed, might risk the fostering of more tension, that was likely to impact negatively upon the already precarious political environment in the Territory. The announcement, in Rabat, in early October 2001, that Morocco had signed oil and hydrocarbon prospection rights with Kerr-McGee Group, the American petroleum investment corporation, and with Total/Fina Elf, a French oil group, along the entire Western Sahara Atlantic coastline, was one such development that emerged during the reporting period. The Polisario Front has already denounced the deal and declared that Morocco had no sovereignty over Western Sahara to sign such a transaction. It has also called upon the UN and the international community as a whole, to prevent these companies from undermining the decade-long search for a solution to the dispute.

336. It will be observed that petitions from various advocacy groups from Europe and Australia, supporters of the UN Settlement Plan were addressed to the Security Council with respect to the legality of the accords signed by Morocco with American and French petroleum corporation granting oil and hydrocarbon prospection rights along the Western Saharan Atlantic coastline.

337. The UN Security Council decided to seek a legal opinion on the matter in November 2001. In response to this request, the UN Legal Counsel reaffirmed the following important facts :

- that the Western Sahara issue remains one of decolonisation;
- that the Madrid Accords of 14 November 1975 between Spain, Morocco and Mauritania did not constitute a transfer of sovereignty over the Territory – as Morocco claims – and the unilateral transfer of administrative

authority by Spain, did not affect the international status of Western Sahara as a Non-Self-Governing Territory;

- that Morocco is not mentioned in the United Nations list of Non-Self Governing Territories as the administering Power of the Territory of Western Sahara and that it therefore does not have the powers which the status of administering Power of a non-self governing territory normally confers.

338. The Legal Counsel view was therefore, that while the specific contracts which the subject of the Security Council's request are not in themselves illegal, if further exploration and exploitation activities were to proceed in disregard of the interests and the wishes of the people of Western Sahara, they would be in violation of the international law principles applicable to mineral resource activities in Non-Self-Governing Territories.

339. Moreover, the visit to the Territory by King Mohamed VI, in early November 2001, further complicated the process of settlement of the dispute in Western Sahara. The Polisario Front had strongly opposed the Monarch's proposed visit. This visit emitted protests/demonstrations and destruction to property and resulted in several arrests which were widely condemned by human rights Organizations.

340. In conclusion, it would seem that the introduction of the Framework Agreement in the mediation efforts has sparked off an international debate as to how to proceed in the search for a solution to the Western Sahara dispute. The OAU on its part, took due note of the reactions of the international community to the proposed Framework Agreement and remains fully committed to the search for a mutually acceptable solution as well consistent, with what it has always advocated for, namely: that the determinant in the resolution of the dispute should be the freely and democratically expressed wishes of the people of the Territory in conformity with the UN settlement plan. In that regard, it is noteworthy to bring to the attention of Council that six eminent Nobel Laureates had also in December 2001 added their voice of support, from Oslo, in a signed letter of appeal, addressed to the Secretary General of the United Nations, urging the holding of a referendum for self-determination to resolve the problem in Western Sahara. I wish therefore, to urge the UN to intensify its efforts aimed at seeking a peaceful and lasting solution to the dispute in Western Sahara based on international legality.

341. Finally, I wish to call upon the International Community to extend humanitarian assistance to alleviate the plight of the people of Western Sahara, particularly the refugees.

E. OTHER POLITICAL MATTERS

1. Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA)

342. Council will recall that the 36th Ordinary Session of the Assembly of Heads of State and Government, held in Lome, Togo, adopted the CSSDCA Solemn Declaration on 11 July 2000. The main features of the Solemn Declaration include: a Declaration of Principles, a plan of Action and an Implementation Mechanism. The Implementation Mechanism provides for the establishment of a Standing Conference, which should meet every two years during the Ordinary Session of the Assembly of Heads of State and Government. The leaders also agreed to convene review meetings of the Plenipotentiaries and Senior Officials to monitor the implementation of the CSSDCA decisions in-between sessions of the Standing Conference. Additionally, the Secretary-General was requested to initiate arrangements for designating, within the Secretariat, a Unit to coordinate CSSDCA activities. The Secretary-General was also requested to take necessary measures to ensure that detailed discussions are undertaken on the various calabashes in order to implement the CSSDCA process.

343. At the Seventy-Third Ordinary Session of the Council of Ministers meeting in Sirte, Libya, on 22-26 February 2001, Council was briefed on the progress made and steps taken after the Lome Summit to implement the CSSDCA Process. Since Sirte, a number of initiatives have also been taken to consolidate efforts to implement the CSSDCA process. Various communications were addressed to Member States to urge them to make contributions to the CSSDCA process. The Secretariat also continued informal consultations with Member States to define the nature and scope of the implementation meetings on the calabashes.

344. As part of the process of implementing the CSSDCA Solemn Declaration, the Secretariat has also proposed a structure for the CSSDCA Unit, comprising a Senior Coordinator as Head of the Unit, three experts on Security and Stability, Development and Cooperation, and Civil Society respectively, as well as two support staff, including an Administrative Assistant and a Bilingual Secretary. The proposals were submitted to the Administrative and Financial Committee, which as adopted them and provided resources for sustaining the Unit by making financial provisions for its activities in OAU Programme Budget for 2001-2002 and current supplements for reorienting of the 2001-2002 Programme Budget.

345. Since I assumed office in September 2001, further priority has been accorded to the implementation of the Decision to establish a CSSDCA Unit. In order to advance the process and to enable the CSSDCA process to fulfill its obligations at the First standing conference scheduled to take place at the Summit of July 2002, I immediately established the Unit which is already functional under the responsibility of a Coordinator pending its full integration into the formal structure of the OAU Secretariat. Measures are underway to make the Unit fully operational.

346. Meanwhile, the General Secretariat also undertook consultations with Member States on the convening and hosting of the Experts meetings on the four calabashes of the CSSDCA. Subsequently, South Africa agreed to host the Experts meeting on the Development and Cooperation Calabashes of the CSSDCA while Uganda offered to host the Security and Stability Calabashes.

347. The First Experts Meeting on the Development and Cooperation Calabashes was held in Midrand, South Africa, from 9-13 December 2001. The meeting helped to clarify the objectives of the CSSDCA process, within the context of the African Union, and addressed the issue of complementarity with the New Partnership for Africa's Development (NEPAD). It adopted a draft Memorandum of Understanding on these two Calabashes for submission to the Ministerial Review Conference as part of the preparations for the First Standing Conference of the CSSDCA, scheduled to be held on the margins of the next OAU Summit to be held in South Africa in July 2002.

348. Consultations were held with the Government of Uganda to facilitate the convening of the Second Experts meeting on the Security and Stability Calabashes which will take place in Kampala, Uganda, from 8 to 12 April 2002.

349. It will also be recalled that in the CSSDCA Solemn Declaration adopted in Lome in July 2000, and with a view to ensuring the sustainability of the process within the framework of the OAU, the Heads of States agreed that provision would be made for African parliamentarians to make their contributions to the Conference through the Pan African Parliament while representatives of the Civil Society may forward their views and recommendations through the OAU General Secretariat.

350. It was against this background that the Secretariat convened a OAU/ Civil Conference in Addis Ababa from 11 to 15 July 2001, which adopted a Framework for Cooperation between the OAU/AU and African Civil Society Organizations. This was subsequently endorsed

by the Seventy-Fourth Ordinary Session of the OAU Council of Ministers in Lusaka in July 2001, which adopted Decision CM/Dec.605 (LXXIV) on OAU Civil/ Society Cooperation. In that Decision, Council encouraged the Secretary-General to continue engaging Africa Civil Society Organization. As part of this process and in furtherance of the implementation of the CSSDCA Solemn Declaration, the General Secretariat is making preparations for the convening of a Second OAU/Civil Society Conference to discuss the CSSDCA process in the light of the Experts meeting on the four Calabashes in order to enable the Civil Society to make its input to the Standing Conference.

351. I should add that the development of the CSSDCA Process has attracted commendable attention from individuals, governments and international Organizations outside the continent. In particular, the Government of Austria and the Organization for Security and Cooperation in Europe (OSCE) expressed interest in the development of the CSSDCA and indicated their willingness to assist its process of capacity building. As part of this process, an OSCE delegation paid a working visit to the OAU from 7-8 February 2002. The mission, which was facilitated by the Austrian Embassy in Addis Ababa, came to consult with the OAU General Secretariat on the possible areas of cooperation and support for the CSSDCA process.

352. I would like to stress that in offering a framework for the adopting of common values and monitorable targets that could inspire greater performance efficiency, the CSSDCA process offers the OAU a unique instrument for its transformation into the Africa Union. Its utility and added value lies in its potential to serve as a major vehicle through which the OAU/AU can collectively translate into concrete, achievable and measurable results, the vision and Agenda of the Organization in the area of peace, security, development and integration. In view of this, I intend to follow-up and ensure the implementation of the CSSDCA Process. By the same token, I should like to appeal to all Member states to remain fully engaged and to continue to support the CSSDCA agenda.

353. Finally, I should like, in particular, to underline the need for adequate resources to support the CSSDCA Process. Council will recall that at its meeting in Lome in July 2000, it emphasized the need for extra-budgetary resources to support the CSSDCA Process and that Nigeria pledged the sum of US\$500,000 for this purpose. I, therefore, appeal, once again, to all Member States to make urgent contributions to the CSSDCA Process.

2. Human Rights

354. In the area of Human Rights, with the sustained support of the General Secretariat, the African Commission on Human and People's Rights has pursued its promotion and protection activities. Emphasis was put on the follow-up on and implementation of the Declaration and Plan of Action adopted in Mauritius in April 1999 by the First Ministerial Conference on Human Rights. At this juncture, it is worth mentioning that the Government of Rwanda has offered to host the Second Ministerial Conference. Consultations are still under way to convene this Conference possibly in the second half of the year 2002.

355. I personally attended the celebration of the International Human Rights Day held in Addis Ababa on 10 December 2001, in the presence of a highly distinguished and appreciated guest, in the person of Mrs Mary Robinson, UN Human Rights Commissioner, who chose to mark this important event with us on the African soil. This gesture was welcomed by Africa as a testimony of the High Commissioner's commitment to the promotion of human rights on the continent.

356. Council will also recall that, in Lusaka, it was briefed by the General Secretariat on the preparations for the World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance. Council then urged all Member States to participate massively and at high level in this important conference. Member States responded positively to this appeal. Ten Heads of State, Ministers and other eminent personalities from Member States actively participated in the meeting. Similarly, the African Group, with the very active support of the Secretariat, held intensive consultations to defend the Africa's position on key issues such as slave trade, colonialism and the consequent reparations. The delegation of the General Secretariat played a very active role within the African Group, and facilitated the emergence of the African position within the context of the Declaration and Programme of Action adopted at the end of the conference. Although the reaction to the legitimate claims were not entirely satisfactory, it was recognized that there was a need for specific actions to address the concerns. The importance of a regular follow-up action in collaboration with the UN High Commission for Human Rights, for the effective implementation of the Declaration and Programme of Action, and the need for regular assessment of the progress made, were also emphasized.

357. I have the pleasure to point out also that, pursuant to the Decision of the Ouagadougou Summit of June 1998 on the drafting of a Protocol on the Rights of Women, I directed the first meeting of

national experts on this matter to be organized in Addis Ababa from 12 to 16 November 2001, to examine the draft protocol prepared by the African Commission on Human and People's Rights in close collaboration with the General Secretariat. The above draft was adopted at the meeting. It is envisaged that a second meeting of experts would take place in April 2002 to review this draft which would then be tabled at the competent Ministerial Meeting for consideration before submission to Council and Summit for adoption in July 2002.

3. Lockerbie Affair

358. Council will recall that, following the judgement of the Scottish Court which acquitted one of the Libyan suspects, Mr Al Amin Khalefa Fhimah, and sentenced the other one Mr Abdel Basset Ali Mohamed Al Megrahi, the issue featured in the deliberations of the 5th Extraordinary Summit held at Sirte, Libya, on 2 March 2001, which adopted Decision EAHG/Dec.3 (V) establishing a Commission of Jurists to examine all the legal aspects of the judicial proceedings of the Lockerbie Affair and submit a report thereon to the Assembly.

359. At their Thirty-seventh Ordinary Session held in Lusaka, Zambia from 9 to 11 July by Decision AHG/Dec.168 (XXXVII), the Heads of State reiterated the need to set up the Commission, and directed the Secretariat to take all the necessary steps, including mobilization of funds, to ensure establishment of the Commission.

360. The Secretariat entered into informal consultations on the composition and terms of reference of the Commission. Following these consultations, it was agreed to request Member countries of the OAU Committee of Five on the Lockerbie Affair (Zimbabwe, Cameroon, Ghana, Tunisia and Uganda) to appoint legal experts.

361. Zimbabwe, Ghana, Tunisia and Uganda have each designated their experts. Cameroon could not appoint its expert within the specified deadline. The Commission started working with the four legal experts on 8 December 2001, and submitted its report on 18 January 2002, with the following conclusions.

"Having analysed the judgement in depth with reference to both the Scottish criminal law and procedure as well as universally accepted principles of fair trial, in the case of Her Majesty's Advocate v. Abdelbaset Al Mohamed Al Megrahi and Al Amin Khalifa Fhimah delivered by the special Scottish Court sitting at Kamp Van Zeist in the Netherlands on 31st January 2001, the Commission arrives at the following conclusions:

- *the entire conviction is based upon flawed premises;*

- *the judgement violates the general principles of criminal law and procedure that any reasonable doubt should inure to the benefit of the accused;*
- *the judgement is characterised by strained arguments and inadequate proof of the vital elements;*
- *on important occasions in the judgement, the burden of proof appeared to have been reversed to the prejudice of the defence;*
- *the link between the accused and the commission of the crime is at best tenuous, and at worst non-existent.*

In the circumstances, it is the view of the Commission that the appellate Court ought to allow the appeal, quash the conviction, set aside the sentence and discharge the appellant."

362. Finally, I must inform Council that the appeal deposited by the Libyan Party was considered from 23 January 2002 until 15 February 2002. On the proposal of the committee of Jurists, the Chairman of that Committee observed the Appeal Process and would submit an Addendum to the Report.

4. Small Arms and Light Weapons

363. During its 74th ordinary session held in Lusaka, Zambia, in July 2001, Council adopted Decision CM/Dec.599 (LXXIV) on the illicit proliferation, circulation and trafficking on small arms and light weapons. In that decision, Council, *inter alia*, welcomed the adoption by the OAU Ministerial Conference held in Bamako, Mali, from 30 November to 1 December 2000, of the Bamako Declaration on the African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, and endorsed the said Declaration. Council called upon all Member States to participate fully and at the appropriate level, at the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, then scheduled to take place in New York from 9 to 20 July 2001 and to promote the African Common Position as contained in the Bamako Declaration. Furthermore, Council requested me to take all the necessary steps to ensure the follow-up of the Bamako Declaration, and urged all Member States to implement the relevant recommendations contained therein. Finally, Council appealed to the United Nations Conference to take into consideration the concerns and proposals articulated in the Bamako Declaration, and requested the international community to assist the OAU and its Member States in their efforts to address this problem.

364. For its part, the 37th ordinary session of the Assembly of Heads of State and Government, meeting in Lusaka, Zambia, from 9 to 11 July 2001, at the initiative of President Alpha Oumar Konare of the Republic of Mali, issued a message to the UN Conference on Illicit Trade in Small Arms and Light Weapons in All Its Aspects. In that Message, African leaders, *inter alia*, reiterated their deep concern about the persistent and devastating effects of the illicit proliferation, circulation and trafficking of small arms and light weapons. In view of the foregoing, the Heads of State and Government reaffirmed their commitment to the African Common Position. They welcomed the convening of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons and urged the Conference to take into consideration the African Common Position. They appealed to the International Community to provide all the necessary financial and technical assistance for the implementation of the Bamako Declaration, with the effective participation of the African civil society organizations, particularly women and youth organizations, taking into account the various initiatives taken in the continent. Finally, they appealed for the establishment of a close and long term international partnership between the OAU, the UN and the International Community as a whole for the eradication of this phenomenon from Africa.

365. In pursuance of the aforementioned decision and message, the OAU took an active part, albeit as an observer, to the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which was held in New York from 9 to 20 July 2001. It is important to note that OAU Member States displayed a high degree of cohesion and were successful in including in the UN International Programme of Action adopted at the end of the meeting key elements of the Bamako Declaration. These include the establishment of national coordination bodies and institutional infrastructure for policy guidance, research and monitoring of all aspects of small arms and light weapons proliferation, control, circulation trafficking and reduction; the adoption of necessary legislation and other measures to establish as criminal offences the illegal manufacture, possession and trade of small arms and light weapons; the identification and destruction, where necessary, of surplus, obsolete and seized small arms and light weapons; and the development of action oriented research and public awareness programmes, working with civil society organizations to this end.

366. I wish to inform Council that, while OAU Member States were able to include these aspects in the final UN Programme of Action, they were unsuccessful in other key areas, notably the development of national action plans and programmes for, *inter alia*, the responsible

management of legally held weapons; the negotiation, on a voluntary basis, of arrangements among neighbouring countries for effective systems of small arms control; the codification and harmonization, at regional level, of legislation governing the manufacture, trade, brokering, possession and use of small arms and light weapons and ammunition; the restriction of the trade in small arms and light weapons to governments and authorized registered licensed traders only.

367. As part of the coalition building at the international level on the issue of small arms and light weapons, the General Secretariat took part, at the invitation of the Government of Japan, in the Tokyo Follow-up Meeting to the UN Conference, which was held from 23 to 25 January 2002. The objective of the meeting was to keep the momentum of the UN Conference and to give participants a first-hand opportunity to assess the outcome of the UN Conference and consider ways to vigorously implement the UN Programme of Action.

368. The Tokyo meeting provided the opportunity for an in-depth discussion on various issues pertaining to small arms and light weapons, including the assessment of the UN Conference and the implementation of the UN Programme of Action; exports to non-state actors; international assistance and cooperation; and cooperation between governmental and non-governmental sectors. Participants stressed the need to keep up the momentum of the UN Conference and to take initiatives at all levels to implement the UN Programme of Action.

369. I wish to inform Council that preparations are under way for the convening in Pretoria, South Africa, of an *African Conference on the Implementation of the UN Programme of Action on Small Arms: Needs and Partnerships*. This conference is jointly organized by the Governments of South Africa, Mali, Kenya, Canada, Austria, the United Kingdom, Norway, the Netherlands, and Switzerland, with the sponsorship of Canada, the United Kingdom, Austria, the Netherlands, Norway and Switzerland, and the secretarial assistance of the non-governmental organization SaferAfrica of South Africa. The objective of the conference is "to recap on the commitments in the UN Conference Programme of Action and those compatible elements of the Bamako Declaration, and to examine how national, regional and international implementation processes can be supported by OECD and African countries."

370. On its part, pursuant to the decision adopted by the OAU Policy Organs in Lusaka, Zambia, the OAU Secretariat will continue with its efforts, with particular emphasis on the implementation of the Bamako Declaration and the UN Programme of Action. In this respect, the

Secretariat has undertaken consultations aimed at the preparations for an OAU *Expert Meeting on Small Arms and Light Weapons: Towards the Implementation of the Bamako Declaration and the UN Programme of Action*. Consultations are under way to secure funding for the convening of the meeting soon.

5. Situation of Refugees, Displaced Persons and Humanitarian Affairs

371. At its Seventy-fourth Session, Council examined the situation of refugees and displaced persons in Africa, and expressed its concern at this situation which it considered as disturbing. Council also expressed its profound gratitude to asylum countries for their hospitality and generosity, while appealing to the international community to alleviate the heavy burden on these countries by stepping up its assistance to the refugees.

372. Council furthermore, called on refugees countries of origin and asylum countries to join hands with the OAU and the HCR to promote repatriation of refugees in accordance with the provisions of the pertinent international legal instruments. It appealed to Member States and other concerned parties to take appropriate measures concerning the security of refugees and that of the staff of humanitarian agencies.

373. Lastly, Council requested the General Secretariat and the OAU Refugees Commission to continue to lend support to all actions initiated at regional and sub regional levels to find lasting solutions to the problem of refugees, returnees and displaced persons; and to carry on with the consultations with the HCR and the UN with a view to ensuring the repatriation of refugees to their countries of origin whenever the conditions are conducive, particularly the creation of safe havens.

374. I would like to inform Council that whereas, generally, the situation of refugees and displaced persons in Africa remains disturbing and extremely precarious as a result of the various on going armed conflicts, rays of hope have appeared in some countries following the peace processes that have been set in motion in those countries, which have generated spontaneous and/or organised repatriations. A case in point is the Great Lakes Region, particularly in Rwanda where the repatriation process organised by the country of origin and asylum countries in collaboration with the HCR, got under way and has continued to proceed under proper conditions. Similarly, in Burundi, the signing of the Arusha Peace Agreement and National Reconciliation Agreement containing a crucial humanitarian component, has opened up positive vistas for a lasting settlement of

the issue of Burundi refugees. In this regard, Tanzania which hosts the largest number of Burundi refugees population and Burundi itself, have been making commendable efforts to effect the safe and prompt repatriation of refugees. In Rwanda, like in some other countries, a Tripartite Commission which includes the HCR has been set up to plan and supervise the repatriation exercise. The Rwanda – Tanzania – HCR and the Burundi–Tanzania – HCR Tripartite Commissions met in January 2002. It is however worth mentioning that the absence of a ceasefire agreement between the rebels and the Burundi government and consequently, the persistence of violence in the country, have posed a major obstacle to the return of the refugees.

375. As indicated in the relevant report of the General Secretariat to the 74th Ordinary Session of Council, a timid return movement was observed in the Democratic Republic of Congo; but this movement could gain the desired momentum only if a speedy and lasting solution is found to the conflict situation in that country. I would like, in this context, to inform Council that the recurrent crisis afflicting the Central African Republic have generated a large-scale forced movement of people particularly toward to the Republic of Congo – Brazzaville and the Democratic Republic of Congo – Kinshasa. However, the situation in CAR has improved, thanks to the combined intervention of African Countries, and this has tremendously reduced the exodus, and has even facilitated return movement.

376. Encouraging signs could also be observed in the Eastern and Western regions of the continent. For instance, spontaneous or organised repatriations have been noted in Ethiopia and Eritrea as a result of the positive developments in the crisis between the two countries. Similarly, the relative calm prevailing in the Northern part of Somalia explains the mass refugee repatriation in this part of the country.

377. Council will recall that in its report mentioned above, Secretariat had drawn its attention to the persistent political crisis and the conflicts in the Mano River Basin which, in the short term, dashed hopes for a lasting solution to the tragic situation of refugees and displaced persons. I am pleased to now inform Council that since its 74th Session, significant progress had been made in some parts of this sub-region. The positive developments in the Sierra Leonean peace process, especially the successful disarmament of the rebel forces have created conditions of relative security conducive to the return of refugees and displaced persons to their homes. The new impetus generated in Sierra Leone should be sustained with vigour so as to ensure voluntary and definitive repatriation of the refugees and the return of displaced persons to their homes under optimal conditions of security.

378. In sum, I would like to stress that the rays of hope seen here and there with respect to the situation of refugees and displaced persons in Africa should not obscure the reality, a reality whereby Africa is perceived as the continent with the largest number of refugees who, besides, live in particularly precarious conditions. Furthermore, the presence, in the midst of refugees, of armed elements who perpetrate a climate of violence, constitute another cause for grave concern. I wish therefore to appeal, once again, to all Member States and to the International Community to provide meaningful assistance to the affected persons as well as to the asylum countries which also bore a heavy burden, to enable them to join in the quest for lasting solutions to the problem of forced displacement of persons in Africa. To this end, permit me to stress the imperative need to devote greater attention to displaced persons in Africa who do not enjoy adequate and well-organized assistance from the international community.

379. I also wish to inform Council that as part of implementation of Council decisions, the OAU Commission on Refugees has initiated a series of actions, specifically visits to some countries affected by the problem of refugees and/or displaced persons. For instance, the Commission fielded missions in January 2002 to the following countries: Burundi, Tanzania, The Sudan, Central African Republic and Angola. The Commission also participated in the Ministerial meeting jointly organised by the HCR and the Swiss Government in December 2001, on the occasion of the fiftieth Anniversary of the United Nations 1951 Convention on the Status of Refugees. The Commission also participated in the informal consultations on the problems of African refugees convened at the initiative of the HCR.

380. Lastly, I would like to draw Council's attention to the tragic humanitarian situation in our continent, caused within months, by cycles of natural disasters. One after the other, Algeria, Democratic Republic of Congo, Mauritius, Senegal, Mauritania, Nigeria have been afflicted by natural disasters with unprecedented dramatic impact. On each occasion, I did solicit Member States to give assistance to the affected countries, while the OAU made its modest contribution in support of the efforts deployed by the concerned Governments. However, beyond our concerted actions, it has become even more imperative to create an appropriate mechanism to manage such situations. To this end, I have initiated contacts with some partners, particularly the UN Coordination Office of Humanitarian Affairs (OCHA) to study the possibility of establishing this mechanism. Council will be informed, in due course, of the progress made in our efforts in this direction.

6. Palestine and the Middle East

381. The OAU has over the years maintained the Question of Palestine and the Situation in the Middle East as permanent items on the agenda of the Council of Ministers and the Assembly of Heads of State and Government. It has also continued to extend its consistent support and solidarity for the people of Palestine, under the Leadership of the PLO. Although there has been no perceptible improvement in efforts leading to a lasting solution of the Palestinian question, the OAU has nonetheless been supportive and relentlessly subscribed to the various initiatives, both by the sponsors of the peace process, namely: the USA and the Russian Federation and the Arab Leaders in the Region as well as other fora around the world, for the attainment of the legitimate and inalienable rights of the Palestinian people and the sustenance of peace and security in Palestine and the Middle East. The OAU has equally supported all UN resolutions and peace efforts at the level of the international community, aimed at bringing lasting peace to the Region.

382. However, progress in the peace process on the Question of Palestine and the Situation in the Middle East has been beset by a series of problems and setbacks and has remained the most intractable issue in the Region. During the past fifteen months since the Haram-Al-Sharif incident, in Jerusalem, the cycle of violence has continued unabated and the occupied Palestinian territories have been subjected to an unprecedented wave of Israeli attacks resulting in the deaths of hundreds and injuries to thousands of Palestinian demonstrators. Other retaliatory measures taken by the Israeli forces against Palestinian demonstrators include the destruction and bulldozing of land and property; suspension of revenue earning activities, through the debarment of Palestinian workers from employment in Israel and the blockade of towns and villages in the occupied territories; the bombardment of Palestinian civilian positions and the targeted assassination of leading Palestinian officials. These have generally been considered as an excessive use of force.

383. In spite of that, the OAU, the UN Security Council and the international community have continued to condemn the escalating violence and called for the exercise of restraint by all parties in order to stop the cycle of violence, avoid the unwarranted loss of lives and prepare the way for the resumption of the peace negotiations. Equally so, in spite of the fact that the numerous peace initiatives undertaken at various stages, by the Arab leaders of the region and the United Nations, in order to facilitate the peace efforts have not yet yielded the desired results, further efforts have been deployed at various fora so as to prevail upon the parties to return to the negotiating table.

384. At the level of the OAU, Decision CM/Dec.600 (LXXIV) adopted by the 74th Session of the Council of Ministers in Lusaka, Zambia, in July 2001, had *inter-alia* reaffirmed the position of the OAU and called for joint action in collaboration with the League of Arab States, the OIC and NAM, in order to further sensitize the Palestinian Question at the level of the United Nations, as well as undertake a series of missions to the capital cities of members of the Security Council, in pursuance of peace initiatives that will pave the way and facilitate the return of the parties to peace negotiations.

385. However, recent developments in the Region and the continued escalation of violence, resulting in the deaths of innocent civilians from suicide bombings in the towns of Tel-Aviv, Jerusalem and Haifa and the assassination of the Israeli Minister of Tourism by Palestinian extremist groups on the one hand and the continued Israeli bombardments of Palestinian villages and towns, targeted assassinations of Palestinian leaders, the re-occupation of Palestinian territories and the attacks on the PLO Leader's heliport, occasioning in the destruction of helicopters and property and the injury of Palestinians, on the other, had deterred those initiatives. That state of affairs clearly demonstrates that unless diplomatic initiatives were intensified, there will be the risk of a further escalation of the cycle of violence and a serious threat to peace and security in the Region.

386. At the level of the League of Arab States, an Extraordinary meeting of the Council of Ministers was held on 20 December 2001 in Cairo, Egypt, upon the request of the Palestinian National Authority. The meeting was devoted to the worsening situation in the occupied territories, the escalation of the cycle of violence and the intensity of Israeli aggression against the Palestinian people. In their Final Declaration, the Ministers, amongst other things, reiterated support for the struggle of the Palestinian people; condemned the decision of the Government of Israel to suspend contacts with the Palestinian National Authority and appealed to the Security Council, the USA and EU to seek a just and equitable solution to the problems of the region.

387. It is in that respect that the OAU also welcomes the appeal by Chairman Yasser Arafat to all Palestinian groups to end the cycle of violence, the call for the arrest of persons implicated in the assassination of the Israeli Minister of Tourism and his declared readiness to return to the negotiating table. It was hoped that these courageous measures by President Arafat would be reciprocated by the Government of Israel through the withdrawal of its forces from Palestinian territories and avoidance of confrontation with Palestinian demonstrators. However, the recent developments have shown that the Government of Israel has not only reoccupied additional

Palestinian territories, but has continued in the excessive use of force and destruction of Palestinian houses and properties under the pretext of retaliating against terrorist acts carried out by Palestinian extremists in the Israeli territories. Additionally, the shuttle diplomacy in the region by US Envoy General Anthony Zinni and the EU Delegation has been seen as a positive move which was expected to improve the situation, ease the prevalent tension as well as reduce attacks and the violence all round in the Region.

388. It is therefore the hope of the OAU that in spite of the renewed tension created by the capture on 3 January 2002 of the Palestinian-Iranian freighter laden with 50 tons of weapons, including 2.200 Kg of TNT and explosives in the Red Sea allegedly destined for the Palestinian National Authority, the ongoing peace initiatives will be sustained. This will hopefully create the necessary conditions for the eventual stoppage of the violence and facilitate a return to peace negotiations, leading to an equitable and lasting solution to the problem.

389. Moreover, in the spirit of compromise and tolerance, the Secretary-General issued a statement on 31 December 2001, which, amongst other things, expressed concern on the breakdown in the peace process between the Palestinian National Authority and the State of Israel, as well as the continued escalation of violence in the region. The statement called upon the parties to exercise maximum restraint and to prevail upon their supporters to stop the cycle of violence and endeavour to adhere to all the relevant UN Security Council resolutions on Palestine and the Middle East. It also called for respect of international agreements reached in the pursuit of lasting peace for the region and a return to the negotiating table in order to continue the search for a mutually acceptable solution to the problems and thus ensure peace and security.

390. In spite of the numerous appeals for restraint by the International Community, Israel continued to deploy, in a disproportionate manner, military forces to guard the West Bank and Gaza and reacted very violently in retaliation to suicide attacks perpetrated by extremist Palestinian groups against civilians and Israeli settlers. Those retaliatory attacks resulted in the loss of many lives, the destruction of houses and properties of individuals, public buildings and social infrastructures in the occupied territories. Since three months, Israel has imposed a siege on President Yasser Arafat who has no freedom of movement beyond his Ramallah Offices, guarded by Israeli tanks, a few meters from those Offices. That state of affairs became unbearable and in spite of all the interventions of world personalities the siege was maintained. That did not at all encourage the resumption of the Israeli-Palestinian negotiation

process. Pressure should be exerted to loosen the noose imposed on President Yasser Arafat in order to create the necessary conditions for resumption of the dialogue between the two Parties.

391. The OAU continues to join in the efforts of the International Community to bring the parties concerned back to the negotiating table in order to find a fair and lasting solution to the Palestinian problem based on observance of the law and international legality so as to guarantee the fulfillment of the legitimate aspirations of the Palestinian people to self-determination and the establishment of their independent State in Palestine with Jerusalem as its capital.

7. Terrorism

392. The OAU has for long recognized that Terrorism poses a real threat to peace and security in the world. It therefore deployed consistent efforts to combat this scourge of international terrorism as evidenced by the series of measures taken by the Assembly of Heads of State and Government in Dakar, Senegal, when Resolution AHG/Res. 213 (XXVIII) was adopted to enhance co-operation and coordination among African States so as to better fight the phenomenon of extremism. This was followed in June 1994, in Tunis, Tunisia, by the adoption of the Declaration on the Code of Conduct for Inter-African Relations (AHG/Decl.2 (XXX)); and subsequently, AHG/Dec. 132 (XXXV) in July 1999, in Algiers, Algeria, adopting the OAU Convention on the Prevention and Combating of Terrorism.

393. However, the 11 September terrorist attacks against the USA brought to the forefront the inherent dangers posed by terrorism to the whole of mankind and triggered wide-spread reactions aimed at ensuring an effective response to this scourge. At the level of the OAU, these acts were strongly condemned and sentiments of solidarity expressed with the government and people of the USA. On their part, African countries, collectively supported UN Security Council Resolutions 1368(2001) and 1373(2001) adopted on 12 September and 28 September 2001 respectively. They also subscribed to the condemnation by the UN General Assembly, of the terrorist attacks of 11 September 2001. Moreover, the OAU expressed full support for the various measures proposed by the League of Arab States, which convened an Extraordinary Session on 13 September 2001 to condemn the attacks by the European Union which also, at an Extraordinary Session of the European Council held on 21 September 2001 expressed solidarity with the American people. The Extraordinary Session of the Ministers of Foreign Affairs of the Organization of the Islamic Conference which met in Doha, Qatar, on 10 October 2001 also condemned the attacks.

394. In order to further underscore the concern and importance attached by Africa to the fight against extremism, on 17th October 2001, an African Summit was convened upon the initiative of President Abdoulaye Wade of Senegal, which brought together 27 countries in Dakar. The Summit adopted the Dakar Declaration against Terrorism, which inter-alia, expressed solidarity with the USA and called upon all African countries to ratify the OAU Convention as a matter of urgency and similar UN instruments and to take legal, diplomatic, financial and other measures to fight against terrorism at the national, sub-regional, regional and international levels.

395. As a follow-up to these measures against terrorism and upon the request of the Republic of The Sudan, the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution held its 5th Extraordinary Ministerial Session on 11 November 2001, in New York, USA, on the margins of the 56th Session of the General Assembly of the United Nations. The Session was convened to deliberate on the problem of terrorism and consider ways and means through which Africa could further contribute to the efforts by the international community to combat the scourge, in the light of the 11 September 2001 terrorist attacks against the USA, as well as serve as a forum for the harmonization of a collective African position on Terrorism.

396. At the end of its deliberations, the Central Organ, issued a Communiqué, which amongst other things reiterated the unequivocal condemnation by the OAU, of the 11 September 2001 terrorist attacks against the USA and its solidarity and that of the African people with the Government and people of the USA, as well as total rejection of terrorism, which to all intents and purposes was a negation of the teachings of the revealed religions and human values.

397. The Central Organ stressed that terrorism as a universal phenomenon unassociated with any particular religion, culture or race, constituted a serious violation of human rights, in particular, the rights to physical integrity, life, freedom and security; posed a threat to the stability and security of States; and impeded their socio-economic development; and that terrorism cannot be justified under any circumstances and, consequently, should be combated in all its forms and manifestations, including those in which States were involved directly or indirectly, without regard to its origin, causes and objectives.

398. The Central Organ also recognized the relevance of the OAU Convention on the Prevention and Combating of Terrorism, which constituted an adequate framework for collective African reaction against terrorism, as part of the efforts by the international community. In that regard, it urged Member States which had not yet

done so, to sign and ratify the Convention so as to ensure its early entry into force, as well as other International Conventions and Protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999, and called upon all States parties to these instruments to fully and effectively implement their provisions.

399. In that regard, the Central Organ welcomed the adoption of resolution 1373(2001) by the UN Security Council on 28 October 2001 and the Declaration Against Terrorism adopted by the African Summit held in Dakar on 17 October 2001 including the proposal to prepare a Draft Additional Protocol to the OAU Convention on Terrorism in conformity with the provisions of Article 21 of the said Convention.

400. The full text of the Communiqué was transmitted to the UN Security Council as Africa's common position on the fight against terrorism and widely disseminated.

401. The General Secretariat intends to follow closely developments related to the international efforts to prevent and combat terrorism and will take all appropriate initiatives towards ensuring early entry into force of the OAU Convention on terrorism and its effective implementation as well as implementation of other relevant international Conventions.

8. The draft OAU Convention on Combating Corruption

402. Council will recall that the 34th Ordinary Session of the Assembly of Heads of State and Government held in Ouagadougou, Burkina Faso from 8 to 10 June 1998, adopted Decision AHG/Dec. 126 (XXXIV) in which the Assembly took note of the Report of the African Commission on Human and Peoples' Rights. The decision requested the Secretary General to convene, in cooperation with the African Commission on Human and Peoples' Rights, a high level meeting of experts from all Member States to consider ways and means of removing obstacles to the enjoyment of economic, social and cultural rights including the fight against corruption and impunity, and to propose appropriate legislative and other measures.

403. I would like to inform Council that pursuant to this decision, a Meeting of Experts and Diplomats was held in Addis Ababa, Ethiopia from 26 to 29 November 2001, to consider the "Study on Corruption in Africa: legal, Political, Economic and other Implications" as well as the Draft OAU Convention on Combating Corruption. The meeting was attended by representatives from 42 Member States. The representatives of the African Commission on Human and Peoples'

Rights, the Economic Community of Central African States (ECCAS) and OATUU also participated in the meeting. Also in attendance were a number of observers and invited guests from International Organizations including UNECA, ADB, UNDP, the World Bank, SAHRIT, UNESCO, WHO, ANNPCAN, ICRC, IOM, OIF, ILRI and Transparency International.

404. At the opening of the meeting, I made a statement in which I described corruption as one of the major scourges undermining Africa. I underscored the devastating effects of corruption on the fragile economies of African States as well as on the social and economic development of the Continent. I indicated that corruption eroded the confidence of the people in public institutions and contributed to the violation of human rights and the escalation of conflicts on the Continent.

405. The meeting considered that an appropriate continental framework was required to deal with the scourge of corruption and consequently proposed the draft OAU Convention on Combating Corruption. The draft Convention contains provisions relating, *inter-alia*, to the actions required to fight corruption in the public and private sectors, the role of civil society, confiscation and seizure of the proceeds and instrumentalities of corruption, mutual legal assistance, international cooperation, relationships with other agreements as well as a follow-up mechanism.

406. It is envisaged that, subsequent to the experts' meeting, a Ministerial meeting will be convened at the appropriate time to consider the Draft Convention prior to its submission to the 76th Ordinary Session of the Council of Ministers for consideration and approval.

Conclusion

- i) The building of the African Union is an achievable endeavour. It is within the reach of Africans because Africa abounds with all kinds of resources for the attainment of this objective. At this present stage of the transition process one can say, without any exaggeration, that the Secretariat, in close collaboration with Representatives of Member States and Government Experts, has just cleared the first hurdle towards the launching of the African Union during the forthcoming OAU Summit to be held in South Africa. This highly commendable effort no doubt constitutes a guarantee of success when viewed against the ground that remains to be covered before Pretoria.

Consequently, I would like to call on the Secretariat to remain mobilized and to foster greater cooperation with Member States.

- ii) The Secretariat, while working relentlessly towards the attainment of the Lusaka objectives, has not lost sight of the diverse problems bedevilling our Continent. Admittedly, the simultaneous realization of these objectives is an operation which is relatively complex but not impossible to achieve. I am therefore confident that the Pretoria Summit will produce the positive results expected. The African Union which is the most pressing challenge facing our Continent in this new millennium is the hope of all African peoples. No effort should therefore be spared to enable it to live up to the expectations of all Africans. For my part, I am firmly convinced that Africa, which has rid itself of all complexes and prejudices linked to its past, and which is united and persevering in its efforts, is capable of overcoming all obstacles on the path to its economic and social integration.