10th MEETING OF THE PANEL OF THE WISE
ADDIS ABABA, ETHIOPIA
12 MAY 2011

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1. The Panel of the Wise of the African Union (AU) held its 10th meeting on 12 May 2011, in Addis Ababa, Ethiopia. The meeting, which was opened by former President Kenneth Kaunda, on behalf of President Ahmed Ben Bella, Chairperson of the Panel, and by Ambassador Ramtane Lamamra, AU Commissioner for Peace and Security, on behalf of the Chairperson of the Commission, Dr. Jean Ping, was attended by Mrs. Marie-Madeleine Kalala-Ngoy and Dr. Mary Chinery-Hesse, members of the Panel of the Wise, as well as by Mme Elisabeth Pignon, member of the “Friends of the Panel”. The Permanent Representative of the Republic of South Africa to the AU, in his capacity as Chair of the Peace and Security Council (PSC) for the month of May 2011, also attended the opening ceremony.

2. In addition, Mr. Leopold Ouedraogo, representing the Council of Elders of the Economic Community of West African States (ECOWAS), as well as Ambassador Berhane Ghebray and Honorable Betty Bigombe, representing the Committee of Elders of the Common Market for Eastern and Southern Africa (COMESA), also participated in the deliberations of the Panel of the Wise.

3. The meeting reviewed and adopted the report of the Panel of the Wise on “Non-Impunity, Justice and National Reconciliation”, elaborated by the Panel as part of its thematic reflections on issues relevant to conflict prevention and as a contribution to the ongoing efforts by the AU to fight impunity and promote a holistic approach that balances the imperatives of peace and justice in post-conflict contexts. The report includes a Policy Framework on transitional justice, whose objective is to provide the AU with the necessary tool to respond judiciously to the intertwined objectives of securing peace and the longer term importance of establishing the rule of law and preventing future conflicts.

4. The Panel also reviewed its draft report on “Sexual Violence, Women and Children in Armed Conflicts”. The Panel congratulated the Peace and Security Council for raising the profile of this critical issue on its agenda, in particular through the yearly open debate on women and children in armed conflicts.

5. The Panel had an exchange of views on the modalities for the comprehensive review of the existing mechanisms relating to democratization and governance in Africa, in order to make, no later than December 2011, recommendations to the Peace and Security Council, as requested by the 275th meeting of this organ, held in Addis Ababa, on 26 April 2011. The Panel agreed on the steps to be taken to carry out this task within the required timeline. In the meantime, the Panel, once again, urged all Member States that have not yet done so to sign and ratify, without any further delay, relevant AU instruments, in particular the Protocol Relating to the Establishment of the African Court of Justice and Human Rights and the Charter on Democracy, Governance and Elections.

6. The Panel reviewed the implementation status of the recommendations contained in its report on “Strengthening the Role of the African Union in the Prevention, Management and Resolution of Election-Related Disputes and Violent Conflicts in Africa”, as endorsed by
the 13th Ordinary Session of the Assembly of the Union. The Panel agreed on the steps to be taken in this respect, in particular pre-electoral assessment missions to specific countries, as part of its preventive mandate, and urged all Member States to follow-up on and implement the recommendations contained in the report.

7. The meeting also provided an opportunity for the Panel to follow briefings on the situation in Somalia by former President Jerry John Rawlings, AU High Representative for Somalia, Ambassador Boubacar G. Diarra, Special Representative of the Chairperson of the Commission for Somalia, Honorable Kipruto Arap Kirwa, IGAD Facilitator for Somalia, and a representative of Ambassador Augustine Mahiga, Special Representative of the Secretary-General of the United Nations for Somalia, as well as by selected experts on Somalia.

8. In this context, the Panel expressed deep concern at the continued divisions and wrangling among the Transitional Federal Institutions (TFIs), especially on the issue of the transition and post-transition arrangements, manifested recently by the decision of the Transitional Federal Government (TFG) to bar members of the Transitional Federal Parliament (TFP) from travelling outside Somalia, to engage in consultations relating to the current crisis. The Panel noted that those divisions have the potential of seriously undermining the significant gains made on the ground by the AU Mission in Somalia (AMISOM) and the Somali Security Forces, as well as the other achievements towards peace and reconciliation in Somalia. The Panel called on the Somali stakeholders to demonstrate the required political will to overcome the current crisis and to rise to the challenges facing their country, reminding them of their primary responsibility for the achievement of peace in Somalia.

9. The Panel expressed deep concern at the prevailing humanitarian situation in Somalia, with almost a third of the country’s population currently living in particularly dire conditions, due not only to the current conflict, but also to one of the worst droughts in recent memory witnessed by the country. The Panel noted that, according to humanitarian agencies, one in four children is now suffering from acute malnutrition in the southern parts of Somalia. The Panel recalled that, at its meeting on Somalia, held in Nairobi, in November 2008, it stressed that there was no country in the world where the principle of the responsibility to protect was more relevant than in Somalia. It notes with deep regret that, three years later, the plight of the Somali people remains at best marginal in the preoccupations of the international community, as demonstrated by the continued inadequate funding of humanitarian needs in Somalia, illustrated by the fact that, out of the 529 million dollars humanitarian appeal made for this year, only a quarter has been funded.

10. The Panel reviewed other conflict and crisis situations in Africa, on the basis of the update provided by the Commissioner for Peace and Security. It welcomed the progress made towards the promotion of peace, security and stability, in particular in: (i) Sudan, with the successful holding of the self-determination referendum for South Sudan, in January 2011; (ii) Côte d’Ivoire, with the end of the crisis that followed the second round of the presidential election, on 28 November 2010, and the assumption of power by the democratically-elected President, Alassane Dramane Ouattara; as well as (iii) Guinea and Niger, with the completion of the transitions ushered in those two countries and the restoration of constitutional order.
11. The Panel reiterated the importance of prevention, both operational and structural, and called for renewed efforts to this end, stressing the need and obligation for all countries and other concerned stakeholders to extend the cooperation required by the Commission and the PSC, for successful conflict prevention efforts.

12. With respect to the popular uprisings in North Africa, the Panel emphasized that these developments provide a unique opportunity to deepen the democratization processes on the continent and ensure that the commitments made by Member States in numerous AU’s instruments are upheld and fully implemented. The Panel appealed to all stakeholders in Tunisia and Egypt to spare no efforts to ensure that the popular aspirations to genuine democracy, rule of law and respect for human rights are fulfilled. The Panel highlighted the recommendations made by two of its members to Tunisia on 6 and 7 April 2011. The Panel looks forward to the planned visit to Egypt in June 2011.

13. The Panel expressed deep concern at the situation in Libya, and called for an immediate and complete ceasefire and an end to all attacks against civilians, especially in light of the dire humanitarian conditions on the ground, as reported by the United Nations Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Valerie Amos, in a statement to the Security Council on 9 May 2011. The Panel was appalled by the suffering inflicted on the populations living in Misrata, the death, displacements and destruction of vital infrastructure resulting from the current situation, as well as by the fate of African migrant workers in Libya. Regarding this last aspect, the Panel was horrified by the news on the death of nearly 600 migrants, when their boat broke up off the coast of Libya, as well as by earlier similar incidents. The Panel took this opportunity to remind all the countries and organizations whose naval vessels are patrolling in the Mediterranean Sea of their duty to extend full assistance to any boat leaving Libya. The Panel expressed its conviction that the pursuit of the current fighting and military operations can only worsen the humanitarian situation and, therefore, jeopardize the very purpose for which Security Council resolution 1973(2011) was adopted. Accordingly, the Panel strongly urged all relevant international stakeholders to, expeditiously and wholeheartedly, work towards an immediate ceasefire and end to all other military operations, as the only way of ensuring the effective protection of the civilian population and creating conditions for an overall political solution to the crisis. The Panel welcomed the calls for a ceasefire made by the United Nations Secretary-General, Mr. Ban Ki-moon, as well as the call on the need for a temporary pause in the conflict made by the UN Under Secretary-General for Humanitarian Affairs, and stressed that the demand for an immediate ceasefire and an end to all attacks against, and abuses of, civilians is the first operative paragraph of resolution 1973(2011).

14. The Panel expressed its full support to the AU Roadmap for the Resolution of the Libyan Crisis, as articulated by the Peace and Security Council at its 265th meeting held on 10 March 2011, stressing that this Roadmap provides a viable basis for ending the current bloodshed, alleviating the suffering of affected civilian populations, and meeting the legitimate aspirations of the Libyan people for democracy, the rule of law and respect for human rights, including the early establishment of an inclusive transitional period devoted to the implementation of the required reforms, in particular the adoption of a Constitution. The
Panel welcomed the efforts and commitment of the members of the AU High-Level *ad hoc* Committee on Libya and stressed the unique contribution the Committee can make in the search for a lasting solution to the Libyan crisis. It called on AU partners to extend their support to the Committee, whose role is duly recognized by UN Security Council resolution 1973(2011), bearing in mind that Africa is the continent that will be the most affected by the pursuit and aggravation of the current situation, as well as the provisions of Chapter VIII of the United Nations Charter on the role of regional arrangements in the settlement of disputes within and between their Member States.

15. The Panel agreed to hold its 11th meeting in the last week of August 2011.