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9th MEETING OF THE PANEL OF THE WISE
ALGIERS, ALGERIA
12 – 14 DECEMBER 2010

COMMUNIQUE

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The Panel of the Wise of the African Union (AU) held its 9th meeting in Algiers (Algeria), from 12 to 14 December 2010. This meeting took place in the wake of the adoption, by the 15th Ordinary Session of the Assembly of the Union, held in Kampala (Uganda), from 25 to 27 July 2010, of a decision regarding the renewal of the mandate of the Panel and the establishment of a Team of Friends of the Panel of the Wise. It is to be recalled that the Panel of the Wise, which was established under Article 11 of the Protocol Relating to the Establishment of the Peace and Security Council (PSC), is mandated to support the efforts of the PSC and those of the Chairperson of the Commission, particularly in the area of conflict prevention.

In addition to the Chairperson of the Panel, Mr. Ahmed Ben Bella, the meeting was also attended by the following members of the Group: Dr. Salim Ahmed Salim, Dr. Mary Chinery-Hesse, Dr. Kenneth Kaunda and Advocate Marie-Madeleine Kalala Ngoy. Furthermore, the following personalities took part in the meeting as members of the Team of Friends of the Panel of the Wise: Ms. Brigalia Bam, Ms. Elizabeth Pognon and Mr. Miguel Trovoadá.

The opening ceremony of the meeting was marked by addresses delivered by the following personalities: Mr. Ahmed Ben Bella, Chairperson of the Panel of the Wise; Mr. Abdelkader Messahel, Minister of State in charge of Maghreb and African Affairs, on behalf of the host country, Algeria; and Mr. Amr Moussa, Secretary-General of the League of Arab States; as well as by Mr. Jean Ping, Chairperson of the AU Commission.

During the meeting, the Panel of the Wise reviewed the state of peace and security on the continent, on the basis of briefings made by the AU Commissioner for Peace and Security, Ambassador Ramtane Lamamra; the United Nations Assistant Secretary-General for Political Affairs, Mr. Taye Zerihun; the Special Representative of the United Nations Secretary-General for West Africa, Ambassador Saïd Djinnit; the Special Representative of the Chairperson of the Commission for Somalia, Ambassador Boubacar Diarra; and Mr. Ahmed Ould Abdallah, Mediator in Residence of the United Nations. In addition, the Chairperson of the PSC for the month of December 2010, Ambassador Amadou Ndiaye, Permanent Representative of Mali to the AU, and a representative of Malawi, on behalf of the current Chair of the Union, also took the floor.

The Panel reiterated its concern at the continuing scourge of conflicts on the continent. It encouraged the AU (both the Commission and the PSC) and the Regional Mechanisms for Conflict Prevention, Management and Resolution to continue and intensify their efforts towards the resolution of current crises and the consolidation of peace where it has been restored.

More specifically, the Panel expressed particular concern about the situation in Côte d'Ivoire. It fully supported the decisions taken by the PSC, urging Mr. Gbagbo to respect the will of the people and to allow the President-elect, Mr. Alassane Dramane Ouattara, to assume his duties, in the best interests of the country, the region and Africa. The Panel encouraged the Chairperson of the Commission to continue with his efforts to overcome the crisis in a way that promotes democracy and reconciliation, through dialogue.

The Panel noted with regret that 10 years after the signing of the Algiers Peace Agreements, the peace process between Ethiopia and Eritrea remains stalled. The Panel urged the Chairperson of the Commission to envisage useful initiatives to help the parties resolve the outstanding issues between the two countries and work towards the normalization of their relations. In more general terms, the Panel stressed the opportunity to work towards the launching of a regional and comprehensive approach to address the challenges of good neighborliness, peace, security and development in the Horn of Africa, encouraging the AU Commission, in close coordination with IGAD and with the support of AU partners, to undertake preparatory consultations to that effect.

The Panel noted that its current meeting was taking place at a particularly important moment in the history of Sudan, with the referendum on self-determination scheduled to be held in southern Sudan on 9 January 2011. The Panel expressed its full support to the efforts being deployed by the AU, through the AU High-Level Implementation Panel (AUHIP) on Sudan, under the leadership of President Thabo Mbeki, for the settlement of both the outstanding issues in the implementation of the Comprehensive Peace Agreement (CPA) and the post-referendum arrangements. The Panel also emphasized the imperative of promoting an inclusive and comprehensive political process in Darfur, expressing its support to the initiatives being taken by the AUHIP and UNAMID for the launching of the said process on the basis of the outcome of the efforts currently exerted by the AU-UN Joint Mediator, in collaboration with the State of Qatar.

The Panel hailed the efforts being deployed by the AU towards the promotion of peace and reconciliation in Somalia. It urged the Somali parties to redouble their efforts in order to successfully conclude the transition, and called on the international community, in particular the United Nations, to provide the required support to the ongoing efforts, including the strengthening of the AU Mission in Somalia (AMISOM), as decided by the PSC during its meeting of 15 October 2010.

The Panel condemned in the strongest manner the acts of sexual violence perpetrated in the eastern part of the Democratic Republic of Congo (DRC). It agreed, notably on the basis of the conclusions of the workshop held in Kinshasa from 19 to 21 May 2010 on the issue of women and children in armed conflicts, to intensify its efforts on this issue, including through visits to Eastern DRC, to show its solidarity with the victims and encourage the adoption of the necessary protection measures, and the mobilization of concrete support for the concerned populations.

The Panel welcomed the completion of the process of restoring constitutional order in Guinea and the progress made in Niger as part of the transition launched after the February 2010 coup d'Etat. The Panel expressed its deep concern at the continued deadlock in Madagascar, and encouraged the AU Commission and the SADC Secretariat to intensify their efforts to facilitate the search for a consensual solution respectful of the African doctrine on the matter.

During its deliberations, the Panel of the Wise reviewed its strategic vision for the next three years. In this regard, and based on the experience gained during its first mandate, the Panel agreed on the need to intensify its conflict prevention efforts. In this respect, the Panel will undertake, whenever necessary, field missions to help defuse tensions and

prevent them from escalating into open conflicts. A detailed schedule of visits will be prepared to this effect, with particular emphasis on countries engaged in electoral processes.

In addition, the Panel agreed to intensify its interaction with the PSC and the Chairperson of the Commission so as to diligently bring to their attention any situation likely to affect peace and security in Africa.

Furthermore, the Panel agreed to take specific measures to ensure a more effective implementation and follow-up of the recommendations it adopted under its thematic reflection on election-related conflict and violence, as endorsed by the Assembly of the Union in Sirte, in July 2009. In addition to the missions to be undertaken to the countries concerned, the Panel will take further initiatives, including heightening the awareness of various stakeholders and mobilizing their support for the effective implementation of the recommendations made.

The Panel reviewed and adopted its report on *Non Impunity, Truth, Peace, Justice, and Reconciliation in Africa: Opportunities and Constraints*. The decision to carry out a reflection on this theme was made at the 4th meeting of the Panel held in Nairobi on 28 and 29 November 2008. This choice was informed by the recurrence, within Africa, of the debate on the fight against impunity and its relationships with the issue of peace, justice and reconciliation, as illustrated, among other things, by the controversy surrounding the action of the International Criminal Court (ICC) in Sudan and elsewhere on the continent, as well as other experiences in Africa.

The Panel recommended the adoption by the relevant policy organs of the AU of a Policy Framework on Transitional Justice, which will adequately respond to the dual imperative of seeking peace and promoting reconciliation, on the one hand, and fighting impunity and upholding justice, on the other.

Within this framework, the Panel intends to play a central role in terms of advocacy, with particular emphasis on the ratification of African and international instruments relating to human rights, ensuring that mediators and peacemakers throughout Africa are aware of relevant norms and institutions as they set up transitional justice mechanisms, the implementation and monitoring of existing transitional justice mechanisms, and the mobilization of civil society. The Panel's report will be submitted to the 16th Ordinary Session of the Assembly of the Union, scheduled to be held in Addis Ababa at the end of January 2011.

The Panel agreed to hold its next meeting in Addis Ababa in February 2011.

The Panel expressed its appreciation to the Algerian authorities for their generous hospitality and for all facilities put at its disposal for the successful conduct of its proceedings. In particular, the Panel expressed its deep gratitude to President Abdelaziz Bouteflika, commending his contribution to the promotion of peace, security and stability on the continent.