

AFRICAN UNION
الاتحاد الأفريقي



UNION AFRICAINE
UNIÃO AFRICANA

Addis Ababa, Ethiopia

P. O. Box 3243
5517844

Telephone: 5517 700

Fax:

Website: www.Africa-union.org

PEACE AND SECURITY COUNCIL
195TH MEETING
17 JUNE 2009
ADDIS ABABA, ETHIOPIA

PSC/PR/2(CXCV)
Original: French

**REPORT OF THE CHAIRPERSON OF THE COMMISSION ON THE SITUATION IN
THE CENTRAL AFRICAN REPUBLIC (CAR)**

REPORT OF THE CHAIRPERSON OF THE COMMISSION ON THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC (CAR)

I. Introduction

1. This report is submitted within the framework of the regular review and follow-up on the situation in the Central African Republic (CAR), pursuant to the Communiqué of the 130th Meeting of the Peace and Security Council, held in Addis Ababa on 29 May 2008. In that decision, the Council, among others:

- noted with satisfaction the efforts deployed by the Central African Government in the promotion of dialogue, national reconciliation and peace; and urged all concerned parties to participate in the dialogue in a constructive manner and in a spirit of tolerance and mutual respect;
- welcomed the signing in Libreville, on 9 May 2008, of the Cease-fire and Peace Agreement between the Government and the People's Army for Restoration and Democracy (APRD) and urged the signatories, including the parties to the agreements of Sirte on 2 February 2007 and of Birao on 13 April 2007 to respect the commitments that they made;
- expressed its gratitude to the leaders in the region, for their sustained efforts to promote peace and stability in CAR and urged them to pursue these efforts. In that regard, Council took note of the decision of the Conference of Heads of State and Government of ECCAS held in Brazzaville on 30 October 2007 to transfer authority over the Multinational Force of the Community Economic and Monetary of Central Africa (CEMAC), (FOMUC), from CEMAC to ECCAS;
- welcomed the fruitful cooperation between the AU and the European Union (EU) which has always made it possible since 2004, to provide support to the activities of the FOMUC and encouraged the two institutions to reinforce this partnership;
- expressed its concern over the persistence of insecurity in some provinces in the hinterland, and over the worsening humanitarian situation in the north of the country;
- Noted with satisfaction the sustained efforts of the Government of CAR towards the socio-economic recovery of CAR and the progress made in this respect;
- commended the Commission for the initiatives it took in the follow-up to its Communiqué No. PSC/PR/Comm(LXVII) of 7 December 2006, in particular, the

organization of the African Solidarity Conference with CAR in Addis Ababa, on 19 October 2007, requested it to pursue and intensify its efforts to ensure adequate follow-up of the said conference and urged Member States to continue their support to CAR;

- also requested the Commission to continue to support the inclusive political dialogue and peace consolidation efforts in CAR and to take the necessary measures for the opening of a Liaison Office in Bangui.

2. This report dwells on the evolution of the situation, as well as activities conducted by the Commission during the period, within the framework of a follow-up on the decision taken at the 130th meeting of the Council, including the report of the mission to Bangui, undertaken from 7 to 9 May 2009, led by my special Envoy to CAR, Mr. Sadok Fayal.

II. Main Developments since May 2008

A. In the Political Domain

3. Council will recall that in the report submitted to its 130th meeting, I noted the tremendous efforts deployed by the Central African authorities for the promotion of dialogue and national reconciliation, with the support of the leaders of Central Africa, particularly the late President El Hadj Omar Bongo Ondimba, in his capacity as the Chair of the *Ad Hoc* Committee on CAR issues in the CEMAC region, and the United Nations Peace-Building Support Office in the Central African Republic (BONUCA). These efforts led to the signing, in Libreville on 9 May 2008, of a Ceasefire and Peace Agreement between the Government and the People's APRD. This Agreement is in keeping with previous Agreements signed by the Central African Government in Sirte in February 2007 with the Central African People's Democratic Front (FDPC), and in Birao, in April 2007, with the Union of Democratic Forces (UFDR).

4. Due to the diversity of agreements and the need to harmonize the framework of relations with all the armed movements with a view to political dialogue, the Central African Government continued discussions with the armed movements. Accordingly, the parties reached a "Comprehensive Peace Agreement" signed by the Government, the APRD and the UFDR in Libreville. The Comprehensive Peace Agreement provides for a general amnesty for combatants and civilians who are members of armed movements, including the restoration of their rights, cantonment, demobilization and disarmament of their combatants, as well as the principle of participation of members of armed movements in the management of State affairs. **The** FDPC refused to be party to the agreement.

5. These agreements and accompanying measures facilitated the preparation and holding of the Inclusive Political Dialogue (IPD). In order to ensure the effective and inclusive participation of all the Central African stakeholders, including the armed movements, and in conformity with the recommendations of the Dialogue Preparatory Committee, an amnesty law was adopted on 29 September 2008, and several prisoners from the armed movements were released.

6. The sessions of the IPD organized from 8 to 20 December 2008, were attended by almost all the Central African political and social actors, thus proving that the forum was truly inclusive. The deliberations were led by the former President of Burundi, Mr. Pierre Buyoya, and focused on “Political and Governance Issues”; “the Security Situation and Armed Groups”, and “Socio-Economic Development”.

7. Among the recommendations adopted by the IPD, and as it relates to political and governance issues, the following are worth mentioning:

- ✓ establishment of an *Ad Hoc* Committee composed of the entities represented within the IPD, with the assistance of international experts, charged with revising the electoral code in order to adapt it to the provisions of the Constitution, and the security requirements of candidates as well as an Independent Electoral Committee composed of the entities represented within the IPD, with the assistance of international experts;
- ✓ review of the law on the Higher Judicial Council, the establishment of the High Court of Justice, the cessation of the plurality of functions of the President of the Republic, **and** respect for the separation of powers, the independence of the Judiciary and the secular character of the State;
- ✓ establishment of a Government bringing together the entities that are stakeholders in the IPD; and
- ✓ control of institutions and the establishment of a framework for permanent consultations between the political and social actors.

8. On the security situation and armed groups, the IPD recommended:

- ✓ The implementation of the Security Sector Reform (SSR) initiated in 2008 (seminar from 14 to 17 April 2008);
- ✓ The adoption and implementation of a law on military planning;
- ✓ The restructuring of the National Army;

- ✓ The strengthening of the technical and professional capacities of the Defence and Security Forces (DSF);
- ✓ The immediate implementation of the DDR programme signed in Libreville on 20 November 2008, in order to station the combatants of the politico-military movements that are signatories to the Comprehensive Peace Agreement in areas to be identified in agreement with the Government;
- ✓ The launching of a wide sensitization campaign targeting the combatants, local authorities and the population on peace, national reconciliation, amnesty and IPD resolutions;
- ✓ The strict respect of the peace agreements and end of hostilities once and for all.

10. On socio-economic development, the IPD recommended:

- ✓ The implementation of the Poverty Reduction Strategy Papers (PRSPs);
- ✓ The effective management of public finances;
- ✓ The effective management of natural resources;
- ✓ Support to Small and Medium sized Enterprises/Small and Medium sized Industries(SME/SMI)

11. Lastly, the participants in the inclusive IPD proposed the setting up of a Committee to follow up on the recommendations, comprising of representatives of the parties that participated in the IPD, those of the international community, including the UN, EU, FIO, AU, ECCAS, CEN-SAD, and the CEMAC Ad Hoc Committee on Central African issues. This Committee is mandated to oversee the effective implementation of the IPD recommendations. It is worth noting that the Union of Republican Forces (UFR) led by Florian N'Djadder Bedeya, and the Movement of Central African Liberators for Justice (MLCJ), led by Mr. Abacar Sabone – both of which were hitherto unknown or ignored – have seized the opportunity offered by the IPD to sign the Comprehensive Peace Agreement in Bangui.

11. Pursuant to the recommendations of the IPD, President François Bozize formed a new government on 19 January 2009, which included a few members of the armed and democratic opposition. However, for some members of the democratic opposition, the

new government does not reflect the IPD spirit. On 5 February 2009, the President of the Republic issued a decree setting up the Committee responsible for following up on the IPD recommendations. The Committee held its first ordinary session on 1-2 April 2009 and adopted its working budget amounting to nearly 800 million CFA francs. Also, an Ad Hoc Committee responsible for the revision of the Electoral Code was set up and should submit the decisions of its proceedings to the Government.

12. The much awaited adoption of the Electoral Code by the National Assembly, after its consideration by the Council of Ministers, should mark the beginning of the electoral process leading up to the presidential and legislative elections scheduled for April 2010.

B. On security

13. A brief lull was observed in the weeks following the end of the IPD. However, since February 2009, clashes have become more frequent, causing fresh security threats to loom in the remote provinces of the country.

14. The initial meetings of the Steering Committee of the DDR programme in February 2009 came up with the provisional list of APRD and UFDR combatants, estimated to be 5,000 and 2,000 respectively. However, the exact number of UFR and MLCJ combatants is not known since these groups, which are members of the DDR Steering Committee, have not yet submitted any data regarding their numbers. As for the FDPC, which is a non-signatory to the Comprehensive Peace Agreement, it did not accede to the programme and, to date, constitutes a real stumbling block to the smooth conduct of the DDR process.

15. In February 2009, the FDPC clashed with the Central African Armed Forces (FACA) at Batangafo, Ouham Prefecture, forcing the FACA to launch several operations in the area up to the Chadian border. The FDPC and the MLCJ threats of resumption of armed hostilities has to some extent heightened insecurity in the North-Centre region. In the face of the activities of politico-military groups and highway robbers, commonly known as "zaraguinas", many villagers have formed vigilante groups filling the void created by the absence of significant national defence and security forces. However, the increasing number of these groups has begun to raise concern.

16. The delay in the implementation of the DDR programme is also another source of concern. Indeed, many APRD or UFDR combatants who welcomed and expected benefits from the programme are becoming impatient. Unless an exhaustive census of all combatants is carried out, the United Nations Development Programme (UNDP) will continue to find it difficult to design a coherent programme. Thus, the Joint Operation Plan (JOP), which should define in detail the execution of the programme, is yet to be adopted and the issue of funding is far from being resolved. With the exception of the

United Nations Peace Building Fund which has contributed the sum of 4 million US dollars, donors are still at the level of promises.

17. It is against this backdrop that there has been a resurgence of inter-community clashes over March and April 2009 in the North East, Vakaga Prefecture, between Rounga and Goula, and between Goula and Kara, causing the populations to flee towards Chad and creating fresh insecurity in the region. In an effort to pacify the region, the Central African authorities dispatched the Minister of Territorial Administration and Decentralization to Birao.

18. On the other hand, the States of the region have continued to support the return of peace and stability in the country, especially through the ECCAS Peace Building Mission or MICOPAX. Deployed since July 2008 in replacement of the CEMAC Multinational Force (FOMUC), MICOPAX is tasked with consolidating peace and stability by lending support to Central African defence and security forces. The Mission has a civilian component responsible for such issues as human rights, humanitarian activities and HIV/AIDS, as well as a police component responsible for police issues. Its activities were evaluated on 23-30 April 2009 by an AU-EU joint mission to the Central African Republic and the ECCAS Secretariat in Libreville, Gabon. This evaluation revealed:

- The need for an expeditious deployment of the civilian and police components of the Mission and the effective presence in Bangui of the Head of Mission;
- The need to improve the troop mobility of the Central African Multinational Force (FOMAC);
- The increasingly important role of MICOPAX in the implementation of the DDR programme on the ground and more generally in the reform and restructuring of the security sector in the Central African Republic;
- The need to strengthen relations with the Central African defence and security forces through common understanding and interpretation of the mandate of the Mission;
- The imminent opening of a new deployment zone in Ndélé; and
- The organization of civilian and military activities for the benefit of the populations.

19. Alongside the MICOPAX activities, the Government continued its security sector reform program with the support of external and development partners. After an initial assessment in December 2008, a meeting to evaluate the timeframe of activities arising from the April 2007 seminar was held in Bangui in February 2009. The timeframe was

revised to take into account the ownership of the program by CAR. A round table meeting bringing together the Government and the donors is scheduled for July 2009.

20. The UN Mission in CAR and Chad (MINURCAT) has undergone several important changes since 15 March 2009 to date, which marked the end of the mandate of the EU military operation (EUFOR Tchad/RCA) deployed in March 2008 for the protection of MINURCAT. The United Nations Security Council decided in its resolution 1861 adopted on 14 January 2009, on a one-year extension of MINURCAT mandate and authorised the deployment of a military component that will take over from EUFOR. MINURCAT would then include a maximum of 300 policemen, 25 liaison officers and 5200 soldiers, as well as civilian personnel. On the basis of Chapter VII of the United Nations Charter, the Security Council authorised MINURCAT to take all necessary measures, within its capabilities and in the area of operations in the North-East of CAR, to carry out its duties by establishing a permanent military presence in Birao, in collaboration with the Central African Government.

C. In the socio-economic domain

21. The world economic and financial crisis has had a direct impact on the economic and financial situation of CAR. According to the Minister of Planning, Economy and International Cooperation, from October 2008 to March 2009, CAR lost nearly 30 billion CFA francs from expected income in the mining and timber sector, due to weak global demand. Even worse, since the beginning of 2009, the country has received no budgetary support. Nevertheless, the Government is managing to pay the salaries of civil servants and officials. In December 2008, the African Development Bank (ADB) provided a modest assistance to address the food crisis.

22. Admittedly, the Government has made tremendous and painstaking efforts to improve government revenues, but the tax base is narrow and the country still remains dependent on external assistance for its operations. Due to the length and complexity of procedures related to the mobilisation of external assistance, recovery efforts in the country are not decisive. For example, the Financing Agreement, amounting to 142.8 million Euros, signed in June 2008 with the EU, has yet to be implemented. There is support from the World Bank and other international financial institutions, but the pace is very slow.

23. CAR reached the decision point to get a status under the Highly Indebted Poor Countries (HIPC) Initiative in September 2007 and will reach completion point in June 2009, but the country's authorities are expressing fears about new conditions that could postpone reaching the completion point. They are relying on an AU plea to international financial institutions to achieve the completion point objective.

III. Activities of the Commission

24. In accordance with the decision of the 130th meeting of the Council, the Commission undertook several activities, in partnership with other regional and international stakeholders, with a view to normalising the political and security situation, and promoting economic recovery and the implementation of reconstruction programs. Thus, the Commission took an active part in the IPD, appointing representatives, including the CAR Special Envoy, to take part in the activities of the Preparatory Committee (December 2007 to March 2008), and in the final meeting in December 2008 and made a financial contribution of 100 000 US dollars.

25. On the sidelines of the IPD deliberations, the first meeting of Special Envoys/Representatives of the UN, the African Union (AU), the International Organisation of Francophonie (OIF) and President El Hadj Omar Bongo Ondimba was held. The second meeting took place in Libreville from 26 to 27 January 2009. These consultations were aimed at harmonising viewpoints, strengthening partnership relations and pooling the efforts in solving the Central African crisis. The Commission also took part in the 4th meeting of the Comprehensive Peace Agreement Monitoring Committee held in Libreville on 29 January 2009, as well as the first meeting of the Steering Committee of the DDR program in February 2009.

26. Furthermore, the Commission continues to support the activities of regional organisations, including MICOPAX, as evidenced by its endorsement of ECCAS General Secretariat's request, resulting in a financial contribution totalling 14.6 million Euros allocated by the EU to finance MICOPAX activities for 2009, within the framework of the Africa Peace Facility (APF). In order to pursue this partnership and to adequately monitor the use of these resources, the two institutions carried out a joint mission to assess the activities of MICOPAX in CAR and Gabon, from 23 to 30 April 2009.

27. Apart from its contribution to efforts aimed at consolidating peace and security in the CAR, the Commission sent an exploratory and fact-finding mission to Bangui, from 28 January to 5 February 2009, with the aim of opening a Liaison Office in Bangui, in keeping with the decision of the 130th PSC meeting. The mission defined the size of the Liaison Office, identified the premises to be used as office space, as well as the necessary equipment. The Office should become operational in the coming months.

28. Lastly, in the run up to this meeting of Council, I sent my Special Envoy to Bangui, from 7 to 9 May 2009, to review developments in the political, social and economic situation in CAR with the country's authorities, political and social stakeholders, as well as external and development partners. During the visit, the special Envoy held talks with the Speaker of the National Assembly, the Ministers of Defense,

Public Security , Planning, Economy and International Cooperation, and of Territorial Administration, as well as the Minister Delegate for Foreign Affairs, the Political Adviser to the President of the Republic, representatives of the democratic opposition and the presidential majority and the Acting Representative of the United Nations Secretary General, head of the United Nations Office in Central African Republic (BONUCA).

29. By participating in the efforts to consolidate peace and security in CAR, together with regional and international partners, the Commission has enhanced its role in the resolution of the crisis in Central African Republic, particularly within the Committees overseeing the Comprehensive Peace Agreement, the DDR and the recommendations of the Inclusive Political Dialogue (IPD). When the activities of the Liaison Office kick off, it will strengthen the AU support to ongoing initiatives in the country.

IV. Observations

30. The effective holding of the IPD, which was attended by almost all political and social Central African Republic actors, including politico-military groups, marked a milestone in the efforts to consolidate peace, security and stability in CAR. Despite the sporadic armed clashes observed here and there, a general trend towards peace is manifesting itself in the country. The Government continues its efforts in promoting a permanent dialogue with all political and social actors and has been able to improve its relations with several armed groups who are involved in the DDR.

31. Clearly, one of the greatest challenges CAR has to grapple with, is the effective implementation of the DDR programme. Indeed, it is becoming increasingly clear that the rest of the process leading up to the conduct of open elections involving all the actors in a peaceful atmosphere hinges upon the DDR. The delay recorded in the DDR calendar will affect the electoral process.

32. In fact, several obstacles hinder the implementation of the DDR. Bringing all the armed groups on board constitutes the first obstacle. The refusal by the FDPC of Abdoulaye Miskine to join the peace process is a major impediment to the implementation of the calendar adopted by the Steering Committee. Despite the initiatives taken to this end, the FDPC has still not accepted to join the peace process ensuing from the Comprehensive Peace Agreement and the IPD. Moreover, the movement is threatening to resume armed struggle. The sound implementation of the DDR programme could be further impeded by the lack of cohesion among the politico-military groups, difficulty in distinguishing them clearly, the emergence of new groups such as the Convention of Patriots for Justice and Peace (CPJP in Vakaga region) and the increase in the number of vigilante groups.

33. Funding constitutes another obstacle which is still to be overcome and which could further delay the implementation of the calendar. The Central African authorities have very limited resources of their own, and expect everything from external partners. Indeed, without substantial external support, the implementation of the programme will be jeopardized, and all the political process could be stalled. Many observers have warned of the emergence of a major new political crisis that could arise if the elections are not held according to the constitutional schedule, that is in April 2010.

34. Besides the political and security issues, the economic and financial situation deserves special attention. The international financial institutions and all development partners should be sensitive to the efforts made by the Central African authorities, and adjust support procedures to the reality of the situation. Shorter timeframes in the implementation of pledges and projects could be seen as a sign of encouragement to persevere in efforts to consolidate the achievements, especially in the reconstruction of the country.