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**REPORT OF THE CHAIRPERSON OF THE COMMISSION
ON THE SITUATION IN CHAD**

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I. BACKGROUND

1. Council will recall that as part of the implementation of the Decision of the 8th Ordinary Session of the Assembly of Heads of State and Government in Banjul, the PSC met on 12-13 February 2007, to consider the relations between Chad and The Sudan. In the Communiqué issued at the end the meeting, the PSC noted that, despite the efforts deployed by the AU, CEN-SAD and the international community, the tension between Chad and The Sudan remained high with continued insecurity along their common border. It underscored the importance of adopting a coherent and integrated approach to the issue as a way of promoting peace and stability in the region and, to this end, encouraged the Commission and the relevant regional organizations, in concert with the United Nations and other concerned stakeholders, to work together to organize a regional consultation on the problems facing the region. The PSC underscored the need for Chad and The Sudan to respect their commitments under the Agreements they have signed, and called upon the two countries to establish the implementation and follow-up mechanisms as stipulated in the agreements and to ensure their effective operationalization.

2. The PSC decided to field a mission as soon as possible to Chad, Central African Republic and The Sudan and, if need be, to other countries of the region to undertake a comprehensive assessment of the situation and of the obstacles hampering implementation of the agreements concluded between the two parties., especially the Tripoli Agreement, and to come up with recommendations to facilitate sustainable and comprehensive resolution of the problems facing the region. In accordance with that decision, a PSC delegation visited The Sudan from 21 to 24 May 2007, Chad from 5 to 7 June 2007 and CAR from 8 to 11 June 2007. After examining the mission report, Council, in its 90th meeting held in Addis Ababa on 27 August 2007, in addition, urged The Sudan, Chad and CAR to improve security along their common borders, implement the Agreements they have signed and restore confidence between them.

3. On 31 March 2007, the Chadian villages of Tiero and Marena were the target of attacks which reportedly claimed between 200 and 400 lives according to UNHCR, and forced nearly 9000 people to flee. The Chadian Government attributed the attack to the Janjaweed militia from The Sudan.

4. Chad launched a counter offensive against these militia starting from 4 April 2007. The offensive was also directed against the rebel groups stationed in the East of the country. A major confrontation with these rebels occurred on 9 April 2007.. At a press conference on the situation on 10 April 2007, the Minister of Communications and Spokesperson of the Government intimated that the Chadian National Army (ANT) had pursued the rebels to the Sudanese border, in application of its right of hot pursuit but added that “the defence and security forces had the surprise of coming into direct contact with the Sudanese armed forces”.

5. On the same day, the Chadian Foreign Minister received in audience the Sudanese Ambassador in N'Djamena to express his government's regrets at the clashes that had taken place the previous day. The Minister also indicated that he would lead a delegation to Khartoum to personally explain to the Sudanese authorities his country's position on the incidents. The delegation, indeed, proceeded to Khartoum on 14 April 2007. For my part, I expressed serious concern at the clashes and called upon the two governments to show restraint and resume dialogue in the spirit of the Tripoli Agreements and other previous agreements signed by the two parties.

6. In the same vein, Leader Muammar Kaddafi dispatched a delegation to N'Djamena on 11 April 2007 to register his concern. The Libyan delegation, on that occasion, indicated that Chad and The Sudan had set up a military and security committee as part of implementation of the Tripoli Agreement of 8 February 2006 and that CEN-SAD observers would be deployed along the border between the two countries.

7. The situation was discussed at several international meetings. It is worth recalling, among other things, that at the Eighth Summit of CEMAC held in N'Djamena from 24 to 25 April 2007, a special Declaration expressing support for Chad and CAR was adopted. Furthermore, the meeting on Darfur, which took place in Tripoli towards the end of April, encouraged the two countries to continue to deploy efforts towards implementation of the 8 February Tripoli Agreement. Lastly, Presidents Idriss Deby Itno and Omar Hassan El Beshir signed an agreement in Riyadh on 3 May 2007, in which they made a commitment to work with the AU and the United Nations to put an end to the conflict in Darfur and in Eastern Chad.

8. On the occasion of the Accra Summit, I commended the efforts invested by Chad and The Sudan to normalize their relations and facilitate the implementation of the agreements signed.

9. During the same Summit, in Accra, I commended the efforts exerted by Chad and The Sudan to normalize their relations damaged by the activities of rebel movements on both sides of their common border. This optimism was all the more justified because starting from July and throughout the period under consideration, signs of easing of the tension and national reconciliation between the Chadian Government and the various opposition movements were observed.

10. On 30 July 2007, President Idriss Deby received in N'Djamena, thanks to the mediation of President El Hadj Omar Bongo Odimba, a group of about thirty Chadian exiles led by former President Goukouni Weddei. Just as encouraging was the signing, on 13 August 2007, of an "Agreement for the Strengthening of the Democratic Process in Chad" between the presidential party and the democratic opposition parties-an event resulting from the negotiations that took place from 14 April to 10 August 2007.

11. On 6 September 2007, one of the armed movements, the Chadian Democratic and Revolutionary Council led by Ali Ahmat Aghabach, signed a peace agreement with the Government under the auspices of Libya. A month later, on 8 October in Cotonou, the Government and some exiled political parties embarked upon negotiations leading to an agreement, which paved the way for them to return to their country.

12. Lastly, negotiations entered into in July between the Government and four leaders of political-military movements, namely Mahatmat Nouri of Union for Democracy and Development (UFDD), Hassan Aldjinedi of the Chad National Concord (CNT), Timane Erdimi of the Rally of Forces for Change (RFC) and Abdelwahid About of the Fundamental Union for Democracy and Development (UFDD-F), led to an Agreement solemnly signed in Sirte, Libya, on 25 October 2007, under the auspices of the Libyan Leader, Colonel Muammar Kaddafi, in the presence of Presidents Idriss Deby Itno and Omar Hassan Al Bashir. The Agreement provides, inter alia, for an immediate cease-fire, a general amnesty for the civilian and military members of the Signatory Movements, their participation in the management of State affairs and encampment of the troops with a view to their integration in the Chadian army.

II. RECENT DEVELOPMENTS

13. The situation suddenly took a turn for the worse in Eastern Chad, when, in the night of 24-25 November 2007, an armed group later identified as belonging to an arm of the UFDD led by Mahatmat Nouri, attacked the national police company in Hadjer-Hadid, a locality less than 100 km from the town of Abeche. In a Communique dated 25 November 2007, the spokesperson of the Chadian Government accused rebel leaders Mahatmat Nouri and Timane Erdimi of having "taken the heavy responsibility of violating the Peace Agreement of 25 October 2007".

14. On 26 November 2007, heavy fighting erupted in Abou Goulem, a locality situated 90 km to the East of Abeche, between the UFDD forces and the Chadian National Army. Clashes continued, but sporadically, days after and saw the arrival on the scene of other rebel movements such as the RFC of Timane Erdimi, on 1 December 2007 in Aram Kole, and another hitherto unknown movement-the People's Front for National Revolution (FPRN) on 5 December 2007, in Tissi along the Sudan-CAR border.

15. The leader of CNT, for his part, decided to implement the Sirte Agreement, opting on 7 December 2007, to return to N'Djamena. Similarly, some elements of the UFDD-Fondamentale, at a press conference on 26 November 2007 in N'Djamena, decided to distance themselves from the resumed armed clashes and called on all the protagonists to implement the Sirte Agreement.

16. It was against this background that, on 1 December 2007, the Minister of Defence, Mahamat Nour, was dismissed from the Government, after he sought refuge in the People's Bureau in N'Djamena. Formerly the leader of the United Front for Change (FUC), Mahamat Nour had signed, in Tripoli, on 24 December 2006, an agreement with the Government by which he joined the Cabinet on 4 March 2007 as Minister of Defence. However, according to the Chadian authorities, the reluctance of his troops to be disarmed in spite of his call for them to do so, the skirmishes that followed on 16

October 2007 in Goz-Bedia, and the clashes of November 2007 in Guereda, pointed a finger of suspicion as to whether his movement was really intent on honouring the Agreement signed in Tripoli.

17. On 12 December 2007, three rebel leaders, namely Mahamat Nouri of the UFDD, Timane Erdimi of the RFC and Abdelwahid Aboud Makaye of the UFDD-*Fondamentale*, announced that they had concluded an alliance and established a military command whose objective was to «overthrow President Déby» as soon as they had regrouped and reorganized their forces.

18. Clashes in Eastern Chad revived the fierce polemic between Chad and The Sudan. Chad, through the Government Spokesperson, implicated the Sudan, declaring that “Chad held The Sudan responsible as it had the obligation to contain the armed elements of all signatories to the Sirte Agreement until the effective application of the key clause of this Agreement, that is, regrouping, encampment and disarmament.” In addition, the Ambassador of The Sudan in N’Djamena was summoned to the Chadian Ministry of Foreign Affairs and International Cooperation on 27 November 2007, to explain what was going on. Finally, at a press conference held on 29 November 2007, the Chadian Prime Minister declared that the rebels were merely tools in the service of the Sudan to destabilize Chad and forestall the deployment of Chad/CAR EUFOR, within the framework of UN Security Council Resolution 1778 (2007).

19. The Sudanese Authorities, for their part, denied any involvement in the clashes in Eastern Chad. On 5 December 2007, the Sudanese Government, in a communiqué issued by the Ministry of Foreign Affairs, declared that “what was happening in Chad were an internal affair which had nothing to do with The Sudan”. On 7 December 2007, the Sudan announced the closure of its border with Chad following the escalation of the clashes.

20. At a press briefing on 27 December 2007, the Chadian Government Spokesperson once more made accusations against The Sudan and declared that forces hostile to Chad were reported to have regrouped around El Geneina, in Sudanese territory and were preparing to launch attacks against Chad. In his end of year statement, President Déby himself declared that for the past three years, his country had been subjected to daily, regular and persistent attacks from the Sudan. The government would take all the necessary measures to defend its territorial integrity and safeguard the peace that had been gained at a great cost.

21. For its part, the Sudan accused Chad of bombarding Darfur. In a statement, the Sudanese Ministry of Foreign Affairs affirmed that in an unprecedented escalation, Chadian forces violated the common border, three Chadian combat aircrafts having bombarded two areas in Western Darfur on 28 December. In a communiqué of 29 December, the Chadian Foreign Ministry stated that the security forces had taken all measures to rid the national borders of enemy forces. In this context, the air force conducted many extremely targeted operations along the border against mercenaries who were attempting to cross the border into the Sudan. Contrary to the Sudanese accusations, the Chadian army never crossed the border to conduct land operations on Sudanese territory.

22. It was in this context that the allied RFC, UFDD and UFDD-F rebel movement forces engaged in a new offensive. According to the Chadian Government, the Moudeira locality was attacked and looted on 26 January. Then, it was the turn of the localities of Addé on 29 January and Oum Adjer on 30 January 2008. Finally, on 1 February, clashes occurred with the Chadian army in Massaguet. These successive offensives brought the rebels to the gates of the capital, N'Djamena, on 1 February 2008, where heavy fighting took place during the days that followed, forcing the population to take refuge in neighbouring Cameroon. According to the WFP over 37,000 displaced Chadians who fled N'Djamena because of the fighting received food aid from the WFP in Kousséri. According to the International Committee of the Red Cross (ICRC), at least 160 people were killed in N'Djamena due to the clashes.

23. The WFP was also concerned that the situation could disrupt the distribution of food supplies in camps in Chad providing shelter in the east to about 235,000 Sudanese refugees from Darfur, approximately 46,000 Central Africans in the South and about 150,000 displaced Chadians from Eastern Chad.

24. The Assembly of the African Union, which was meeting in Addis Ababa, condemned the rebel attack against Chad. It expressed its rejection of any unconstitutional change, in conformity with the principles enshrined in the Constitutive Act of the African Union, the Algiers Decision, the Lomé Declaration on Unconstitutional Changes of Government and the African Charter on Democracy, Elections and Governance. The Assembly mandated President Denis Sassou-N'Guesso of the Republic of Congo and the Libyan Leader, Muammar Al-Gaddafi to liaise with the Chadian parties with a view to putting an end to the fighting and taking initiatives aimed at finding a lasting solution to the crisis prevailing in that country.

25. On 4 February 2008, the Peace and Security Council held informal consultations on Chad during which Council members were briefed on developments in the situation in the country, particularly in the capital, N'Djamena. Following information communicated by the Ambassador of the Republic of Congo, Council welcomed the initiative taken by the Republic of Congo and the Libyan Arab Jamahiriya to send senior officials, including high-ranking military officers, to Chad, as part of the implementation of the decision adopted by the AU Assembly.

26. In a note verbale dated 6 February 2008, the People's Bureau of the Great Libyan Arab Jamahiriya informed the Commission that in relation to the decision of the Assembly, the country had sent to Chad on 5 February 2008, a delegation including civilians and military officials, which would be joined by their Congolese counterparts, for contacts and consultations with the Chadian parties in order to find a peaceful solution to the problem facing the country.

27. For its part, the United Nations, in a statement by the President of the Security Council, strongly condemned the rebel attacks and requested Member States, in conformity with the United Nations Charter, to lend their support as requested by the Chadian Government.

28. At the time of concluding this report, the Chadian national army seemed to have repelled the attack of the rebels against the capital. On their side, the rebel leaders declared that they were effecting a tactical withdrawal. Those who had fled the capital were gradually returning.

29. By Resolution 1778 (2007) of 25 September 2007, the Security Council «approved the establishment in Chad and the Central African Republic, ... of a multidimensional presence intended to help create the security conditions conducive to a voluntary, secure and sustainable return of refugees and displaced person, *inter alia*, by contributing to the protection of refugees, displaced persons and civilians in danger, by facilitating the provision of humanitarian assistance in eastern Chad and the north-eastern Central African Republic and by creating favourable conditions for the reconstruction and economic and social development of those areas». The Resolution «decided that the multidimensional presence shall include, for a period of one year, a United Nations Mission in the Central African Republic and Chad (MINURCAT)».

30. MINURCAT shall include « a maximum of 300 police and 50 military liaison officers and an appropriate number of civilian personnel» whose role shall be «to select, train, advise and facilitate support to elements of the *Police tchadienne pour la protection humanitaire* ».

31. The resolution specifies that acting under Chapter VII of the UN Charter, the Security Council «authorizes the European Union to deploy, for a period of one year ... an operation (referred to as the European Union Operation) aimed at supporting the mandate of MINURCAT and «decides that this operation shall be authorized to take all necessary measures... to fulfil the following functions:» contribute to protecting civilians in danger, facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel, contribute to protecting United Nations personnel, facilities, installations and equipment and to ensure the security and freedom of movement of its staff.

32. The establishment of MINURCAT structures is underway. An advance team is working in N'Djamena towards putting in place the logistics and the recruitment of personnel. On the other hand, EUFOR encountered a few logistics problems that now appear to have been resolved. The recent clashes in Eastern Chad and in N'Djamena could also delay its deployment by a few weeks.

III. AU PRESENCE IN CHAD

33. The AU Office in N'Djamena was established to promote the African Union's participation in the search for a solution to the problem of Darfur. Indeed, after the signing of the Humanitarian Ceasefire Agreement in N'Djamena on 8 April 2004, and the establishment of the ceasefire monitoring structures provided for therein (Ceasefire Commission, Political Commission), the need was immediately felt for a monitoring mechanism with Chad, the co-mediator country, together with the Political Commission that was chaired by that country and with the Abéché detachment.

34. Therefore, since the official inauguration of the Joint Commission by President Idriss Déby Itno and the Chairperson of the Commission on 2 July 2004, the request by Chad for the opening of a Liaison Office to support the work of the Commission was on the agenda of all meetings of the Political Commission. However, due to financial constraints, the Liaison Office was only opened in early 2006. In fact, the Security Council Decision of 28 April 2005 to substantially strengthen the AU Mission in The Sudan, afforded the Commission an opportunity to obtain funds from partners for its opening in January 2006.

35. The transformation of AMIS into an AU/UN Hybrid Mission poses a problem for the Liaison Office since it is not part of UNAMID and will therefore not be financed by the United Nations. However, in view of the present situation in Chad and the region, and at a time when the United Nations is reinforcing its presence there (MINURCAT and EUFOR), it is essential that the African Union continue, not only to maintain a presence, but also strengthen this presence because, from the personnel aspect, at present, the Office only comprises a Head of the Office, an accountant and a secretary.