

STRENGTHENING THE ROLE OF IGAD IN REGIONAL PEACE INITIATIVES AND POST CONFLICT RECONSTRUCTION

Appendix A: IGAD's Role in Regional Processes for Promoting and Maintaining Peace

Appendix B: Programme

Appendix C: Participants List

MONDAY 1 DECEMBER 2003

Session 1: Opening Session

Election of the Bureau:

Chairperson: Amb. Wasswa Biriggwa, Uganda

Rapporteur: Amb. Omar M.A. Sidig, Sudan

Adoption of the Agenda:

The Agenda was adopted without amendment.

Keynote Address:

Executive Secretary of IGAD, Dr Attalla Hamad Bashir welcomed the Honourable Stephen Kalonzo Musyoka, Minister of Foreign Affairs and International Co-operation for Kenya and all distinguished delegates to the meeting. He thanked the Government of Kenya for hosting the conference, the Danish Government for their financial support, the Institute for Security Studies (ISS) for their technical assistance and the IGAD Partners Forum (IPF) for their continued support. He referred to three emerging tasks for the IGAD Secretariat: (1) the 10th Summit of IGAD Heads of State and Government held in Kampala in October approved IGAD's engagement in the Ethiopia-Eritrea conflict; (2) the IGAD Secretariat had been asked to be involved in the post conflict peace building and reconstruction efforts on Sudan and will be expected to do so in Somalia when the national reconciliation effort was concluded successfully; (3) IGAD was seeking an elaboration of the proposal made by Sudan to develop a regional security framework that will create a larger peace and security landscape for the region. The Secretariat has embarked on this task in collaboration with the European Union (EU) and would be holding workshops in this connection.

After nearly ten years since IGAD was assigned responsibility for conflict

prevention, management and resolution in the region, this meeting required a review of IGAD's conflict mediation role. The meeting should also consider how to expand the role of the Conflict Early Warning and Response Mechanism for IGAD Member States (CEWARN) to cover areas other than pastoralist conflict. Areas of concern included how best to utilise member states in furtherance of peace in the region, the extent of Secretariat participation, the role of the IGAD chair, how special envoys should relate to the IGAD Authority, whether a lead state approach should be encouraged, as well as issues of peacekeeping and integration into the concepts of the African Standby Force and its Regional Standby Brigades. Amb. Attalla concluded that the meeting was intended to identify areas of co-operation and collaboration between IGAD member states, the IGAD Secretariat and the partner countries and organisations.

H.E. Carol Calia, Ambassador of Italy in Nairobi spoke on behalf of the IGAD Partners Forum. He said the IPF shares IGAD's interest in this conference. IGAD was regional enough to imply a serious, deep engagement by the member governments in the conflicts, and also international enough to attract African and international attention to the peace processes. Italy and Norway were co-chairs to the IPF on the Sudan Peace Process and Italy was chair of the IPF on the Somalia Peace Process. The role of the IPF was to provide political support and financial assistance to IGAD. Adequate and sustained external support was essential. Amb. Calia noted that the regularity and level of the necessary foreign funding depended on: (1) complete transparency and accountability for the funding and to what purposes it was allocated; and (2) the evaluation, in political terms, that the process was advancing positively. He said that IGAD has shown remarkable elasticity in the different spheres of action. Kenya's patient determination, financial cost and involvement had given IGAD the indispensable operational army needed for both peace processes. Regarding post-conflict reconstruction, huge amounts of money and involvement of UN agencies, the World Bank and Government Aid Agencies would be required. IGAD should maintain its political role of keeping the regional governments and the future intervening economic institutions engaged in the post-conflict scenario. The IPF needed to be ready to gather support for this next stage. Monthly meetings of the IPF should be maintained to keep this support alive and informed on the evolution of the situation.

Welcome Address by Honourable Stephen Kalonzo Musyoka, Minister of Foreign Affairs and International Co-operation, Republic of Kenya:

The Minister welcomed participants to the meeting on behalf of the Government and people of Kenya. He thanked the Danish Government, the IGAD Secretariat and the ISS on behalf of the IGAD Member States for their preparations and funding of the meeting. He remarked that he had been personally involved in the Sudan peace process for some time, in particular between 1993-1997. He was on

the team in Djibouti that redrafted the Agreement establishing IGAD in 1995. Sustainable peace and development were founding principles written into this charter. The intensity of the Ethiopia-Eritrea conflict was an example of the many obstacles to security in the region, which necessitated the strengthening of IGAD's leadership role in regional peace and security.

The Minister stated that there were, at present, over seventeen low intensity conflicts in the region and a similar number of situations, which could erupt at any moment. Divisions among parties and factions were a common problem that complicated reconciliation. Building trust was difficult. There were also divided interests between conflicting parties, regional member states and the wider international community on how to resolve the conflicts. Some parties embarked on "forum shopping" whenever talks encountered difficulties, seeking a different vehicle for negotiations instead of solving the problem at hand. The Minister added that there was no alternative for President Abdiqassim Salad Hassan and that he should come back to the negotiating table. Time management was another challenge, as the financial burden mounted when a process was allowed to continue without set deadlines. The peace process for Sudan was irreversible, and this was cause for optimism. However, all parties should be accountable and set clear timeframes for themselves.

Turning to the issue of resource constraints, the Minister thanked the IPF and other donors for their financial, diplomatic and political support. The Somali Peace Process had, however, encountered serious financial difficulties, which the IGAD Secretariat was trying to alleviate. When observers saw progress and had hope for a peace process, the funding would follow. The new government of Kenya had struggled to budget for the Somalia peace process, but would continue to be committed to the process. The Minister appealed to IGAD's supporters to provide the much needed financial assistance. A failed state like Somalia posed a threat to regional peace and security, since illegal weapons flows from Somalia found their way into neighbouring countries and was directly linked to crime and other vices, such as terrorism.

The Minister concluded by encouraging strengthening of the role of IGAD in conflict resolution, not only targeted towards peace making capabilities, but also preventive diplomacy. He urged closer co-operation between IGAD, the AU and the UN. In closing, the Minister announced that Somali Leaders would attend a ten day Leaders Retreat in Mombasa from 9 December 2003, launched by H.E. James Wapakabulo, Second Deputy Prime Minister and Minister of Foreign Affairs of Uganda and members of the IGAD Ministerial Facilitation Committee. It was hoped they the Somali leaders would return to Mbagathi thereafter to negotiate

in good faith for the good of their country and peoples. After the Minister's presentation, Amb. Calia informed the meeting that Italy would provide additional funding of US\$500 000 in support of the IGAD Somalia Peace Process.

Welcome, Overview and Backdrop to the Meeting:

Mr Daniel Yifru, Director of Political and Humanitarian Affairs Division, IGAD welcomed participants to the meeting. He explained the programme and then drew the attention of the meeting to the draft working paper titled "IGAD's Role in Somalia and Sudan: Policy Options for Promoting and Sustaining Peace, including Institutional Implications". He introduced the draft recommendations contained in the working paper that had been prepared for the meeting's consideration. Mr Yifru emphasised that these were zero draft proposals, which had no official status. They were not exhaustive, and it was expected that this meeting would discuss, amend and add to these recommendations.

The draft working paper pointed out that IGAD had made commitments to "support reconstruction and peace building" in Sudan and to continue engagement in Somalia. Steps now had to be taken to translate these commitments into a specific, appropriate, feasible and coherent role for IGAD, in cooperation with other bodies with complementary roles. The document is attached as appendix A, the programme as appendix B and the list of delegates as appendix C.

In addition to the draft working paper, the conference packs contained two independently commissioned background papers on the role of IGAD in the Sudan and Somalia peace processes. These papers also had no official status and were meant to inform and stimulate debate.

Session 2: The Sudan Peace Process

Ambassador Busho Ndinyenka, Special Envoy of Uganda to the Sudan Peace Process addressed the meeting on behalf of General L.E. Sumbeiyu, Special Envoy to the Sudan Peace Process. He recalled the history of the IGAD peace process began in 1994, during the IGADD (IGAD's predecessor) Summit in Addis Ababa. The first step was the adoption of the Declaration of Principles (DOP), which identified the key issues in the conflict as: (1) the right to self-determination for the people of South Sudan; (2) separation of state and religion; (3) a participatory system of governance; (4) sharing of resources; and (5) security arrangements. From that time the Government of Sudan (GOS) and the Sudan People's Liberation Movement/ Army (SPLM/A) embarked on a path to seek a negotiated settlement to the Sudan conflict.

From 1997-1999, the negotiations were carried out by IGAD at Ministerial level. Thereafter, a Permanent Secretariat on the Sudan Peace Process was established under a Special Envoy appointed by Kenya as Chairman of the IGAD Sub-Committee on Sudan. The Sudan Peace Process was rejuvenated by a decision of the 9th IGAD Summit of Heads of State and Government in Khartoum in January 2001. The Machakos Protocol of 20 July 2002 defined the role of religion in politics and governance and guaranteed the right to self-determination for the South, which would be exercised through a referendum after six years. The fall of Torit into SPLM/A hands led to the withdrawal by the GOS from the negotiating table in September 2002.

A Memorandum of Understanding on Cessation of Hostilities was signed on 15 October 2002. An addendum to this MoU established the Verification and Monitoring Team (VMT), a mechanism to check violations that were poisoning the negotiations. Several breakthrough agreements were made in 2003 between Dr Ali Osman Taha, First Vice President of Sudan and Dr John Garang de Mabior, Chairman of the SPLM/A, culminating in their commitment to a comprehensive Peace Agreement.

Amb. Ndinyenka emphasised that technical details of the Sudan Peace Agreement still had to be finalised before the agreement could be signed. He added that issues of human rights, democracy, political governance and inclusivity still needed to be resolved in the peace process.

In the **discussion** that followed it was asked how IGAD would proceed on the outstanding issues of power-sharing, wealth-sharing and security arrangements. Amb. Ndinyenka said that there were several diplomatic efforts in the country, for example, encouraging north-north dialogue, as well as south-south discussions. Currently, the negotiating process was in the hands of the parties to the negotiations. They determine the pace of negotiations and IGAD's role is to assist them. The participants then asked whether the interest of key international players would be sustained. Would Ghazi al-Attabani's resignation affect the peace process? How could the capacity of IGAD in regional peace processes be strengthened? The Ambassador was asked what lessons could IGAD learn from its involvement in the Sudan peace process for future regional peace processes? The speaker replied that the need for inclusivity in negotiations was an important issue to be addressed. Constitutional issues in particular would have to include all parties, hence the facilitation of internal dialogues. Lessons learned were that a peace process cannot be rushed, and that there needed to be regional consensus-building in any peace process.

The meeting then discussed what the African Union was doing about Sudan. An AU Maputo Summit decision was taken to set up a Ministerial Committee to

consider post-Peace Agreement involvement in Sudan. The AU was in discussions with the UN on the process and had a policy of working closely with regional economic communities (RECs) in conflict prevention, management and resolution. Discussion then turned to the Verification Monitoring Team (VMT) and problems it had encountered. The Ambassador said that the team only got off the ground a few months ago, and it had to be broadened to include more parties, including external actors. It had to be an IGAD monitoring mechanism and should be "brought back home". The monitors had now completed their training and were beginning to do constructive work. He explained that the latest extension of the Cessation of Hostilities was only made for two months, rather than the usual three months, on the expectation that a comprehensive peace agreement would be signed before 2004.

Dr Kjell Hødnebo, Norwegian Observer to the Sudan Peace Process presented a paper on "External Actor Interests in the Sudan Peace Negotiations and the Post Agreement Phase". He explained that the IGAD Partners Forum (IPF) included 20 countries, the United Nations, the World Bank and the European Union. The IPF consisted of two committees: the Somalia and the Sudan Committees. The main purpose of the Sudan Committee had been to seek international co-operation and united policies around humanitarian assistance to Sudan, to agree on the support for peace negotiations under IGAD's leadership and to prepare for international assistance in implementing the peace accord.

The speaker emphasised that the peace process was an African initiative supported by international partners. The onus rested on the Sudanese parties to implement the envisaged peace agreement in co-operation with IGAD and its partners. Ownership of talks has gradually been taken over by Sudanese parties. The anticipated end of the peace negotiations had led the IPF to speed up preparations for international assistance in the implementation of the peace agreement. For example, the UN had focused its efforts on humanitarian needs for the returning refugees and IDPs, as well as support to more sustained livelihoods in local communities, while the SPLM has commenced a process of transformation from a guerrilla-based movement to a government for the South and preparation to participate in the central government. It would be important to bring the two sides together, since they would form the Unity Government of Sudan in order for them to jointly prepare for the immediate post-conflict period. This would include setting priorities for quick impact programmes for the population and for long-term development of affected areas and the whole of Sudan.

The Norwegian government had offered to host an international donors conference in Oslo, 3-4 months after the signing of the peace agreement. The speaker noted that the signing of the Peace Agreement would constitute an easy task compared to the enormous tasks of implementing and sustaining it. If the new government failed to deliver relevant services to its population, then sustainable peace would be unattainable. IGAD and its international partners

should assist in this aspect of implementation.

In the **discussion** that followed it was pointed out that some areas of Sudan are more affected by the war than others. The Government of Sudan was hoping that the international community would support the continued unity of Sudan, and that required development assistance to all areas of the country, and especially to the areas most in need. The rehabilitation of refugees would also require donor support to ensure future sustainable peace and stability.

A request was made for the involvement and communication with the IGAD Secretariat in the planned international donors conference to be held in Oslo after signing of the peace agreement. Dr Hødnebo said that the IPF was an ad hoc organisation, and therefore that the format for support to IGAD in the long-term needed to be reviewed.

Another delegate pointed out the fact that other actors in Sudan had not been involved in the peace agreement, and that the process ran the risk that the Agreement would not be accepted by all. When and how did the IPF and Norwegian Government think other parties and civil society should have an input into the process? Dr Hødnebo replied that the various different actors had to be dealt with differently, i.e. political parties, civil society actors and armed militias could not be treated in the same way. Local level reconciliation and disarmament of militias was an ongoing process and had to be "owned" by the proposed Unity Government. The Peace Agreement required a national constitutional conference during the interim period and the IPF would encourage the proposed Unity Government to allow inclusivity in this conference.

Dr Vladimir Zhagora, UNPA Representative in the Sudan Peace Talks, addressed "The Role of the UN in the Post-Agreement Period in Sudan". He thanked IGAD for its commitment to the Sudan Peace Process. He reported that the UN Secretary General had appointed a Special Advisor to the Horn of Africa whose role was included to follow the Sudan and Somalia peace processes. When the Machakos Protocol was signed, the UN realised it should step up its engagement on Sudan and accepted the role of observer in the Machakos process. The UN's future role in support of the implementation of a comprehensive peace accord would now be developed. The framework for agreement on security arrangements during the interim period pointed the way for the future UN role, as a catalyst for the implementation of the Peace Agreement, and as an impartial supporter of the parties to make implementation a success.

The UN also saw itself as an impartial broker of any difficulties, which may arise during the implementation of the future Peace Agreement. The Agreement did contain a number of sensitive political issues, such as the right of the South to self-determination through an internationally administered referendum, balanced

with the interests of maintaining the unity of Sudan. The role of the UN also required the consistent and sufficient support of donors and humanitarian partners. Mr Zhagora emphasised that there had been deep and enormous suffering of civilian populations in the South in the past twenty years. Without immediate and consistent help to them from humanitarian partners, these civilian populations would not be persuaded of the peace dividend: that their grievances were best addressed by peace rather than continued conflict. The UN had received much co-operation from the parties in planning their future mandate. He concluded his remarks by emphasising that any future mandate for the UN would have to be feasible and realistic.

Mr Chris Coleman, Senior Political Affairs Officer, Africa Division UNDPKO, said the turning point for the UN's planning for an operational role in Sudan was the Presidential statement of 10 October 2003 and request to the Secretary-General to prepare for a comprehensive role in post-Peace Agreement support to implementation. The only way that a possible UN operation could succeed would be if it was based firmly on a comprehensive Peace Agreement by the parties involved. If the UN's role was to be defined by the Agreement, then until it was signed it was difficult to know what the UN should be preparing for.

Mr Coleman then sketched out the current understanding of what this role would entail. It would most likely include:

- (1) considerable monitoring of the ceasefire;
- (2) support of the process of disarmament, demobilisation and reintegration of armed parties to the conflict;
- (3) demining operations, which require both military and humanitarian components, that should be well-co-ordinated;
- (4) assistance in the return and repatriation of refugees and internally displaced persons; and
- (5) training and assistance to police and security forces of the new Unity Government.

The entire mission should be headed by a Special Representative for the Secretary General (SRSG), with a deputy responsible for the humanitarian, political, military and other dimensions. A single framework for the various UN agencies to operate within was important. To this end, a preparatory mission had been dispatched to the region for three weeks, comprising the range of expertise needed in the areas anticipated. Public information and logistics/ mission support dimensions also needed to be co-ordinated properly. This mission was in discussions with the local parties and familiarising themselves with the likely technical requirements. The IGAD mediators, the AU and international observers were also being consulted by the preparatory mission.

In the **discussion** that followed the speakers noted that there was no existing budget line for the planned UN peace mission in Sudan, but that all costs would not fall under the budget of the peace mission. Humanitarian activities come from donor support, for example, the consolidated appeal on Sudan currently underway. Responding to a question on the role the IGAD VMT could play once IGAD has handed over to the UN, Mr Coleman replied that the tasks to be fulfilled and the actors meant to fulfil these tasks would have to be clearly defined. Continuity was important and monitoring of the agreement should be conducted within a single framework. The UN would have to follow specific rules on staffing and structuring of monitoring mechanisms, but institutional co-ordination and continuity would be considered. Ultimately, a UN Security Council resolution would define the roles and responsibilities for monitoring.

The speakers emphasised that Sudan was a huge country with poor infrastructure, particularly in the south, which would make monitoring a challenge that required careful forward planning. Responding to a question on the timeframe for this mission, the speakers noted that the UN's general rule for these type of operations was that it required 3-4 months from the UNSC resolution for the deployment of observers to be put into effect. The size of the mission would fluctuate during the six year interim period. Two assumptions needed to be factored into political planning (1) what role did the parties to the agreement want the various external actors to play, for example, whether they wanted the UN, AU or IGAD to lead the monitoring and other tasks; (2) what was the most practical way to proceed in terms of resources and capacity, which was subject to political consultations. Monitoring of security arrangements could not be done by the UN without the participation of regional organisations, as regional actors knew the dynamics of Sudan best. The mandate of the VMT would expire on signing of the Peace Agreement. IGAD member states would have to decide on a new formula for supporting the Peace Agreement.

Responding to a prompt from the floor, Amb. Baba Gana Kingibe, AU Special Envoy to the Sudan Peace Process, emphasised that the AU and IGAD had limited capacity for peacekeeping operations. The AU's Burundi operation was the biggest it had undertaken so far, and had faced major challenges in funding and deploying even though Burundi was a minute country compared to Sudan. IGAD and the AU may be willing and able "subcontractors" to undertake certain tasks in Sudan, however, the UN should assume that it would have to carry the greater share of the burden. The experience of MONUC in the DRC was analogous to the size and scope of operations that would be required in Sudan. Another contribution noted that there were several disparate monitoring teams working in Sudan at the moment, such as the VMT and the operation in the Nuba Mountains, which needed to be unified as a holding operation until the UN was on the ground. There had been 35 people successfully monitoring the Nuba Mountains region for two years, without violation. This was an area the size of Austria, so this

operation was a good model for the broader future mission.

TUESDAY, 2 DECEMBER 2003

Ambassador Baba Gana Kingibe, AU Special Envoy to the Sudan Peace Process, addressed the "African Union perceptions on the Sudan Peace Process". He recalled that the establishment of an effective mechanism for conflict prevention, management and resolution, namely the Protocol for the establishment of the Peace and Security Council (PSC), was part of the transformation of the OAU to the AU. This Protocol would be ratified by the end of the year. The AU was thus poised to address the primary peace and security challenges in Africa today, under the new leadership of President Alpha Konaré as Chairman of the restructured AU Commission.

The appointment of a special envoy to Sudan was meant to create channels of communication and coordination between the AU and IGAD. Unlike the African Mission in Burundi (AMIB), where South Africa was playing a lead nation role, or Nigeria's lead role within ECOWAS in Liberia, IGAD was composed of countries of fairly balanced forces. This compelled regional consensus in the management of regional conflicts. The conjunction of the current international environment and the renewed commitment of parties to the conflict laid the foundation for the landmark agreements that had been reached by the IGAD process.

IGAD should learn from the contrasting lessons of the Sudan and Somalia peace processes. First, it was important for IGAD mediators to come to the table without being regarded as part of the problem, so that they won the confidence of the conflicting parties. Second, the timing of mediation efforts was important, as initiatives would be stillborn in the absence of the desire for peace from warring parties. The role played by the United States in inducing the desire for a settlement by the GOS was vital. Greater efforts should be made for inclusivity and transparency of the process. Confidence between the parties and the mediators had been reinforced by the Machakos process, encouraging peace not only within Sudan but between Sudan and its neighbours. It was imperative for IGAD to recognise the limits of its resources and expertise. IGAD should tap into the assets of international and regional organisations, particularly in the peacekeeping and peace building phase. Mechanisms with limited resources like IGAD and the AU should concentrate their efforts on conflict prevention rather than resolution by strengthening democratic processes, the rule of law, human rights, transparency accountability and good governance and encouraging virile civil society organisations. The international community was ready to assist in such efforts. The "heavy lifting" should be left to the "heavyweights" like the UN.

In the **discussion** that followed the delegates pointed out that neighbouring countries had been drawn into the Sudan conflict, hence the lack of trust initially in the IGAD mediators. Confidence-building in the region is IGAD's most important role. The question was raised as to whether the AU had made any consultations with member states for troop deployment from African countries in support of the UN peace mission to Sudan? The speaker replied that the Maputo Summit decision to create a Ministerial Committee, with South Africa in the chair, to make plans for post-conflict engagement in Sudan. IGAD was the lead agency in the Sudan peace process because it was a conflict that required regional ownership of the problem.

Session 3: Somalia Peace Process

Ambassador Bethuel Kiplagat, Special Envoy on Somalia, Nairobi addressed the "Problems and Challenges in the Somali Peace Process". He said that the IGAD mediators refused to accept that the Somalia conflict was intractable. The difference between this 14th attempt to achieve peace and previous initiatives was the greater inclusivity of all stakeholders. These interested parties included (1) internal political groupings, warlords, traditional leaders, religious leaders and civil society, including the business community. (2) External stakeholders included the frontline states: Ethiopia, Kenya, Djibouti and Yemen. They also included Egypt, Italy with its historical links and the United States with its strategic security interests.

Achievements since Eldoret included (1) the sustainability of the process itself, that the facilitators remained engaged and financial support from the international community gave hope for the future conclusion of peace; (2) signing of the Cessation of Hostilities by 24 signatories. IGAD was now trying to upgrade this agreement to a ceasefire. (3) Six commissions worked on different issues for Somalia, five of which had been adopted by the plenary. The Transitional Charter for Somalia did not receive full support, but was passed by a credible majority. Because of controversies around the Charter, the process had stalled. Somali Leaders were to be given space at the Leaders Retreat in Mombasa to prepare themselves to move onto the next (third) phase, once these and other outstanding issues had been resolved. It had been agreed that the parliament would have 351 members with a formula for representation of all 39 clans of Somalia. The by-product of this was likely to be a process of negotiation and reconciliation between the clans. The Ambassador pointed out that this could result in a more representative government than many other African countries.

Motivations for the Somalia conflict had been blurred over time. IGAD was not

dealing with political grievances in Somalia so much as with the consequences of a failed state. The approach of rebuilding state structures was therefore the right one. The next challenge was to achieve peace building among communities and regions with indigenous conflict resolution methods. Restitution for victims of the conflict would then be required. A process of trauma counselling and healing was envisaged as a long-term process to achieve sustainable peace. There were lessons to be learned in South Africa and Sierra Leone on post-conflict reconciliation, which IGAD should examine in future workshops. In conclusion, Ambassador Kiplagat appealed for financial support for the ongoing process and argued that the region had no choice but to remain engaged in achieving peace in Somalia.

In the **discussion** that followed the question was raised as to what was the peace dividend for the warlords who profited from the absence of state controls? The approach of requiring consensus for every decision could be questioned, while it was the traditional Somali approach, a two-thirds majority was considered sufficient in modern democracies. Recognition of the federal, decentralised character of Somalia had already been achieved, so why was the issue still on the table? Amb. Kiplagat replied that it was becoming increasingly difficult for the warlords to keep the loyalty of their militias - they worked for money rather than for a cause. A study was done among the militias that found that most would like to return to school, given the chance. The strength of these warlords was therefore tenuous, and most would probably become members of parliament if their clans chose them as representatives. The business community would be relieved if there was a government strong enough to secure their interests, rather than their having to rely on militia.

There was an agreement in Eldoret that Somalia would be a federal state, but it remained a major issue in the ongoing discussions. The Charter was in its 7th draft, but power-sharing was the underlying issue still to be resolved. The Charter provided for the Parliament, once it is constituted, to amend the Charter, therefore the parties could amend it later on. Responding to a question on the inclusion of Somaliland, the speaker noted that the Charter proposed the establishment of a Committee to begin dialogue with the Government of Somalia. The Charter provided for the unity and territorial integrity of Somalia.

The question was raised that if no lead country came forward to revive the peace process, should the IGAD Secretariat take the initiative? Amb. Kiplagat said that if they came to that dead-end they would have to go back to the drawing board. The experience in Mozambique was that the regional players, South Africa, Zimbabwe and Tanzania had to be brought on board the peace process. IGAD's role at this point would be to raise funds for the peace process. It was up to the internal stakeholders to take the process forward at this stage, and the regions role was limited to that of facilitators. He proposed a pledging conference for the

continuation of the peace process. What about attempts to convene parallel peace processes? IGAD had appealed to the Somali leaders not to go "forum shopping" when they were looking to enhance their power and positions in the future dispensation. Allegations of Somalia being a host state for terrorist activities were disputed by the representative from Somalia.

Dr Walid Musa, European Union addressed "Donor Support for the Somali Peace Process: What is Critical?" He said that the Somalia Peace Process was the only hope for Somalia. Over the past few months there was a loss of hope inside Somalia and increased arms flow were a symptom of this sense of insecurity. Even after the conclusion of a successful reconciliation conference, tasks such as demilitarisation were crucial for providing a safe environment for Somalis to go to the polls to elect their government. No individual, group or alliance was above the peace process. The donor community was looking for signs of progress, before they would come up with the necessary resources to continue the process.

IGAD had the support of the donor community. It was the "peace process of choice" for Somalia. IGAD should consider supporting Somali systems for reconciliation and peace building on the ground after any political agreement was reached. IGAD needed to maintain the confidence of all internal stakeholders to the peace process. This conference should form the basis of a collection of lessons learned from the IGAD Sudan and Somalia peace processes. What was critical for the donor community was to enhance the capacity of IGAD to alleviate the responsibility for peacekeeping on organisations external to the region. The conference should resolve to maintain hope for the Somalia peace process. Provision of a just and fair environment for the negotiations was the most critical role for IGAD to play. The degree of interaction and ownership of the Sudan peace process by the internal stakeholders was a model also for Somalia. Financing of some kind of peace enforcement was needed. The multiplicity of outstanding problems, such as the position of Somaliland, would remain and had to be addressed beyond the National Reconciliation Conference.

Ambassador Winston Tubman, UN Special Envoy to the Somali Peace Process, addressed "The UN assessment of the progress of the Somali National Reconciliation Process". He said that the decision by the IGAD leaders in Kahrtoom in January 2002 to assist the Somalis in reconciling among themselves was a welcome development. The involvement of the three immediate neighbours of Somalia as Frontline States was desirable and would mark an improvement over the peace efforts of the past, including the one at Arta, Djibouti. Many of the principles adopted at Arta fed into this phase of the process, such as the women's quota, the decision-making process for participation and power-sharing, four point five clan formula and the intention to select MPs and key figures for the anticipated Government at the Conference.

The UN had learned the lesson in Somaliland that it could not enforce an agreement that was not inclusive and accepted by as wide a spectrum of stakeholders as possible. The Leaders' Retreat became necessary when a dispute erupted over whether or not the Charter had been accepted and adopted at the end of the second phase of the NRP. The international community had not taken a view that the Charter was adopted or not, but it was time to move onto phase three, and the Leaders should resolve this matter. At some point the international community would have to say that the process was as inclusive as it could possibly be and that all efforts to achieve inclusivity had been exhausted, if every spoiler, no matter how insignificant, was not to have veto rights over the process. The committees dealing with DDR, land and property rights, economic recovery, regional and international relations, and conflict resolution and reconciliation had their results passed quickly, but the Charter was far more controversial and divisive because it required immediate decisions on power-sharing.

IGAD had limited resources to establish monitoring mechanisms to ensure compliance of signatories to the Declaration on Cessation of Hostilities. So it was a welcome relief when the AU announced the launching of an AU Observer Mission to Somalia during the Summit in Maputo. However, due to security considerations in Somalia as well as the difficulties experienced by the political process at Mbagathi, the deployment of the AU monitors was yet to materialise. Obviously, any serious discussion about monitors and/or a peacekeeping force would have to await the realisation of a meaningful political agreement. The UNSC continued to support IGAD, as an observer to the process, and would avoid giving the opportunity to parties to the conflict to engage in "forum shopping".

Ambassador Mohamed A. Fom, Special Envoy to the Somali Peace Process, Nairobi, addressed the "African Union perceptions of the Somali Peace Process". It had been hoped that by September 2003 all the structures needed for the way forward would have been in place. Since this had not been achieved, this meeting had to reflect on the remaining challenges for reaching an agreement. It was the view of the AU that this time around substantial efforts to achieve inclusivity had been made. More could still be done, however, to broaden participation in the reconciliation efforts. The decision made at the IGAD Kampala Summit in October 2003, to establish a Facilitation Committee had gone a long way in alleviating some of the obstacles to peace in Somalia. The AU had engaged in forward planning to include: observation of a future ceasefire, assisting with DDR and post-conflict reconstruction efforts. Sustained support for the Somalia peace endeavours were essential to seeing a rehabilitated Somalia resume its role in the sub-region, particularly as regards acceleration of regional security and stability; peaceful inter-state relations; curbing illegal circulation of arms; regional economic integration and development; measures to prevaricate terrorist acts;

revitalising the social fabric of Somalia and promoting good governance, human rights and freedom for the citizens of Somalia. The AU, IGAD and the UN had to project a coherent approach, while the internal actors within Somalia needed to go beyond a "culture of factionalism".

The AU had undertaken several initiatives, including representation of the AU at the peace talks since November 2002. In March 2003, the AU Team visited Mbagathi which resulted in the signing of an MoU on AU-IGAD collaboration. The AU Commission and a delegation of the Committee Monitoring the Cessation of Hostilities met in Addis Ababa in April 2003 to draft a plan for a mechanism to monitor the Cessation of Hostilities and subsequently sent a Joint Technical Fact-finding Mission to Somalia. Their recommendations informed the decision of the 92nd Ordinary Session of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the AU at Ambassadorial level, to deploy an AU Military Observer Mission in Somalia. In preparation, the AU dispatched a Reconnaissance Mission to Somalia at the end of July this year. During that mission, the majority of Somalis consulted requested the AU to deploy an International Force to assist, inter alia with disarmament. Subsequently, the Central Organ endorsed this proposal and called upon AU Member States to comply with obligations set under the UNSC resolutions relating to the arms embargo against Somalia.

The AU believed that the conflict in Somalia could be solved in part by arresting the flow of weapons in and out of the country. The AU had plans for a mechanism to take charge of the implementation of the arms embargo and any future sanctions required. The AU had hope for the Somali people to eventually overcome all the obstacles to peace. The spirit of dialogue had to be maintained as the only way forward. The Eldoret Declaration was a landmark achievement that paved the way for a comprehensive ceasefire, which the AU was in the process of drafting.

In the **discussion** that followed the clarification was requested on the extent of AU/IGAD co-operation in peace processes, such as the MoU on Somalia. What was the division of labour between them? The Executive Secretary of IGAD responded that IGAD approached the AU last year to be involved in the Somalia peace process to avoid "political tourism" by the conflicting parties going between IGAD, the AU and the Arab League. Two weeks prior to this conference, a meeting was held between the AU and the RECs. Knowing the limitations of IGAD, the Secretariat approached the AU to sign an MoU on Somalia. This agreement mandated a monitoring role for the AU in Somalia, on condition that monitors deployed to this mission should be from countries remote from the conflict, such as from West and Southern Africa. The future monitoring team would be under both flags of the AU and IGAD.

The representative of the Somali Transitional National Government (TNG) questioned ownership of the National Reconciliation Conference and said that the majority of the "Leaders Committee" failed to represent any constituency. He raised concern that the management of the conference had been taken over by "non-Somalis", and several other issues of contention. He said that IGAD, the AU and the international community should facilitate the participation of representatives of the northern regions in the current Somalia peace process. The representative of the TNG stated that the allegations that Somalia hosted terrorist camps or breeding grounds were distorted and unsupported. The TNG wished to reassure Somalia's neighbours and the international community that it would do everything in its power to combat terrorism and would collaborate with IGAD's member states and the international community in the global fight against terrorism.

Another delegate remarked that the AU had been requested to contribute to the VMT in Sudan, but that IGAD did not follow up with this request. Turning to the issue of the integrity of Somalia and inclusion of the North West, a delegate pointed out the need to recognise that Somaliland had at least been through a democratic process recently, which no other region of Somalia had achieved. Regarding objections of the Somalia delegation to allegations of terrorist activities taking place within the territory, a delegate pointed out that other countries in this region shared the problem, such as Uganda and Kenya. It was not a reflection on the governments of these countries and they should work together to share their experiences and pool resources to address the problem.

After Operation Restore Hope in Somalia the UN was understandably reluctant to get involved in peacekeeping in Somalia. As a result, the AU's role in planning a peace mission to Somalia was crucial. UN support to the peace process in Somalia would probably not go beyond peace building activities. Delegates noted that the UN should not try to shift this responsibility onto IGAD. While IGAD had taken the initiative on Somalia, surely the UN should offer more concrete support? Responding to these issues, Amb. Tubman replied that the UNSC was ready to fully support what IGAD was doing and placed hope in the forthcoming Leaders Retreat.

Delegates also raised various operational questions on how the different components of IGAD interacted, which would help to draw out recommendations from the meeting. Amb. Attalla then explained the structure and functioning of IGAD, from the Assembly of Heads of State and Government, to the Council of Ministers, the Ministerial Committee on Sudan and Somalia, the Technical Committees on each peace process, which have independent secretariats based in Nairobi. He noted that the US, Canada, Norway and Italy were the main players from the international community in the Somalia peace process. The Somalia process was more open than the Sudan process, as the former had 24 groups

represented, while the Sudan process was presently between two parties only.

Session 4: Working Groups

The meeting then divided into two working groups, one on Sudan and another on Somalia, to consider the recommendations contained in the draft document, "IGAD's Role in Regional Processes for Promoting and Sustaining Peace". These deliberations were reflected in the amended document attached as Appendix A.

WEDNESDAY 3 DECEMBER 2003

Session 5: Closing Session

The Chairman gave Ambassador Salim Al-Khasubi the opportunity to address the meeting on behalf of the Arab League.

Ambassador Salim Al-Khasubi, Special Envoy of the Arab League to the Somali Peace Process, expressed his appreciation to IGAD and neighbouring countries for their efforts in the Somalia National Reconciliation Process. The Arab League stood behind IGAD and also considered the participation of the African Union in the process as important. The process had to finish what it had started, as there was no going back. He had observed a number of problems with the process, for example, there was no clear will to ensure the implementation of the Cessation of Hostilities. On the question of neutrality, he said that the management of the process was not neutral, which gave certain groups of Somalis an edge over others. The League had observed that damage was done to the daily work of the process due to the lack of neutrality. Ownership of the process and inclusivity were other contentious issues. The conference did not have a set timetable and it was now important to resume with a clear timeframe accepted at the opening session.

Adoption of the Conference Report

The Conference Report was adopted with amendments.

Adoption of Recommendations

After discussion and amendment, the document "IGAD's Role in Regional Processes for Promoting and Sustaining Peace" was adopted.