

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

---

Addis Ababa, Ethiopia, P.O.Box: 3243 Tel.: (251-11) 5513 822 Fax: (251-11) 5519 321  
Email: [situationroom@africa-union.org](mailto:situationroom@africa-union.org)

---

PEACE AND SECURITY COUNCIL  
442<sup>TH</sup> MEETING  
17 JUNE 2014  
ADDIS ABABA, ETHIOPIA

PSC/AHG/4.(CDXVI)

**FINAL REPORT OF THE AFRICAN UNION HIGH-LEVEL PANEL FOR EGYPT**

**FINAL REPORT OF THE AFRICAN UNION HIGH-LEVEL PANEL FOR EGYPT****I. INTRODUCTION**

1. Council would recall that, at its 416<sup>th</sup> meeting, held at the level of Heads of States and Government, on 29 January 2014, the African Union (AU) High-Level Panel for Egypt (AUHPE) submitted a progress report on the situation in Egypt [PSC/AHG/4.(CDXVI)]. On its part, Council, having considered the report, adopted communiqué PSC/AHG/COMM.3(CDXVI). In that communiqué, Council, *inter alia*:
  - (i) reiterated AU's commitment, in line with its duty and responsibility towards all its Member States, to assist Egypt in overcoming the challenges confronting it in the spirit of Pan-Africanism and the search for African solutions to African problems;
  - (ii) noted the steps taken by the interim authorities in the implementation of the Roadmap for the transition that they outlined on 3 July 2013, notably the adoption of a new Constitution, through a referendum held on 14 and 15 January 2014, and the decision to hold presidential elections, to be followed by legislative elections, within a period of 60 days, as well as the other developments that had taken place in the country over the previous few months ;
  - (iii) urged the interim authorities to ensure the broadest possible participation in the forthcoming elections and their holding in the required conditions of freedom, fairness and transparency, in line with the relevant AU instruments, notably the African Charter on Democracy, Elections and Governance. In this respect, Council requested the Commission to engage the interim Egyptian authorities on how best the AU could monitor and observe the electoral process on the basis of the applicable AU instruments, including the dispatching of long and short term observer missions;
  - (iv) expressed its readiness, in line with the relevant AU instruments, to take the required decisions in this respect, on the basis of a report to be submitted to Council by the High-Level Panel;
  - (v) reiterated AU's conviction on the need for reconciliation among all Egyptian stakeholders to address, in a sustainable manner, the multidimensional challenges facing their country and their underlying causes. In this respect, Council reiterated its appeal to all Egyptian stakeholders to reject violence, as well as its strong condemnation of all acts of terrorism, which cannot be justified under any circumstances. Council also stressed the imperative of respect for human rights and the rule of law, in line with the relevant AU instruments;

- (vi) expressed its full support to the AUHPE, requested it to actively pursue the implementation of its mandate, and looked forward to the continuation of Egypt's cooperation to enable the Panel to undertake, as it deems necessary, further assessment and consultation missions to Egypt to monitor progress towards the restoration of constitutional order and to report accordingly to Council; and
- (vii) requested the High-Level Panel to prepare and submit to it, in due course, a final report on the implementation of its mandate, including a comprehensive assessment of the situation, the efforts undertaken by the AU and the challenges encountered, as well as recommendations on how best the AU can enhance the effectiveness of its response to similar situations in the future.

2. This final report provides a summary of the political and other related developments that took place in Egypt since the January 2011 Revolution, covers the activities undertaken by the Panel since its establishment, notably its interactions with the Egyptian and international stakeholders. The report concludes with observations on the evolution of the situation and Panel's interactions, as well as with recommendations on the way forward.

## **II. BACKGROUND**

3. On 25 January 2011, Egyptians staged mass demonstrations in the streets of Cairo and other cities of the country, calling for "bread, freedom and justice," as well as the end of President Hosni Mubarak's regime. The date was chosen to coincide with the National Police Day to protest against police brutality. Confrontation in the streets between the security forces and the demonstrators escalated and, on 28 January 2011, Martial law was declared and a curfew was imposed. The Government responded by shutting down Internet, mobile phone connections and blocking Internet social networks. On 11 February 2011, President Hosni Mubarak was finally forced to resign, handing over power to the Supreme Council of the Armed Forces (SCAF), headed by Field Marshal Hussein Tantawi. The SCAF ruled Egypt until 30 June 2012, when it handed over power to Mr. Mohamed Morsi, who had won the presidential election under the banner of the Freedom and Justice Party (FJP), founded by the Muslim Brotherhood movement.

4. During the course of the 2011 Revolution, a number of measures were taken, as per the Constitutional Declaration issued by the SCAF in March 2011. For example, the 1976 Constitution was partially amended following a referendum held on 18 March 2011, which eased the conditions of eligibility for presidential elections, among other things. The state of emergency was partially lifted in late January 2012. This emergency law had been in effect for three decades. Also, preparations commenced for the holding of legislative and presidential elections after the dissolution of Parliament and the suspension of the Constitution. The FJP and Al-Nour Party, a more conservative religiously inspired party, took command of both the Lower (People's Council) and Upper

(House of Representatives) Houses of the country's new Parliament, having won a majority of seats in both chambers.

5. On 23 and 24 May 2012, Egyptians went to the polls to elect a President among 13 hopefuls. As none of the candidates obtained the absolute majority, a second round was organized on 17 June 2012 between former Air Marshall Ahmed Shafiq, the last Prime Minister of the ousted President Hosni Mubarak, and Mohamed Morsi, the candidate of the FJP. To some people, none of the two candidates was an appropriate choice given the political context in Egypt, seeing both as 'divisive'. A majority of Egyptians – from all political persuasions – thought that a Shafiq win would mean a return to the old regime and thus defeat the cause of the Revolution. To others, particularly the significant Coptic (Christian) minority and some Muslim intellectuals, a Morsi win would constitute a threat to their religious freedoms or lifestyles, based on what they perceived about some of the stances of the Muslim Brotherhood movement.

6. A few days before the run-off election, the SCAF decided to dissolve the Lower House of Parliament in a Supplementary Constitutional Declaration (SCD), on the basis of a ruling by the Supreme Constitutional Court (SCC) according to which it was unconstitutional to allow political parties to field candidates for seats that were designated for independent candidates in the election of members of this house of Parliament. As the FJP dominated the dissolved Parliament, it appeared as if the SCAF has taken this decision in anticipation of Morsi's widely expected victory in order to keep him under their control.

7. Indeed, following this decision, the SCAF issued a Constitutional Declaration reclaiming legislative power pending the election of a new Parliament, thereby effectively securing a veto over the drafting of a new Constitution, and maintaining exclusive authority over all decisions regarding the activities of the armed forces. With a Committee already set up to draft a new Constitution, but dominated by the FJP and Al-Nour party elements, based on their dominance of Parliament, the SCAF granted itself the prerogative to set up a new Constitution Drafting Committee should the first one 'fail' to produce a Constitution in a timely manner or faced a deadlock. Moreover, the SCAF gave itself the power (shared with the elected President and the SCC) to veto any proposed clauses of the draft Constitution that would not be to its liking, in addition to its absolute authority on all matters related to the Army, including its leadership, budget and internal structures.

8. In the end, however, after a very competitive election, the FJP candidate, Mr. Mohamed Morsi, was declared winner by the Supreme Presidential Electoral Commission, with 51.73% of the votes, ahead of former Air Marshall Ahmed Shafiq who obtained 48.24% of the votes, thereby becoming the first civilian and the first popularly elected President in Egypt's history. The turnout was 51% of eligible voters. The new President officially assumed office on 30 June 2012. But with all the powers that the SCAF

had given itself, the elected President was on a collision course with the still powerful SCAF, especially as his supporters were demanding 'real power' for their elected leader.

9. On 8 July 2012, President Morsi issued a Presidential Decree overturning the decision of the SCAF on the dissolution of the People's Council, calling the latter to reconvene. However, a ruling by the SCC, on 10 July 2012, overturned the Presidential Decree, calling for respect of its earlier verdict. On his part, President Morsi issued a statement on the following day committing himself to respecting the verdict of the SCC, while also undertaking to initiate dialogue with all the concerned State institutions in order to find a way out of the crisis. On 12 August 2012, President Morsi forced the retirement of the powerful Defense Minister and Head of SCAF, Field Marshal Mohamed Hussein Tantawi; the Army Chief of Staff, Sami Anan; and several senior Generals. He also revoked the SCD, which had been issued by the SCAF, in June 2012, and momentarily transferred the powers that the Generals had assumed to the presidency, including legislative authority, although he soon transferred this to the Upper House of Parliament after popular outcry and criticism. The Upper House of Parliament, although threatened by dissolution, was still in place.

10. Moreover, in a Constitutional Declaration (CD) he made on 22 November 2012, President Morsi ordered the removal of Public Prosecutor Abdel-Meguid Mahmoud from office, on the basis of allegations of links with the former regime; called for the re-investigation of alleged perpetrators of the violence committed against demonstrators during the 18-day protests that forced Hosni Mubarak from power, and who had been acquitted; extended the tenure of the 100-member Committee tasked with the drafting of the Constitution by eight weeks to enable it finalise its work; and immunised the Committee against any threat of dissolution in view of the many court cases that were hanging over it. The President justified his action by saying that it was aimed at protecting the Revolution and ensuring justice for its victims. However, his opponents protested against the decision, perceiving in it an attempt to shield the President against democratic oversight. This led to a growing discord among the different political groups and to violence, which resulted in fatalities and injuries.

11. The Committee hastened to complete the drafting of the Constitution, without opposition members who had boycotted it on the ground that they were marginalised by the two dominant parties, the ruling FJP and its ally Al-Nur Party. Critics also urged that the draft was full of ambiguities and loopholes that could have been easily abused. Buying into their assumption that the swift adoption of the new Constitution would diffuse the tensions, and taking advantage of a legal provision in the 2011 Constitutional Declaration made by the SCAF that the new Constitution must be put to a referendum two weeks after its completion, President Morsi, on 1<sup>st</sup> December, they called for a referendum on 15 December 2012. However, instead of calming down tensions, this announcement led to more protests against not only the Constitutional Declaration, but also the draft Constitution itself, as well as the referendum. The ensuing protest resulted in the death and injury of several people and the torching of the offices of the FJP and

the Muslim Brotherhood movement by opposition protesters in several cities across the country. Some close collaborators of President Morsi resigned over the crisis and the controversy created by the Constitutional Declaration, and the Justice Minister publicly voiced his concerns about the Declaration.

12. On 8 December 2012, on the basis of the recommendation of some 40 politicians and religious leaders, the President convened a national dialogue on the crisis. Following this meeting, President Morsi withdrew all the contested provisions of his Declaration of 22 November 2012, except the demand of some opposition parties to postpone the date of the constitutional referendum. On her part, the Chairperson of the AU Commission issued a press release on the same day (8 December), in which she called on all the Egyptian stakeholders to exercise utmost restraint and to work towards consensus building for the greater interest of the nation. She underscored the imperative of dialogue and AU's readiness to assist in such a process in whatever way would be deemed appropriate.

13. The referendum was finally held in two stages on 15 and 22 December 2012. Backing down on their earlier stance to boycott the referendum, opposition movements, assembled under the banner of the National Salvation Front (NSF), decided to participate in the referendum but campaigned for a "no" vote. However, despite the claim of some opposition figures that the vote was marred with irregularities, the Supreme Committee of Elections refuted these claims and announced the final results on 25 December 2012, declaring the Constitution adopted by some 63.8 per cent of the votes with a 32.9 per cent voter turnout. Shortly thereafter, President Morsi signed the Constitution into law. From this point, opposition protests were directed at the adopted Constitution, some calling for its immediate revision or even annulment. In a press release issued on 26 December 2012, the Chairperson of the AU Commission reiterated her previous calls on all the Egyptian stakeholders to engage in a constructive dialogue, with the required spirit of mutual respect and tolerance, to overcome the divisions that arose in the course of the elaboration of the Constitution and strengthen the democratic process in their country.

14. In late January 2013, large demonstrations, which had started over court sentences against football fans who were charged for fomenting violence during clashes between supporters of two football clubs, soon took political dimensions. On 28 January 2013, the President declared a state of emergency in the areas affected by the unrest. On the same day, he called for a national dialogue. But the opposition, including the NSF, refused to attend the meeting unless certain conditions were met. The opposition's conditions included a demand that President Morsi accepts responsibility for the recent bloodshed and agrees to form a Government of National Salvation. On 31 January 2013, the Al-Azhar institution assembled various figures from the opposition, the ruling party and the Coptic Church for national dialogue. On 1<sup>st</sup> February 2013, the Chairperson of the Commission issued a communiqué in which she expressed her encouragement for this meeting and the resolutions reached by the participants, particularly the commitment to

reject violence and protect public and private properties, as well as to engage in a national dialogue.

15. The above notwithstanding, confrontation between the Government and opposition forces, as collectively represented by the NSF, continued to paralyze effective governance in the country. With continued protests in Cairo in February 2013, some protesters explicitly called on the Army to intervene and take over power. On 28 April 2013, a youth movement called “Tamarood” (rebellion) started collecting signatures, with the objective of removing President Morsi by 30 June 2013, the anniversary of his coming to power. They called for demonstrations across Egypt, especially in front of the Presidential Palace in Cairo. The movement was supported by the NSF, April 6 Youth Movement, and the Strong Egypt Party. In the meantime, on 11 March 2013, the AU Panel of the Wise communicated to the Egyptian authorities its intention to undertake a mission to Egypt, as part of its support to Member States’ efforts to consolidate democracy and the rule of law. There was no response to the note.

16. On Friday 28 June 2013, protests against President Morsi started to build throughout Egypt, particularly in cities such as Cairo, Alexandria and Aswan, before the massive protests planned by Tamarod for 30 June 2013. Pro-Morsi supporters started counter demonstrations at the Rabia Al-Adawiya Mosque, in Cairo’s Nasr City. On 1 July 2013, and against the background of an escalating situation on the ground, General Abdul-Fatah Al-Sissi, then Defense Minister, issued an ultimatum to the Government and opposition to resolve their dispute; and indicated that, failure to do so would compel the military to intervene. This call further galvanised protesters and sealed the fate of the presidency of Mr. Morsi. On the same day, millions of anti-Morsi demonstrators gathered in Tahrir Square and outside the Presidential Palace. Other demonstrations were held in the cities of Alexandria, Port Said, and Suez. Tamarood gave President Mohammed Morsi until 2 July at 17:00 to resign or face a civil disobedience campaign. General Al-Sissi issued another statement, threatening to intervene in the political crisis if President Morsi and other politicians did not respond to popular protests and demands in 48 hours, noting that these demands included calls for the resignation of the President.

17. In the late evening of 2 July 2012, President Morsi addressed the nation in a televised speech and insisted that he was the legitimate leader of the country, and that any effort to remove him by force could plunge the nation into chaos. The following evening, General Al-Sissi declared the ousting of President Morsi and announced a ten-point Roadmap for restarting the transition to democratic rule. The Roadmap included the following steps aimed at bringing about “a strong and cohesive Egyptian society that excludes none of its members and trends and terminates the state of conflict and division”:

(a) the temporary suspension of the Constitution;

- (b) the taking of constitutional oath by the Chief Justice of the SCC, Mr. Adly Mansour, as interim President;
- (c) the holding of early presidential and new legislative elections;
- (d) the ruling through constitutional declarations by the interim President during the transitional period in lieu of the Constitution;
- (e) the formation of a strong and capable national Government of technocrats to manage the current period;
- (f) the formation of an inclusive and experienced Commission to revise and propose amendments to the 2012 Constitution;
- (g) the approval of the Draft Electoral Law and commencement of preparations for parliamentary elections;
- (h) the elaboration of a media Code of Ethics that provides for the freedom of the media and ensure impartiality and credibility; and
- (i) the formation of a broad-based and credible Commission for National Reconciliation.

18. While the millions of anti-Morsi supporters welcomed this action, others criticised the intervention of the army in the political crisis, and described it as a military coup, not only because of the way in which the President was removed, but also his replacement by the Chief Justice, which is not provided for in the Egyptian Constitution. General Al-Sissi remained the Defense Minister in the new Government.

19. On 14 August 2013, the interim Egyptian authorities decided to forcibly remove the Muslim Brotherhood supporters who had been protesting the removal of President Morsi for six weeks, through sit-in at the Rabaa Adawiyah and al-Nahda, in Cairo. The operation resulted in the death of hundreds of people and the injury and incarceration of thousands more. On the same day, in protest against actions taken by the authorities in the camps, interim Vice President Mohamed El Baradei resigned. The interim authorities declared a month-long state of emergency, which was subsequently extended by another two months, ending on 12 November 2013.

20. Meeting on the same day, Council, following a briefing by the AUHPE, adopted a press statement in which it noted with concern that despite the initiatives taken by the Egyptian actors and various members of the international community, the situation on the ground continued to be tense, necessitating, therefore, constructive dialogue between the parties, in order to ensure the long-term stability of Egypt, the cohesion of its people and its prosperity. Council strongly condemned the acts of violence that led to



the loss of numerous human lives in Cairo and elsewhere in Egypt on 14 August 2013, and urged all Egyptian stakeholders, in particular the interim authorities, to exercise utmost restraint. Council requested the Panel to undertake, as soon as possible, a new mission to Egypt.

21. On 24 November 2013, the Egyptian authorities passed a Protest Law which grants the Ministry of Interior wide discretionary powers over protests and lays out broad circumstances in which demonstrators can be found guilty of violating the law. The law also imposes blanket prohibitions on protests and public gatherings of a “political nature” in places of worship.

22. On 25 December 2013, and against the background of increasing terrorist attacks, including in the Sinai Peninsula and in Cairo, as well as attacks directed at churches, the authorities took a decision labelling the Muslim Brotherhood as a “terrorist organisation”, confiscating all its assets and declaring as criminal any association with it. Since January 2014, there have been a number of other attacks, targeting the police stations, university campuses and tourist sites. The Muslim Brotherhood has rejected the accusations levelled against it by the Government.

23. On 24 March 2014, a Court in Minya, south of Cairo, sentenced to death 529 members of the Muslim Brotherhood after two sessions in which the defendants’ lawyers reportedly complained they had no chance to present their case. However, the Grand Mufti of the country, to whom all death sentences are referred for final approval, commuted some of these sentences to life imprisonment. On 28 April 2014, the same Court sentenced to death 683 alleged supporters of the Muslim Brotherhood, including the Movement’s incarcerated spiritual leader. In a statement issued on 29 April 2014, the United Nations (UN) High Commissioner for Human Rights, Navi Pillay, condemned the imposition of the death penalty, arguing that “it is outrageous that for the second time in two months, the Sixth Chamber of the Criminal Court in Al-Minya has imposed the death sentence on huge groups of defendants after perfunctory trials”. The African Commission on Human and Peoples’ Rights also condemned the mass sentencing. Leaders of the April 6 Youth Movement were also been arrested and sentenced to prison terms. It should also be noted that some 20 Al-Jazeera journalists were put on trial in late February 2014, accused of supporting the Muslim Brotherhood through “manipulative reporting”, which the journalists deny.

24. On 14 and 15 January 2014, a constitutional referendum was organized. The process for amending the 2012 suspended Constitution started with a Committee of 10 legal experts, which completed its work on 20 August 2013. Subsequently, amendments were made by a Committee of 50, which was announced on 1<sup>st</sup> September 2013 and chaired by Mr. Amr Moussa, former Foreign Minister and former Secretary-General of the League of Arab States. The Constitution was adopted by 98.13%, with a turnout of 38.6%, a figure challenged by the Muslim Brotherhood, which called for boycott. The Constitution affirms political and partisan pluralism of the political system, which is based

on peaceful rotation and separation of powers and respect for human rights and freedoms. It affirms equality between women and men in all civil, political, economic, social, and cultural rights. It also upholds the dignity of citizens and guarantees freedom of the press. At the same time, the Constitution gives greater prerogatives to the Army. For example, it provides that: the Minister of Defense is appointed upon the approval of the SCAF for the next two presidential terms; the armed forces' budget should be incorporated as a single figure in the state budget; and that civilians can be tried by military courts for offenses against the military or military installations.

25. In late April 2014, Al-Sissi, who had now been promoted as Field Marshal, decided to resign from both Government and Army and announce his candidature for presidential elections. Soon after this, the Electoral Commission set the dates for the presidential elections for 25 and 26 May 2014. With only one challenger in the leader of the Popular Current Party, Hamdeen Sabahi, Field Marshal El-Sissi was declared the winner of the polls with 96,7% of the votes. Polling was extended into an unscheduled third day possibly due to significantly low voter turnout from the country's 54 million registered voters. The voter turnout was finally announced to have been 47.5% of the registered voters.

26. The AU dispatched an Election Observer Mission (AUEOM) to monitor the presidential election. In its preliminary statement, the mission concluded that the election was held in an environment which allowed willing voters to effectively participate in the process and exercise their right to vote, and conducted in a stable, peaceful and orderly environment. At the same time, the mission noted that the pre-election environment was largely impacted by the Protest Law which undermined freedom of expression and created limited space for opposition parties to voice their grievances due to fear of criminalization. On its part, the European Union Election Observation Mission noted in its report: "There was a general climate of limited freedom of expression, reportedly resulting also in self-censorship of journalists [...]. As an element of a transitional legal framework, the PEL [Presidential Election Law] offered an adequate basis for the conduct of the presidential election, although it fell short of full compliance with applicable international standards for democratic elections in some respects".

### **III. AU REACTION TO THE EVENTS OF 3 JULY 2013 AND ESTABLISHMENT OF THE AU HIGH-LEVEL PANEL FOR EGYPT**

27. At its 384<sup>th</sup> meeting held on 5 July 2013, Council considered the situation in Egypt. In the communiqué adopted at the end of its deliberations, Council recalled the relevant AU instruments on unconstitutional changes of Government, notably the Lomé Declaration of July 2000 and the African Charter on Democracy, Elections and Governance of January 2007, which provide for the automatic implementation of specific measures whenever an unconstitutional change of Government occurs, and reiterated AU's condemnation and rejection of any illegal seizure of power. Council stated that the

overthrow of the democratically-elected President, Mohamed Morsi, did not conform to the relevant provisions of the Egyptian Constitution and, therefore, fell under the definition of an unconstitutional change of Government, as provided for in the relevant AU instruments. Accordingly, Council decided to suspend the participation of Egypt in the AU's activities until the restoration of constitutional order.

28. Council called on all Egyptian stakeholders to embrace the spirit of dialogue and mutual accommodation and to refrain from any acts of violence and retribution. It encouraged them to persevere on the path of national reconciliation, in order to contribute to a smooth return to constitutional order. Council urged the new Egyptian authorities to engage, without delay, in inclusive consultations towards the adoption of a consensual timeframe for the organization of free, fair and transparent elections. Council emphasized the solidarity of the AU with the people of Egypt and its commitment to assist this process in whatever way possible and to support long-term efforts to address the structural problems facing Egypt. Council welcomed the plan of the Chairperson of the Commission to dispatch a team of high-level personalities to Egypt to interact with the ruling authorities and other Egyptian stakeholders. It appealed to AU partners, both bilateral and multilateral, to lend their full support to AU's efforts and to work towards a coordinated approach on the situation, including the mobilization of economic and financial support commensurate with the needs of Egypt and the challenges facing the country.

29. On 8 July 2013, the Chairperson of the Commission established the AU High-Level Panel for Egypt, consisting of Mr. Alpha Oumar Konaré, former President of the Republic of Mali and former Chairperson of the AU Commission, as the Chairperson of the Panel; Mr Festus Gontebanye Mogae, former President of the Republic of Botswana; and Mr Dileita Mohamed Dileita, former Prime Minister of the Republic of Djibouti. The Panel was mandated to: *“Interact with the ruling authorities and other Egyptian stakeholders to establish a constructive political dialogue aimed at national reconciliation, as well as to contribute to their efforts as they work towards a transition that would lead to an early return to constitutional order, preserve the gains of January-February 2011 Revolution and consolidate the democratic process in their country.”*

#### **IV. EGYPTIAN GOVERNMENT'S RESPONSE TO THE COMMUNIQUÉ OF THE PEACE AND SECURITY COUNCIL AND SUBSEQUENT RELATED DEVELOPMENTS**

30. In a note verbale to the Commission, dated 9 July 2013, the interim authorities of Egypt rejected the Council's communiqué, indicating that it was based on a wrong interpretation of the “popular revolution, which unfolded in Egypt on 30 of June 2013.” The authorities also rejected “the proposal to establish an international consultative forum” that the PSC had recommended.

31. Egypt also reacted to the press statement issued by Council at its 395<sup>th</sup> meeting held on 13 September 2013, following a briefing from the High-Level Panel after the visit

it undertook to Egypt from 27 August to 4 September 2013. In the press statement issued on that occasion, Council expressed its appreciation to the Egyptian authorities for facilitating the Panel's visit and its consultations with various Egyptian stakeholders. It also welcomed the steps taken by the High-Level Panel to interact with relevant international stakeholders. Council encouraged the Panel to pursue its efforts, while looking forward to a report on the implementation of its mandate. Council recalled its earlier communiqué and press statements on the situation in Egypt, stressing, in this respect, the need for all the parties to eschew all forms of violence and uphold the spirit of dialogue, inclusivity and national reconciliation.

32. Through a note verbale dated 23 September 2013, the Embassy of Egypt in Addis Ababa conveyed the interim authorities' concern about the AU's approach to the situation, despite its "keenness to engage the AU", as well as its "unreserved cooperation with the Panel". In particular, the interim authorities regretted that Council's communiqué of 13 September 2013 "ignored a number of basic facts, notably the progress made in implementing the consensual roadmap for the transitional period and failure to condemn the assassination attempt that targeted the Minister of Interior on 5 September 2013". Furthermore, the interim authorities reiterated their rejection of measures and actions to address the situation in Egypt beyond the African context, and their commitment to lay the foundation for a genuine representative democracy without the exclusion of any political actor, provided that all concerned reject violence. While looking forward to African support, the interim authorities stressed that Egypt's continued suspension from the AU's activities would negatively affect the Union, as well as the interest of the entire continent.

## **V. ACTIVITIES OF THE PANEL**

33. Following its establishment, the High-Level Panel held its inaugural meeting in Addis Ababa, on 16 July 2013. The meeting provided the Commission with the opportunity to brief the members of the High-Level Panel on their mandate and to discuss their work programme, including a visit to Egypt. The meeting also provided an opportunity to discuss the modalities of interaction with international partners, notably the League of Arab States, in order to facilitate a coordinated and effective support for an inclusive transition leading to a rapid return to constitutional order in Egypt.

34. The Panel intended to travel to Cairo from 17 to 25 July 2013, soon after its inaugural meeting. Accordingly, on 11 July 2013, the Commission sent a note verbale to the Embassy of Egypt in Addis Ababa, informing it of the envisaged visit. In a note verbale, dated 15 July 2013, the Embassy informed the Commission that "prior to the proposed visit of the Panel, the Government of Egypt would like to discuss all issues related to the mandate, aim and methods of work of that proposed Panel." Subsequently, on 22 July 2013, an Egyptian Presidential Envoy met with the Chairperson of the Commission, as well as with the Commissioner for Peace and Security, at the AU Commission, in Addis Ababa. In the meeting with the Chairperson, the Special Envoy

conveyed the position of Egypt's interim authorities and their displeasure about the decision of the PSC suspending Egypt from AU activities. The Envoy also sought clarifications about the terms of reference and the mandate of the High-Level Panel for Egypt. The Chairperson of the Commission provided answers to these questions. At the end of the meeting, the Chairperson and the Special Envoy agreed that the High-Level Panel would travel to Egypt to meet with Egyptian stakeholders and would, subsequently, brief the PSC on its mission. During a meeting with the Commissioner for Peace and Security, the Egyptian Special Envoy submitted the Government's "Roadmap for the Transitional Period," and discussed the arrangements and timetable for the visit of the High-Level Panel.

35. Since its establishment, the Panel has traveled three times to Egypt: from 27 July to 5 August, from 28 August to 5 September 2013, and from 5 to 10 April 2014, respectively. The second visit, in particular, took place in a context marked by the disappointment of the Egyptian interim authorities over the continued suspension of their country's participation in AU's activities, as they expected that the Panel would have recommended the lifting of the suspension after its first visit. In fact, the understanding of the Egyptian authorities, as conveyed by the Foreign Minister at the end of the Panel's first mission, was that the Panel would only visit once in order to gather the required information and report back to the PSC, to enable this organ to lift the suspension of Egypt.

36. In the course of its three visits, the Panel interacted with a wide range of Egyptian stakeholders, including interim President Adly Mansour, then Vice-President Mohammed El Baradei, former interim Prime Minister Hazem el-Beblawi, Interim Vice-Prime Minister and Defense Minister, General Abdel Fattah Al-Sissi, Minister of Foreign Affairs, Nabil Fahmy, Minister of Justice, Adel Abdel Hamed, and Minister of Transitional Justice and National Reconciliation, Amin El Mahdi. The Panel also met with the Tamarood Movement, the April 6 Movement, the National Council for Women, the National Human Rights Council, the Egyptian Council on Foreign Relations, as well as intellectuals, writers and prominent businessmen. In addition, the Panel met with President Mohamed Morsi during its first visit, and visited the al-Rabaa Adawiya neighbourhood in Cairo, then the venue of a large protest sit-in by the supporters of President Mohamed Morsi. The Panel also met with representatives of political parties, including those operating under the umbrella of the Wafd Party, a nationalist and liberal political party, the Al-Nour Party, as well as representatives of the Muslim Brotherhood and groupings and personalities associated with them. Furthermore, the Panel met with the Secretary-General of the League of Arab States, Nabil Elaraby. It conferred with African and European Ambassadors accredited to Egypt. It also met with high-level personalities, such as former Egyptian Foreign Minister and Secretary-General of the League of Arab States, Amr Moussa. During its third visit, the Panel conferred with the new interim Prime Minister Ibrahim Mahlab. In addition, the Panel also met with the Chairman of the National Electoral Commission; Field Marshall Al-Sissi, Mr. Hamdeen Sabahi, candidate for the May 2014 presidential election; as well as with representatives of political parties.

37. It should be noted that following its second visit, the Panel intended to take some follow-up steps. It is against this background that, on 20 September 2013, the Panel, through a Commission's note verbale to the Embassy of Egypt in Addis Ababa, requested that, as a follow-up to its earlier visits to Egypt, former Prime Minister Dileita visit Cairo to meet with the Grand Imam of Al-Azhar, the Patriarch of the Coptic Orthodox Church, as well as the Chairman of the National Human Rights Council. On 2 October 2013, the Egyptian authorities informed the Commission that "it will not be possible for the Government of Egypt to arrange such visits as requested," and proposed that "the aforementioned personalities be reached by phone."

38. Subsequently, on 14 October 2013, the Panel, through a Commission's note verbale, requested that, in a spirit of transparency and cooperation, its Chairperson be allowed to travel to Cairo in order to brief and update the interim authorities about the visits that the Panel had undertaken to the UAE, Chad, Qatar and Turkey. The visit was also meant to provide an opportunity for the Chairperson of the Panel to be updated by the authorities on the evolution of the situation in Egypt and the efforts being deployed in the ongoing transition. On 28 October 2013, the Embassy of Egypt sent a note verbale to the Commission, which, while reiterating Egypt's appreciation for the Panel's efforts, invited the later "to brief the Egyptian Embassy in Addis Ababa on its recent activities, and to obtain any further information it deems necessary for its envisaged report via correspondence" with the concerned Egyptian stakeholders.

39. As part of its mandate, the Panel also consulted with international stakeholders. From 9 to 12 September 2013, two members of the Panel, namely former President Festus G. Mogae and former Prime Minister Dileita Mohamed Dileita, visited the United Arab Emirates (UAE), where they consulted with Crown Prince Sheikh Mohammed bin Zayed Al Nahyan and Foreign Minister Sheikh Abdullah bin Zayed Al Nahyan. On his part, the Chairperson of the Panel visited Chad, from 15 to 17 September 2013, where he held consultations with President Idriss Deby Itno, in his capacity as Chair of the Community of the Sahelo-Saharan States (CEN-SAD). From 17 to 19 September 2013, he visited Qatar, where he held consultations with the Emir of Qatar, Hamad bin Khalifa Al Thani, and the State Minister for Foreign Affairs, Dr. Khalid Bin Mohammad Al Attiyah. From 5 to 9 October 2013, former President Konaré and former Prime Minister Dileita visited Turkey, where they held consultations with President Abdullah Gul, Prime Minister Recep Tayyip Erdoğan and Foreign Minister Ahmet Davutoglu. From 29 November to 2 December 2013, President Konaré visited Paris for consultations with the Secretary-General of *La Francophonie*, Abdou Diouf. On 27 January 2014, former President Festus Mogae and former Prime Minister Dileita met with President Yoweri Museveni of Uganda, in his capacity as Chairperson of the Common Market for Eastern and Southern Africa (COMESA). On 11 May 2014, former President Konaré visited Qatar, where he consulted with the Minister of Foreign Affairs, Khalid bin Mohammad Al Attiyah.

40. The Panel also intended to travel to Kuwait and Saudi Arabia for consultations with the relevant authorities in these countries. However, the Embassy of Kuwait in Addis Ababa informed the Commission that the date that was proposed was not suitable and recommended that the visit take place at a later date. On its part, the Embassy of Saudi Arabia, while expressing appreciation for the AU's efforts, stressed that what was happening in Egypt was an internal matter.

41. Efforts have also been made to interact with the European Union (EU). In a letter addressed to the EU High Representative for Foreign Affairs and Security Policy, on 17 August 2013, the AU Commission indicated that the Chairperson of the Panel was ready to travel to Brussels to meet with her and other EU officials, to exchange views and identify practical steps for an effective collaboration and coordination of efforts. In that letter, the Commission also sought EU's support for the AU's efforts and initiatives. There was no formal response to the letter, and no mission was undertaken to Brussels.

42. In addition to the interactions with the Egyptian and international stakeholders, the Panel undertook a number of other activities. From 12 to 14 August 2013, the Panel met in Addis Ababa to assess the outcomes of its first visit to Egypt and consultations with the various stakeholders, and, on this basis, agreed on the next steps in the discharge of its mandate. The Panel seized the opportunity to meet with the then AU Chairperson, Prime Minister Hailemariam Desalegn of Ethiopia and updated him on its activities. The Panel also met with the Deputy Chairperson of the Commission, Mr Erastus Mwencha, on behalf of the Chairperson of the Commission, Dr. Nkosazana Dlamini-Zuma and discussed the situation in Egypt and related AU efforts. On 14 August 2013, the High-Level Panel briefed Council on the evolving situation in Egypt.

43. On the eve of its second visit to Egypt, on 27 August 2013, the Panel met with the Chairperson of the Commission, in Addis Ababa. The objective was to provide her with an update on the activities it had undertaken and to exchange views on the visit it was about to undertake. From 26 to 28 November 2013, the Panel met in Addis Ababa to review the situation in Egypt and determine the additional steps to be taken in pursuit of its mandate. also had a meeting with the Chairperson of the Commission, as well as with the Commissioner for Peace and Security. From 16 to 17 January 2014, the Panel met again in Addis Ababa and reviewed the situation and the interim report it intended to submit to Council.

44. Upon the completion of its third visit, the Chairperson of the Panel, former President Konaré, met and briefed the Chairperson of the AU Commission, on 11 April 2014, about the outcome of the Panel's latest consultations. Furthermore, the Chairperson of the Panel visited Nouakchott on three occasions, to brief the current Chairperson of the Union, President Mohamed Ould Abdel Aziz of Mauritania on the activities of the Panel and exchange with him on the best way forward.

## **VI. INTERACTION WITH THE EGYPTIAN STAKEHOLDERS**

45. The consultations with Egyptian stakeholders during the Panel's three visits to Cairo were undertaken with the objective of, first, explaining the PSC decision of 5 July 2013; second, elaborating on its mandate and how best it could assist in the early restoration of constitutional order; and, third, listening to the views of its interlocutors, including on the events of 3 July 2013 and the circumstances that led to it, as well as subsequent Council pronouncements.

46. Throughout its interactions with the Egyptian stakeholders, the Panel explained that the Council's decision was taken in line with the relevant AU instruments and should not be misconstrued as a punitive measure targeting Egypt in a discriminatory manner. It emphasized that the AU had no agenda other than assisting the transition process in Egypt, mindful as it is of the importance of mobilizing African support to help the country overcome its challenges and retake its seat in the AU as soon as possible. These points were all the more important given the fact that some of the Panel's interlocutors and a number of media outlets in Egypt had misrepresented the PSC decision, describing it as being inimical to Egypt and as having been driven by other motivations.

47. Consistent with the relevant Council's decisions, the Panel emphasized the need for all concerned to embrace the spirit of dialogue and mutual accommodation and to refrain from any acts of violence and retribution. It encouraged the Egyptian political actors to persevere on the path of national reconciliation. In this respect, the Panel took note of the adoption by the Egyptian transitional authorities of a Roadmap for the transition and closely followed the implementation of its various aspects.

48. The views of the Egyptian interlocutors that the Panel interacted with during its three visits can be summarized as follows:

**(i) Egyptian Government Officials**

49. In the course of its three visits, Panel listened to the views of the interim authorities on the suspension of Egypt from participating in AU's activities, the nature of the 3 July 2013 change of Government, the Roadmap for the transition period and its implementation, the issue of political inclusivity, as well as other related issues:

(a) With regard to the event of 3 July 2013 and the subsequent suspension of Egypt, the Government representatives reiterated the views that were earlier communicated to the Commission, regarding the rejection of the PSC decision. They emphasized that the Lomé Declaration should not have been applied to the Egyptian case. Indeed, to them what Egypt witnessed on 30 June 2013, culminating in the 3 July 2013 change of government, was a full-fledged popular revolution. Describing these developments as a military coup or an unconstitutional change of government is, in their opinion, inaccurate and unacceptable. They stated that the first preamble paragraph of the 2012 Egyptian



Constitution illustrates clearly the supportive role of the armed forces in the 25 January 2011 Revolution, which, in their view, is exactly similar to the role the latter played in the 30 June 2013 Revolution. They argued that the PSC reactions to both Revolutions were completely different and inconsistent, casting many doubts on the credibility and accuracy of its evaluation system, as well as on the political intentions behind its decisions. They stressed that the armed forces' involvement in the July 2013 events emanated from their constitutional obligation to protect the nation and was in line with the people's demands. They also stated that the armed forces did not seek to assume power in the aftermath of the demonstrations. On the contrary, they argued, the Head of Egypt's Supreme Constitutional Court assumed the position of interim President until the organization of early presidential elections, and took the presidential oath in front of the General Assembly of the Supreme Court.

- (b) The interim authorities further maintained that while Egyptians were trying to consolidate the democratic achievements of the 2011 Revolution, these efforts were subverted by a democratically-elected but authoritarian administration and political party. They stated that President Morsi had taken a series of decisions, which, if subjected to the criteria stipulated in the Lomé Declaration, would clearly indicate that the change that occurred in Egypt was by no means unconstitutional.
- (c) Regarding the transition, the interim authorities referred to the Roadmap that would guide the process within a period of 6 to 8 months, as outlined in paragraph 17 above.
- (d) The interim authorities clearly indicated that they viewed the reconciliation process as an internal matter, in which they did not see a specific role for the Panel.

50. The interim authorities further stated that, despite many calls and initiatives in this regard, the Muslim Brotherhood refused to join the national unity Government and the process to formulate a national consensus on the way forward. They also stated that the Muslim Brotherhood rejected any participation in the Committee entrusted with drafting amendments to the 2012 Constitution, and rejected the Al-Azhar initiative for national reconciliation. The authorities further stated that there were no political detainees and that those members of the Muslim Brotherhood who are detained were facing criminal charges resulting from the use of, or incitement to, violence.

51. It should particularly be noted that, during the third visit of the Panel, the Egyptian authorities underscored the progress made in the implementation of the Roadmap, in particular the holding of the referendum on the draft Constitution, which was adopted by a large majority, and the acknowledgement of this fact by some Member States. They expressed their expectation that the suspension of Egypt would be lifted

soon. The Egyptian authorities also reiterated their accusations against the Muslim Brotherhood, stressing that the group had continued to perpetrate violence, including bombings in crowded cities, university campuses and other public places. This in their view precluded any possibility of a dialogue with the Muslim Brotherhood.

52. Throughout its interactions with the Egyptian authorities, the latter held the view that the suspension of their country from the AU was supported by countries bent on undermining Egypt's interests, including with respect to the possible enlargement of the UN Security Council to allow more equitable African representation. This view was also echoed by some media representatives. The Panel endeavored to dispel such perception, stressing that Council's decisions were based on the relevant AU instruments and that, in spite of the suspension, the AU still took steps to support the process of returning Egypt to constitutional order. The Panel reminded its interlocutors that, as a member of the Council, Egypt took part in decisions suspending many other AU Member States where unconstitutional changes of Government had occurred.

53. Some members of the transitional authorities also protested the consultations undertaken by the Panel with some international stakeholders, accusing the AU of internationalizing the Egyptian problem. The Panel made it clear that it was never the intention of the AU to "internationalizing" the issue and stressed that, instead, the consultations undertaken with international stakeholders were aimed at explaining the AU position to avoid any misrepresentation and at mobilizing as much support as possible for Egypt in addressing the challenges facing it. The Panel also made it clear that it did not seek to substitute Egyptian efforts towards national reconciliation. It also stressed that it had a mandate to monitor the process and to gather as much information as possible, so as to be of help should the local stakeholders call on it to do so.

**(ii) Interaction with the Muslim Brotherhood**

54. The Panel also met with representatives of the Muslim Brotherhood on a number of times. The first meeting was at the Rabaa Al-Adawiya camp, and the second was after the forced removal of protesters from Rabaa and Al-Nahda on 14 August 2013. During its third visit, the Panel also met a senior representative of the Muslim Brotherhood, a former Minister in the Morsi administration, who was part of a delegation of the Anti-Coup Coalition.

55. In these meetings, the Movement's representatives:

- (a) welcomed Council's decision and deemed it principled and necessary. They appealed to the Panel for Egypt's suspension to be maintained until the restoration of democracy in the country. It should be noted, however, that during the Panel's third visit, the representative of the Muslim Brotherhood called for the return of Egypt to the AU, consistent with the respect of rules and regulations

- of the continental organization, i.e. provided General Al-Sissi was not a candidate in the election aimed at restoring constitutional order;
- (b) argued that what took place on 3 July 2013 was a coup and, as such, it had undermined democracy as the military overthrew a President who was elected democratically by a majority of the Egyptian people. They also complained against what they considered as arbitrary arrests and killings of their members, and rejected accusations that they were resorting to violence to further their agenda;
  - (c) rejected the interim authorities' Roadmap and the subsequent establishment of the Committee of 50. They also refused to join the Government since they considered the whole transitional process as illegitimate. As a way out of the current crisis, they proposed that President Morsi be released so that he may officially resign and delegate his powers to a consensual Prime Minister, who would then organise early elections within 60 days. This, in their view, would allow for the peaceful turning of the Morsi page while respecting the country's constitution. They informed the Panel that, prior to the 3 July 2013 change of Government, they had proposed this idea but the army had rejected it;
  - (d) stressed that the offer by President Morsi to the opposition National Salvation Front (NSF) of ministerial portfolios was rejected, and his calls for dialogue and reconciliation were also not taken seriously. They accused former President Mubarak-era businessmen, who owned TV channels and newspapers, of waging a continuous and unrelenting smear campaign against President Morsi, and criticized the Judiciary, which dissolved the Lower House of the Parliament and the first Constitution drafting Committee within the House of Representative. They added that Egypt had been governed by the military over the past 60 years, in the view, a period characterized, by authoritarian rule, rigged elections, selective distribution of wealth and widespread corruption. They referred to the existence of "a deep state" that was opposed to any challenge to its privileges;
  - (e) emphasized that they reject violence even when they were attacked violently in their removal from the Rabaa and other sit-in camps;
  - (f) while accepting the need for a new constitution, a new roadmap, and legitimate elections for the country, they condemned Egypt's new constitution and the envisaged presidential and parliamentary elections as unrepresentative. They further noted that the candidacy and eventual election of Field Marshal Al-Sissi was meant only to legitimize and perpetuate army rule in Egypt.
56. On its part, the Panel, particularly during its first visit and the then looming forced dispersal of the sit-ins organized by the Muslim Brotherhood, called for utmost restraint. More specifically, it appealed to the Muslim Brotherhood to put an end to its Friday marches as these only heightened tension and increased the likelihood of a bloody

confrontation. The Panel also appealed to the Muslim Brotherhood to work within the framework of the Roadmap. Likewise, the Panel discouraged the authorities against a forceful removal of the sit-in, appealed to them for restraint and advised them against taking any exclusionary measures regarding any specific group.

57. As indicated above, the Panel, during its first visit, met with President Morsi at his detention venue, thanks to the facilitation of the Egyptian authorities. During the interaction with President Morsi, the members of the Panel sought his views on the management of his year-long presidency and the circumstances that led to his ouster, emphasizing the need for him and his colleagues to critically review their performance in Government. They also seized the opportunity to stress the need for his supporters to refrain from violence and to constructively engage in the search for a peaceful solution to the crisis, particularly in view of the tension then prevailing in Cairo as a result of the mass sit-ins in the capital. The Panel also asked President Morsi why his Government did not agree to the proposed visit of the AU Panel of the Wise, in March 2013, which was intended to defuse the tension that was prevailing.

58. In response, President Morsi stressed that while he rejected violence and condemned terrorism, he had no ways of communicating with his followers and supporters. Regarding the planned visit of the Panel of the Wise, he indicated that he was never informed about it and had he known, he would have obviously welcomed the Panel in Cairo. He emphasized his commitment to Africa, as demonstrated by the visits he undertook within the continent during his short period in Office. President Morsi expected to deepen his interaction with the Panel, which, on its part, intended to use that opportunity to attempt to facilitate a consensus on the way forward. However, it was not possible to have the second meeting. Indeed the Egyptian authorities argued that it would not be possible to arrange for meetings with individuals who are under trial by the Egyptian Judiciary or detained based on decisions issued by the Public Prosecutor's Office. President Morsi was one of such individuals.

**(iii) Interactions with other Egyptian stakeholders**

59. During the Panel's first two visits to Cairo, it interacted with representatives of the 30 June Coalition, including Tamarood, Al-Nour party, the April 6 Youth Movement, the Strong Egypt Party and the Egypt Socialist Party, as well as with Human Rights activists. The Panel was briefed and provided with a background on the evolution of their protest movement. Through a variety of peaceful means, including the use of social media, the members of the Coalition challenged the Mubarak regime in January 2011, and some of them supported the candidacy of President Morsi during the presidential election of 2012. However, according to them, after his election, President Morsi ignored their advice and counsel against unilateral and undemocratic measures that the new regime was taking. They argued that the Muslim Brotherhood became the sole power with influence on the President. Starting in November and December 2012, these parties began agitating against President Morsi for ignoring his pledge to govern equally and for

all. Moreover, members of the Coalition noted that there were illegal and excessive police actions, for which no one was held accountable. But following the 3 July 2013 removal of President Morsi, the views of the members of the coalition became less homogeneous. More broadly, the evolving political positions of the various interlocutors were more pronounced and evident during the Panel's third visit. These positions can be summarized as follows:

- (a) *The Al-Nour Party*: The Al-Nour party was aligned with the FJP, while President Morsi was in power, although it remained critical of some of the policies of his administration. According to its representatives, in the days leading to the change of 3 July 2013, leaders of Al-Nour met with President Morsi and urged him to: (a) form a coalition government, (b) appoint a Prime Minister outside of the Muslim Brotherhood, (c) appoint a Prosecutor General, and (d) initiate reconciliation with the judiciary and the military. But when their advice was rejected by President Morsi, they opined, and the military warned that the country was on the verge of a civil war, on 30 June 2013, Al-Nour shared this concern. It joined the military's call for the creation of a new situation and became part of the movement that helped develop the Roadmap of 3 July 2013. Subsequently, however, the party became sceptical about the steps that were taken and the overall intentions of the military. Representatives of Al-Nour argued that, while it was correct to remove the President, suspending the 2012 Constitution and the dissolution of the Lower House of Parliament were not necessary. The party also advocated the establishment of a technocratic Government with proven managerial experience. Soon after, Al-Nour withdrew from the 30 June 2013 Coalition. The party supported the PSC decision suspending Egypt, and requested that the Panel uses it as a mean to press for an inclusive transition and for the Muslim Brotherhood to join the transitional Roadmap.

There was a change in the position of the representatives of the Al-Nour party, during the Panel's third meeting. During this meeting, he was more supportive of the implementation of the Roadmap, which he thought would provide a good foundation for the future of Egypt especially in view of the fact that the draft constitution was approved by a larger percentage than the 2012 constitution. As a member of the Committee of 50, he stated that the contents of the current Constitution are much better. Furthermore, he said that the preparation for the election was being organized in a fair and transparent manner. He expected to see a more favourable atmosphere in the country for the protection of civil rights after the presidential and parliamentary elections. He thought that Parliament could pass much more liberal laws on demonstrations and free expression of opinions. He however regretted the trial and sentencing of members of the 6 April Movement, expressing his admiration for them as they always stood on principle. He considered them to be the pillars of the 30 June Revolution. With regard to the Muslim Brotherhood, he said that their cases were in the hands of the judiciary but that the Attorney General must expedite their trial. He also said

that he was realistic about the prospect of reaching reconciliation in the prevailing environment but for him, it was important to respect the rule of law.

- (b) *The April 6 Youth Movement:* The April 6 Youth Movement was critical of some of the policies of the transitional authorities even while in the Coalition, and was opposed to the crackdown on the members of the Muslim Brotherhood. The members of the Movement, which the Panel met, condemned the policies of the transitional authorities against the independent media and urged that the negative campaign against the Muslim Brotherhood be stopped. The Movement had no representation in the Committee of 50, and its members argued for the appointment of a consensual Prime Minister as a caretaker executive until the holding of national elections.

During the Panel's third visit, three of the Movement's leaders had just been sentenced to three years in jail for their activities. During this meeting, they condemned the Government's attempt "to isolate Egypt from its African brothers", and regretted what they described as its attempt to portray Egypt as a victim of conspiracies by African countries. They were also disappointed by the Government's media campaign against the AU and its attempt to portray the latter in a negative light." With regard to the Roadmap, they said it consisted of procedures on the conduct of parliamentary and presidential elections, but the military had changed the order to suit its preferences. They said the Roadmap was not inclusive and that there were severe restrictions on youth participation. They also questioned the strength of the commitment of the Government to protect democracy, free press and ensure transitional justice. They stressed that the military promised never to return to power and yet Field Marshal Al-Sissi was changing his military uniform to civilian clothes in order to become the next President.

They opposed this and explained that the reason for the arrest of their leader, Ahmed Mahr, was precisely his opposition to Al-Sissi's candidacy. They noted that with the prospect of a Al-Sissi election, the country had effectively returned to the Mubarak era, with complete political domination by the military. They argued for the lifting of Egypt's suspension from the AU, and called for efforts to be made for General Al-Sissi to comply with the relevant provisions of the African Charter on Democracy, Elections and Governance that bar coup-makers from legitimising themselves through elections are applied to Field Marshal Al-Sissi. They also were not sure about the extent to which the presidential election would be free and fair since the Electoral Commission had a veto power in determining the eligibility of presidential election candidates.

- (c) *The Tamarood Movement:* The Movement expressed strong support for the Roadmap, and fully supported all measures the interim authorities were taking against the Muslim Brotherhood. Like Government representatives, members of

- the Movement also demanded that the Muslim Brotherhood officially renounce violence, apologize for the crimes they believed it had committed, pledge to work within the framework of the Roadmap, and declare the sources of its funding, before being allowed to join the political process. They also strongly objected to the suspension of Egypt from the AU's activities.
- (d) *Sheikh of Al-Azhar*: The Sheikh of Al-Azhar, Ahmed el-Tayyeb, informed the Panel that he is fully supportive of the Roadmap. He indicated that he exerted efforts to bring the Muslim Brotherhood to join the political process. However, these efforts, he said, were rejected by the Muslim Brotherhood as it believed the Sheikh of Al-Azhar was behind the 3 July 2013 change.
- (e) *The Coptic Orthodox Church*: Similarly, the Patriarch of the Coptic Orthodox Church, Pope Tawadros II, also expressed support for the Roadmap, which he viewed as a national plan for the present and future and, as such, should be supported by all. He expressed scepticism about the willingness of the Muslim Brotherhood to join the political process. He stated that the Muslim Brotherhood could not be part of the Roadmap so long as it continued to use religion for political purposes and resort to violence and terrorism to create divisions within the country. The Pope stressed that religious antagonism in the country had increased during the time of President Morsi's administration, and accused the Muslim Brotherhood of being behind the burning of Christian churches and institutions.
- (f) *The National Human Rights Council (NHRC)*: The National Human Rights Council is a semi-public institution in Egypt. Its members accused the Muslim Brotherhood of using violence, inviting foreign intervention, and taking its orders and instructions from outside of Egypt. For these reasons, they felt that the Muslim Brotherhood could not be part of the transition process. It should be noted that during the Panel's third visit to Cairo, the NHRC submitted a document on the outcome of its investigation of the 14 August 2013 forceful removal of the Rabaa Al-Adaweya sit-in. In its recommendations, the NHRC, inter alia, called for the opening of an independent judicial inquiry into this event and all other events across the country; for the Egyptian Government to immediately intervene to stop the campaign of hatred and incitement to violence being promoted by local media; as well as to compensate all victims who died as a result of armed clashes and who have not been found to be involved in acts of violence.
- (g) *Other Egyptian stakeholders*: As indicated above, the Panel met with former Foreign Minister and Arab League Secretary-General, Amr Moussa, who was later to serve as Chairman of the Committee of 50, and a number of other former officials associated with the Egyptian Council on Foreign Relations, as well as intellectuals, writers and prominent businessmen. They welcomed the change, expressed support for the Roadmap and stressed the difficulty of integrating the

Muslim Brotherhood into the political process as long as the latter did not publicly renounce violence and without ambiguity.

**(iv) Interaction with the presidential candidates**

- (a) *Field Marshal Al-Sissi*: As was the case in its previous visits, the Panel also met with Field Marshal Al-Sissi during its third visit. By then, he had resigned as Minister of Defense and was expected to announce his candidacy to the presidential election. Once again, Field Marshal Al-Sissi justified the actions taken against the Muslim Brotherhood arguing that its members had continued to engage in escalating violence, refused calls for dialogue and mediation efforts, and insisted that they either remained in power or they would continue to kill people. He stated that it was this inflexibility that led the Muslim Brotherhood to lose domestic and international support. He stated that the Government had exercised restraint in face of the intransigence of the Muslim Brotherhood. If the Government had acted strongly and took strict measures against the Brotherhood, Egypt would have experienced a situation similar to what had happened in Rwanda and Burundi, Field Marshal Al-Sissi observed. On a larger point, and in view of Egypt's recent experience, the Field Marshal admitted that there was need for some deep reflexion on the relationship between politics and religion. He acknowledged that the crisis in his country could last long.

With regard to his potential candidature for the presidency, he informed the Panel that he was doing it because "he owed a debt of gratitude to the Egyptian people". On the issue of press freedom in general, and the case of the Al-Jazeera journalists, in particular, Field Marshal Al-Sissi argued that there was some difficulty in applying international standards to the situation that was prevailing in Egypt as the country was under extremely difficult circumstances.

- (b) *Mr. Hamdeen Sabahi*: He expressed his disappointment by Egypt's suspension from the AU arguing that the suspension violated an existing mutual trust. He also expressed his bewilderment at the fact that Egypt was suspended after 30 June and not during the 25 January 2011 Revolution. For him, both events were expressions of the will of the Egyptian people although the army played an additional element in both situations. He criticized the presidential elections law promulgated by the interim Government, deeming its characteristics troubling for the transparency and fairness of the election.

**VII. CONSULTATIONS WITH INTERNATIONAL STAKEHOLDERS**

60. As indicated earlier, the Panel also met with a number of international stakeholders, both in Egypt and outside. During these meetings, the Panel elaborated on its mandate and the AU position on the situation in Egypt.



61. During the meeting with the Secretary-General of the League of Arab States, who is a former Egyptian foreign minister, the latter fully endorsed the Roadmap and explained the difficulty of including the Muslim Brotherhood in the political process unless it renounced violence. He contended that most people in Egypt viewed the Muslim Brotherhood not as a political party but as an organisation that uses violence to further its political objectives. He added that popular resentment against the Muslim Brotherhood was such that it would be extremely difficult to include them in the political process. During the second meeting with the Panel, he expressed reluctance at the then envisaged visits of the Panel to a number of countries to exchange views on its efforts. In his opinion, doing so would have internationalized the crisis in Egypt.

62. The Panel met with both the African Ambassadors and representatives of the international partners in Cairo. It also visited a number of countries with a view to explaining the AU's position and updating its interlocutors on its efforts:

- (i) some of the countries visited welcomed the removal of President Morsi, considering the Muslim Brotherhood as a terrorist organization, and, for this reason, seeing no political role for it in Egypt. They appealed for the lifting of the AU decision suspending Egypt from its activities as an encouragement to the transition process and an expression of support to the efforts of the interim authorities;
- (ii) others held different views and stressed the need for an inclusive political process that included the Muslim Brotherhood. At the same time, they expressed understanding at the position taken by the AU, as it was based on instruments that are binding for all its Member States; and
- (iii) all interlocutors of the Panel stressed the importance of assisting Egypt, as the stability of that country is critical for the stability of the region as a whole.

#### **VIII. OBSERVATIONS**

63. Egypt is at an important and historic crossroads. In the period since the removal of former President Mohamed Morsi, almost a year ago, the country has experienced difficult times marked by deep socio-political polarisation, confrontations, the death, maiming, arrest and incarceration of scores of people and several terrorist attacks. The economic situation remained stagnant, with a decline in foreign investment and tourism. The country also made efforts to implement the 3 July 2013 transitional Roadmap. In this regard, the holding of the constitutional referendum on 14 and 15 January 2014 was the first of the major steps accomplished in the implementation of the Roadmap.

64. Following the adoption of the Constitution, a second major step was the holding of the presidential elections on 25, 26 and 27 May 2014, which was contested between former Defence Minister Abdel Fatah Al-Sissi and Hamdeen Sabahi, the leader of the

Popular Current Party. As indicated above, Field Marshal Al-Sissi won by 96.7% of the votes cast. The Panel notes the conclusions of the AUEOM, stressing that the election was conducted in an environment which allowed willing voters to effectively participate in the process and exercise their right, and in a stable, peaceful and orderly environment.

65. The President-elect was sworn in on 8 June 2014, in a ceremony that was held at the SCC in Cairo and attended by some African Heads of State and Government and other officials, as well as by representatives of other countries. He took over power from the former Interim President, Adly Mansour, following the signing of a document formalising this process. There is no doubt that the successful holding of the presidential election brought Egypt closer to the conclusion of its transitional process as laid out in the Roadmap.

66. While the progress made is important and highly symbolic, the pre-election environment was marked by serious deficiencies. It is worth quoting here the relevant part of the Preliminary Statement made by the AUEOM: "The AUEOM further notes that while recognizing the political and security context, the pre-election environment was largely impacted by the protest law, which undermined freedom of expression and created limited space for opposition parties to voice their grievances due to fear of criminalization. The pre-election context was, therefore characterized by a clamp down on public protests, mass arrests of activists and journalists. This in essence undermined the basic principles of participation as enshrined in the Universal Declarations of Human Rights. The Egyptian election was therefore conducted within the context of limited space, rights and freedom". Furthermore, only two candidates competed in the election, far below the number of presidential candidates in the 2012 polls, and the turnout was rather low despite the addition of a third unscheduled day for the poll.

67. Overall, the developments of the past months have unfolded in a context of high political and social polarisation. The rift between the interim authorities and the Muslim Brotherhood has continued to widen, punctuated by violent confrontations. Some political groups outside of the Muslim Brotherhood that were initially part of the support base of the Roadmap, including the April 6 Youth Movement, have also expressed sentiments of alienation and some of their leaders have been arrested. The human rights situation is of particular concern, particularly given the continued detention, without trial, of thousands of political activists and the mass sentencing to death meted out by courts without proper due process.

68. The country is also faced with continuing terrorist activities in the Sinai Peninsula, as well as in Cairo where universities and police stations have been targeted. The authorities blame these attacks on the Muslim Brotherhood and suspected affiliated groups, but the Muslim Brotherhood, on its part, has denied any involvement in terrorist activities and even condemned them. It accuses the Government to be engaged in widespread repression against its members and of inciting hatred against them through a propaganda campaign in the media.

69. Throughout its work, the Panel was driven by the following considerations:
- the place of Egypt in Africa and the importance of Africa to Egypt. Continued instability in Egypt would have an adverse effect on other countries in the region. Thus, the AU has a particular interest in the early stabilization of the situation in Egypt and resolution of the challenges facing it;
  - AU's solidarity with the Egyptian people, whose aspirations for democracy, the rule of law, good governance and the respect for human rights are consistent with the relevant AU instruments;
  - AU's determination, in line with its duties and responsibilities towards all its Member States, to promote and foster African solutions within the relevant African institutions; and
  - the need for the AU to act coherently in the implementation of its relevant instruments regardless of the Member State concerned.

70. Consistent with the relevant Council decisions, the Panel emphasized the need for all concerned Egyptian political actors to embrace the spirit of dialogue and mutual accommodation and to refrain from any acts of violence and retribution. The Panel strongly condemned all acts of terrorism and called on all stakeholders to clearly and unequivocally disassociate themselves from such acts. The Panel encouraged the Egyptian political actors to persevere on the path of national reconciliation. In this respect, the Panel took note of the adoption, by the Egyptian transitional authorities, of a Roadmap for the transition and closely followed the implementation of its various aspects.

71. In its interactions with Egyptian stakeholders, particularly with the youth movements, the Panel noted their genuine desire and enthusiasm for fundamental change in their country. Through the Revolution of January 2011, the people of Egypt rejected the military-dominated and authoritarian rule of former President Hosni Mubarak, as well as corruption and socio-economic inequalities. The Panel further notes, as did Council in July 2013, that while significant progress was made in the democratization process, notably with the election, in June 2012, of a President of the Republic, Egypt continued to face serious challenges, marked by the growing frustration of many Egyptians over the management of the country, cumulative economic difficulties, deteriorating security and political situation and social polarization as well as a lack of consensus on the best way forward.

72. At the same time, the Panel is of the view that the position of the Egyptian interim authorities regarding the 3 July 2013 change of Government, as outlined earlier, is not consistent with Article 153 of the 2012 Constitution that clearly outlined the steps

to be taken for the transfer of presidential power. Indeed, the basis of the 5 July 2013 decision of Council was premised on this provision of the Constitution that calls for either the Prime Minister or the Speaker of the House of Representatives or the Speaker of the Shura Council, to act in the place of the President in the event that the latter is unable to carry out his duties. In this regard, and in view of the fact that the 2012 Constitution did not allow the Head of Egypt's Supreme Constitutional Court to assume the role of an interim President, the Panel reaffirms the correctness of the PSC decision of 5 July 2013.

73. The Panel also wishes to note the role that the military played in the removal of the democratically-elected President Mohamed Morsi. By so doing, the military created a precedent that may not auger well for the future of constitutional rule in the country. If mass uprisings, no matter how popular they might be, are allowed to justify the intervention of the military to remove democratically-elected Governments, then, no AU Member State could be immune and periodic instabilities will be inevitable.

74. The Panel would like to commend Council for the very principled and courageous stance it took on the unconstitutional change of Government that occurred in Egypt on 3 July 2013. Council made history by standing up to an important AU Member State, rather than just flexing its muscles against weaker countries. In this situation, as in many other crises, the AU, through Council, has played a critical role, which can only enhance its credibility, advance the cause of democracy and contribute to institution building on the continent. This is a performance that Africa should be proud of.

75. The holding of presidential elections and the formal and peaceful handing over of power to Field Marshal Al-Sissi, who was the Head of the Army and Minister of Defence at the time of the unconstitutional change of Government, poses a serious challenge to the AU as to how to address the issue of the resumption of Egypt's participation in AU's activities. Indeed, while constitutional order has formally been restored, can the AU re-admit Egypt given the provisions of decision Assembly/AU/Dec.269(XIV) Rev.1, which stipulates that perpetrators of unconstitutional changes of Government cannot participate in the elections held to restore constitutional order. This provision is also contained in Article 25 (4) of the African Charter on Democracy, Elections and Governance, which entered into force in February 2012. However, it should be noted that Egypt is not party to this Charter.

76. The Panel held an extensive discussion on this issue. In so doing, it took into account the following: on the one hand, the need for consistency in the implementation of AU norms on unconstitutional changes of Government and consolidation of the democratic advances on the continent and, on the other hand, the need not to overlook other considerations of serious importance to the AU and the continent, particularly the need for the AU to continue to effectively and constructively engage the Egyptian authorities and other stakeholders on the democratization process in their country and the stabilization of the situation on the ground.

77. During its discussions with the Egyptian authorities, the latter expressed the view that the suspension of their country from the AU was supported by countries bent on undermining Egypt's interests, including with respect to the possible enlargement of the UN Security Council to allow more equitable African representation. This view was also echoed by some media representatives. The Panel endeavored to dispel such perception, and stressed that Council's decisions were solely based on the relevant AU instruments and that, in spite of the suspension, the AU still continued to take steps to support the process of returning Egypt to constitutional order. The Panel reminded its interlocutors that when Egypt was a member of Council, it took part in many decisions suspending other AU Member States where unconstitutional changes of Government had occurred.

78. The Panel was deeply disturbed by Egypt's expressed rejection of the decisions taken by Council in this regard. While it can fully understand the frustrations and even disagreement of the Egyptian authorities, based on their interpretation of the nature of the events that took place on 3 July 2013, the Panel would like to emphasise that by virtue of its membership of the AU, and being a party to the Protocol Relating to the Establishment of the PSC, Egypt had the obligation to abide by and respect the decisions of the Council. In this respect, it is worth recalling the provisions of Article 7 (2, 3 and 4) of the Protocol, which stipulate that Member States: (i) agree that, in carrying out its duties under the PSC Protocol, Council acts on their behalf; (ii) agree to accept and implement the decisions of the Peace and Security Council, in accordance with the Constitutive Act; and (iii) shall extend full cooperation to, and facilitate action by Council for the prevention, management and resolution of crises and conflicts, pursuant to the duties entrusted to it under the PSC Protocol.

79. Some of the transitional authorities also protested the consultations undertaken by the Panel with some international stakeholders, accusing the AU of internationalizing the Egyptian problem. The Panel made it clear that it was never the intention of the AU to internationalize the issue and that the consultations undertaken with international stakeholders were aimed at explaining the AU position to avoid any misrepresentation and at mobilizing as much support as possible for Egypt as it addresses the challenges facing it. The Panel also made it clear that it did not seek to substitute Egyptian efforts towards national reconciliation, while stressing that it had a mandate to monitor the process and to gather as much information as possible, so as to be of help should the local stakeholders call on it for support.

80. As indicated above, the Panel extensively consulted with international stakeholders. The Panel is grateful to the African Ambassadors in Cairo, Chad, as Chair of CEN-SAD, Uganda as Chair of COMESA, as well as to the current Chair of the Union, for the support extended to the Panel and the advices provided. The Panel also puts on record its appreciation to the League of Arab States, as well as Qatar, the United Arab Emirates and Turkey for the cooperation extended to the Panel and the useful views they shared with it.

81. The Panel notes however with regret that, in spite of the strategic partnerships that exist between the AU, on the one hand, the EU, the UN and some bilateral partners, particularly the United States, on the other, there was no meaningful engagement by these partners. This was in stark contrast with the support extended to, and consultations with, the AU in other crises. Yet, Egypt is an African country whose fate is closely linked to that of the rest of the continent. The issues confronting Egypt, in particular the relations between religion and politics and the role of the military, are of relevance and equal concern to the other AU Member States.

82. In the course of its consultations, the Panel's attention was drawn to the issue of the Nile River by some of the Egyptian stakeholders, who expressed the wish that the Panel play a role in addressing the issue and fostering understanding and cooperation among the riparian countries. The Panel, while acknowledging the importance of the issue, made it clear that the Nile issue did not fall under its mandate. It however undertook to bring the views expressed to the attention of the AU Commission and its Chairperson.

#### **IX. RECOMMENDATIONS**

83. In light of the above observations, the Panel would like to make the following recommendations:

- On the suspension of Egypt's participation in AU's activities: Considering (i) the progress made and the steps taken by the Egyptian authorities to formally restore constitutional order in the country, (ii) the fact that the suspension of the country for close to a year has sent a strong signal to the Egyptian stakeholders about AU's attachment to its principles and instruments, and (iii) the need for the AU to remain engaged with Egypt and to accompany the efforts of the Egyptian authorities for the full implementation of the Roadmap, the Panel recommends the lifting of Egypt's suspension and its reinstatement in AU decision-making organs.

The Panel wishes to underscore that the lifting of the suspension of Egypt, in spite of the elected President's role in the events that led to the suspension, is not to set a precedent in terms of adherence to Article 25 (4) of the African Charter on Democracy, Elections and Governance, as outlined earlier. It should only be viewed in light of the unique set of circumstances noted above.

- On the political process and national dialogue: For Egypt to have a realistic prospect of realizing the democratic aspirations of its people, there is a need to promote a political process that is representative of all sections of the Egyptian society, so long as they are committed to a peaceful political dialogue. The political space in the country should be widened to allow greater political pluralism and organization of peaceful political opposition. To this end, the Panel

calls on all the Egyptian stakeholders to engage a genuine national dialogue and reconciliation process without exclusion. Such a step will not only deepen the legitimacy of the new political authorities but also removes the sense of alienation and marginalization that some groups might have, which could lead to some taking desperate measures, including the use of violence.

Such consensus is all the more needed as Egypt is confronted with serious socioeconomic challenges. These can only be addressed if a minimum stability and national cohesion are achieved.

- On the democratization process: As a first step, there is need for the Egyptian authorities to create condition for transparent and credible parliamentary elections. These are expected to be held soon to complete the transitional process. The Panel endorses the recommendations of the AUEOM, in particular repealing Article 7 of the presidential law that grants final authority to the Presidential Elections Committee (PEC) in the determination of electoral disputes; the establishment of mechanisms for monitoring compliance with campaign financing in a way that would encourage transparency and promote level playing field for all candidates; and, above all, the promotion of inclusivity in the electoral system and the creation of adequate space for opposition. These measures would go a long way in creating a conducive environment for credible elections in Egypt.

The Panel urges the Egyptian authorities to seize the opportunity of the forthcoming parliamentary elections to achieve greater inclusivity and political pluralism in the country. To this end, it is imperative that the law regulating these elections be reviewed through a broad based consultative process, in order to ensure that it guarantees the basic political rights enunciated in the 2014 Constitution. Indeed, the Panel notes that the draft new parliamentary law, made public on 21 May 2014 and which decreases the number of seats in Parliament from 600 to 540, gives the President the right to appoint 5% of this number. Moreover, Article 3 of the draft law reduces the share of political parties to only 20% of the seats, while the remaining 75% will be elected individually. As some Egyptian political parties noted, if this provision is maintained, it is likely to deprive the “underprivileged” individuals of their chance of winning the elections, given the high costs of running for the elections individually. The Panel therefore calls on the Egyptian authorities to reconsider these clauses of the draft law.

All the socio-political forces in the country should be allowed to play a constructive role in achieving the goal of dialogue and national reconciliation. The media and opinion leaders have a special responsibility in this regard. Media reports and opinion leaders should strive to propagate tolerance and healthy pluralistic discussions rather than inflaming the situation by ostracising certain political actors or promote their exclusion.

Furthermore, Egypt should be persuaded to speedily sign and ratify all relevant AU instruments on democracy, elections and governance, notably the African Charter on Democracy, Elections and Governance, and to take concrete steps towards the implementation of the provisions contained therein.

- On the human rights situation: As noted previously, various acts of human rights violations have been reported throughout the transitional period. Apart from contravening Egypt's international commitments and the human rights guarantees under its Constitution, this is a situation that could seriously damage the country's image. The Panel recommends the strengthening of the National Human Rights Council, to enable it monitor, more effectively, the human rights situation and recommend the measures necessary for ensuring accountability and reconciliation.

The Panel strongly recommends that the Egyptian authorities grant access to the African Commission on Human and Peoples' Rights to undertake an assessment of the human rights situation in the country and report to the Peace and Security Council.

The Panel further recommends that measures be taken to ensure that the judiciary respects due process in the trials of detainees and those against whom there are no charges be released, to avoid the perception of politicization of the judiciary.

- On the AU norms on unconstitutional changes of Government: The Panel recognizes with appreciation the debate that Council held on 29 April 2014 on unconstitutional changes of Government and popular uprisings and the statement issued thereafter. In light of the difficulties encountered in applying the AU norms on unconstitutional changes of Government, particularly in the context of popular uprisings, the Panel recommends elaboration of a guideline for determining the compatibility of popular uprisings with AU norms on unconstitutional changes of Government. Taking into account recent experiences in North Africa, including in Egypt, the Panel recommends the following elements for such a guideline: (a) the descent of the government into total authoritarianism to the point of forfeiting its legitimacy; (b) the absence or total ineffectiveness of constitutional processes for effecting change of government; (c) popularity of the uprisings in the sense of attracting significant portion of the population and involving people from all walks of life and ideological persuasions; (d) the absence of involvement of the military in removing the government; (e) peacefulness of the popular protests.
- Engagement with partners: AU's norms on unconstitutional changes of Government aim at promoting democracy and good governance. With the belief that this concern is shared by all its partners, the AU expects consistent



collaboration in the implementation of its decisions aimed at promoting these common values, particularly in the context of dealing with case of unconstitutional change of Government.

- Continued engagement of the AU: In the light of the political and democratic challenges still confronting Egypt and the fact that the implementation of the roadmap is not finalized, the Panel recommends that Council continues to be seized of the matter and keeps Egypt on its agenda, on the basis of regular reports, and at least once a year. This would enable Council and the AU Commission to effectively contribute to the implementation of the various recommended reforms. Furthermore, the Panel recommends the enhancement of the AU Permanent Mission in Cairo, to enable it effectively interact with the Egyptian authorities and other stakeholders, and follow-up on the ground the recommendations of the Panel as they may be endorsed by Council. There is also need for continuous engagement of African diplomatic corps on issues of concern to the continent to enhance the strength of the decisions taken and the cohesion of African positions.
- On the authority of the Peace and Security Council and obligations of Member States: In view of Egypt's stated rejection of the PSC decisions, it is critical that Council formally reminds Egypt of its obligation under the PSC Protocol and the AU Constitutive Act.