COMMUNIQUE

1. The Panel of the Wise, established pursuant to Article 11 of the Protocol establishing the Peace and Security Council (PSC) of the African Union (AU), with the mandate to support the efforts of the Chairperson of the Commission and those of the PSC, particularly on conflict prevention, held its 7th Meeting at the African Union Commission in Addis Ababa, Ethiopia, on 9-10 November 2009 under the chairmanship of His Excellency Mr. Ahmed Ben Bella, Chairman of the Panel. The meeting was opened by the Chairman of the Panel, H.E. Mr. Ben Bella, and the AU Commissioner for Peace and Security, Ambassador Ramtane Lamamra.

2. With great sadness, the Panel learned of the sudden death of the spouse of one of its members, Mrs. Elisabeth Pognon. The Panel extended its heartfelt sympathy to her and her family, praying for the eternal happiness of the deceased.

3. Present at the opening session were representatives of Libya as Chair of the AU and Rwanda as Chairperson of the Peace and Security Council (PSC) for November 2009, as well as representatives from the European Union (EU) to the AU and the embassies of Italy, Sweden and Japan, as partner countries and organizations.

4. President Ahmed Ben Bella, in his presentation, highlighted the activities of the Panel in the course of the year under review, which included in particular the adoption by the Assembly of Heads of State and Government of the Panel’s Report and Recommendations on Election-Related Conflicts. He reported that the Secretariat of the Panel, in conjunction with the Department of Political Affairs, had developed a plan of action to implement the recommendations contained in the report of the Panel on election-related conflicts.

5. Ambassador Ramtane Lamamra, in his address, reviewed conflict situations in Africa and the challenges that the Panel faces in the year ahead. The Commissioner also commended the Panel for its sterling work with regard to Election Related Conflicts.

6. The agenda of the meeting of the Panel covered five main issues: (i) consideration of the outcome and recommendations of the Workshop on Impunity, Justice and National Reconciliation, held in Monrovia, Liberia from 28 to 29 May 2009, on the basis of a report prepared by a team of
consultants and consultations with Dr. Francis Deng, Special Advisor of the Secretary-General of the United Nations for the Prevention of Genocide; (ii) consideration of the action plan for the implementation of its report on election-related conflicts; (iii) review of the state of peace and security in Africa and consideration of the steps to be taken by the Panel in support of the ongoing efforts to promote peace, security and stability; and (iv) consideration of its work programme for 2010, including the identification of the third thematic focus.

I. ON THE THEMATIC REFLECTION OF THE PANEL ON IMPUNITY, JUSTICE AND NATIONAL RECONCILIATION

7. The Panel commended the work so far done by the team of consultants, and expressed satisfaction at the successful conduct of the Workshop held in Monrovia. The Panel, once again, highlighted the clear message on Africa’s firm stand against impunity and, in this regard, praised the recommendations of the experts as being realistic, clear and consistent with the AU Constitutive Act. The Panel was committed to raising public awareness with regard to what national governments have committed to on this issue.

8. It was emphasized that justice should always be seen to reach all perpetrators and not be selective.

9. It also expressed its gratitude to Dr. Francis Deng, who addressed the Panel and provided invaluable contributions regarding his framework of analysis for early warning against the occurrence of genocide which should be incorporated into the AU’s mechanism. Dr. Deng also expressed the readiness of his office to collaborate with the AU in this area.

10. The Panel concluded that impunity could be prevented if governments and other parties are engaged in a positive manner. A case in point being Darfur whereby the AU engaged the stakeholders in a positive manner through the AU High Level on Darfur (AUPD).

11. The Panel was also briefed on the report and recommendations of AUPD, presented to the PSC at Heads of States level on 29 October 2009 in Abuja, Nigeria, which it praised as providing a unique and holistic opportunity to resolve the problems of Sudan, with Khartoum being at the centre of the process.

12. The Panel received a briefing from the AUC Legal Counsel on the report and recommendations of the Ministerial and Expert meeting on the Rome Statute of the ICC, held on 3-6 November 2009, in Addis Ababa.

13. The Panel agreed that its report on Impunity would be finalized on the basis of the afore-mentioned briefings and additional contributions, with the view of submitting action-oriented recommendations to the Assembly of the Union at its ordinary session to be held in July 2010.

II. ON THE IMPLEMENTATION OF THE RECOMMENDATIONS OF THE THEMATIC REFLECTION OF THE PANEL ON ELECTION-RELATED CONFLICTS
14. On the basis of the progress report presented by the Department of Political Affairs, the Chairperson of the Group requested its Secretariat to liaise with the said Department to finalize the elaboration of the plan of action on the implementation of its recommendations as contained in the report on Election-related disputes.

III. REVIEW OF THE STATE OF PEACE AND SECURITY IN AFRICA

15. On the basis of the extensive briefings provided by the Commissioner for Peace and Security, the Panel reviewed the state of peace and security on the Continent. While welcoming the progress made in some parts of the Continent, the Panel expressed deep concern at the ongoing conflicts and violence facing many regions and countries in Africa.

16. The Panel encouraged the PSC and the Chairperson of the Commission to pursue and intensify their efforts in furtherance of peace, security and stability on the Continent. The Panel recognized the political commitment which has led to the holding of elections in Mauritania, as well as to negotiations between Malagasy stakeholders, which led to the conclusion of the Addis Ababa Additional Act to the Transitional Charter.

17. The Panel, however, expressed concerns on the situation in Somalia and urged the UN Security Council to assume its full responsibility.

18. The Panel further condemned the acts of violence perpetrated in Guinea, and commended the actions taken by the PSC in support of the action taken by ECOWAS, as well as the setting up of an international inquiry commission.

IV. WORK PROGRAMME OF THE PANEL FOR 2010

19. The Panel reviewed its work programme for the rest of the year and for 2010. It agreed on the missions that its members would undertake in various parts of the Continent, to further efforts at peace, security and stability. The Panel expressed its full commitment to actively contribute to the attainment of the goals of the “2010: Year of Peace and Security in Africa”.

20. The Panel also agreed to focus its thematic reflection for 2010-2011 on an issue relevant to conflict prevention in Africa and in this case decided to focus on the problem of women and children in armed conflicts. This choice was informed by the empirical evidence accumulated over decades confirming that women and children suffer most wherever and whenever there is a breakdown of social order, rule of law and ascendance of violence. Women are often subjected to gender-based violence, often becoming the single heads of households, displaced/refugees in dehumanizing camps. A clear commitment to the objectives of the UNSC Resolution 1325 (2000) was reiterated in this context.

21. As has been the case for the previous thematic reflections on election-related conflicts and impunity, the Panel will commission a report as well as organize a workshop. In this exercise, the Panel shall endeavor to complement and broaden other related AU and international efforts.
V. NEXT MEETING OF THE PANEL

22. The Panel decided to hold its next meeting in February-March 2010 to consider the status of implementation of its Programme and assess the outcomes of the missions that will be undertaken by its members within the framework of the conflict prevention efforts of the AU. The Panel looked forward to complete its consideration of the report on impunity, justice and reconciliation during the same meeting.

Addis Ababa, 10 November 2009