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# The AUHIP Mandate Renewal

## An Opportunity to Revitalize Efforts on Sudan

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The mandate of the African Union High-Level Implementation Panel for Sudan and South Sudan, or AUHIP,<sup>1</sup> expires on July 30, 2013.<sup>2</sup> The renewal process and the panel's forthcoming "final" report—surveying its work from October 2009 to the present day—present a unique opportunity to think about the future of this long struggle for peace. The African Union Peace and Security Council, or AUPSC, the U.S. government, the United Nations, and others should use this moment to adjust their approach, as follows.

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### Refocus on democratic transformation

For decades, fragmented peace processes for each of Sudan's multiple conflicts have undermined efforts to secure a broader peace.<sup>3</sup> The AUHIP mandate originally framed its work as a "part of" democratic transformation in Sudan.<sup>4</sup> When renewed, the panel should be explicitly tasked with democratic transformation work on two independent tracks: facilitating peace and security negotiations between the Sudan Revolutionary Front and the government toward a national ceasefire within Sudan; and holding inclusive political consultations on the contours of democratic governance. The AUHIP should serve as a key interlocutor between opposition political parties, the Sudan Revolutionary Front, civil society organizations, women's groups, youth activists, and the National Congress Party as the panel engages on both tracks.<sup>5</sup> The outcome of the process should be a comprehensive peace deal culminating in an inclusive and impartially facilitated constitutional conference and free and fair internationally monitored elections.

In 2009 the AUHIP's predecessor, the African Union High-Level Panel on Darfur, or AUPD,<sup>6</sup> recognized that "the conflict in Darfur requires a comprehensive negotiated process in the context of a democratic transformation for the whole of Sudan, which should be built on the values of power sharing, wealth sharing, national reconciliation and pursuit of the objective of national unity in diversity."<sup>7</sup> The AUHIP has similarly concluded that "ending the war in the 'Two Areas' cannot be achieved without putting in place inclusive national political arrangements, which will remove grievances that fuel Sudan's crises."<sup>8</sup> Unfortunately, by mandating a joint U.N./A.U. chief mediator to oversee the Doha-based peace process for Darfur, the United Nations and the African Union weakened the AUHIP's work around implementing the recommendations in the AUPD report, allowing real progress in Darfur to fall between the cracks of the dual mechanisms.

With the AUHIP scrambling to assist the two Sudans to address the many issues that remain in the wake of southern independence, talks on the two areas and Abyei have been circumscribed. After the Sudanese government's repudiation of the June 2011 political agreement between the ruling National Congress Party and the rebel movement, humanitarian access issues have dominated the stop-and-start talks. The slow crawl of the South Kordofan and Blue Nile states talks underscores the risks of sequencing talks according to the crisis of the moment.

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### Accelerate mediation between Sudan and South Sudan

The panel's work for peace between the two Sudans remains essential. This bilateral mediation must continue, with an emphasis on implementing the September 2012 cooperation agreements, securing agreement on borders, resolving Abyei's final status, and ending the unilateral oil standoff. The AUHIP's September 2012 proposal provides mechanisms for resolving Abyei's final status, and defines and protects the rights of those living within and moving through the area. In the event of further deadlock, the AUPSC should exercise its leverage to push Khartoum to reevaluate its position on oil export and to secure endorsement of the Abyei proposal by both Sudans, in line with their previous commitment to a referendum for the area.

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### Commit to simultaneous progress

Recently, the panel's work has been stuck in crisis-response mode. As a result, work on democratic transformation within Sudan fell off the agenda in favor of shepherding negotiations between the two Sudans and preventing war. In 2009 the AUPD was effective at facilitating inclusive popular consultations within Darfur and in refugee camps in Chad.<sup>9</sup> In 2010 the AUHIP devoted significant energy toward political party facilitation in both Sudan and South Sudan in advance of elections.<sup>10</sup> Similar initiatives are needed now. The panel should not allow efforts to resolve interconnected problems to be sidelined by a perceived need for progress on one track.

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### Increase the AUHIP's operational capacity

The AUHIP must be given the capacity necessary to work on both internal Sudan and bilateral Sudan-South Sudan issues at the same time. This will require more full-time expert staff. The panel should also be able to support travel for delegations of political opposition, rebel groups, civil society organizations, women's representatives,<sup>11</sup> and youth activists to facilitate consensus building. The Intergovernmental Authority for Development's Technical Support Unit had been a repository for donations from

European partners to cover these types of expenses during the 2002–2005 negotiations that led to the Comprehensive Peace Agreement. In the future, similar support could be placed within the AUHIP. Greater support for the ongoing negotiation process between the armed opposition and political parties at the Geneva-based Center for Humanitarian Dialogue could also help increase cohesion around a common agenda for reform.<sup>12</sup>

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### Secure a trusted and credible mediator

In light of the many stakeholders committed to work on peace both within Sudan and between the two Sudans, it is necessary to have a trusted and credible mediator overseeing the process. Currently, it is unclear if the current members of the panel will remain engaged on these issues. As the AUHIP transitions into its next phase of work, personnel decisions may be as important as process.

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### Deepen diplomatic engagement

The international community should be prepared to insist clearly and emphatically for an expanded AUHIP mandate during the month of July 2013. The Government of Sudan will likely oppose a mandate outlining a comprehensive push for democratic transformation, but making substantive changes to the AUHIP's mandate could result in significant dividends for efforts to advance a more holistic approach to the two Sudans. Building consensus around a calibrated multilateral approach to peace in Sudan will require active engagement from Chad, China, Egypt, Ethiopia, Qatar, Russia, and Uganda.

Although his new portfolio as U.N. special representative to the African Union gives him purview over the United Nations' broader relationship with the African Union, Haile Menkerios will continue to engage on Sudan in his position as the Secretary General's special envoy for Sudan and South Sudan. Menkerios is uniquely positioned to cultivate a constituency around the need for a sustained African commitment to a comprehensive approach to democratic transformation within Sudan. Additionally, if his mandate was adjusted, Mohammed Ibn Chambas, joint special representative for Darfur and head of the African Union-United Nations Hybrid Operation in Darfur, or UNAMID, could also play a larger role in the peace and security track. Currently, the mandate limits Chambas to work around the implementation of the ineffective Doha Document for Peace in Darfur.<sup>13</sup> Instead, the United States and its partners should end all financial support to the Doha-based negotiations to secure new signatories and instead find a new role for Qatar, which has demonstrated a commitment to peace in Darfur.

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## Endnotes

- 1 Led by former South African President Thabo Mbeki, former Nigerian president Abdulsalami Alhaji Abubakar, and former Burundian President Pierre Buyoya, the panel was established in October 2009 as a successor to the African Union High-Level Panel on Darfur, or AUPD.
- 2 The African Union Peace and Security Council asked the panel to submit its “final” report during a July 2013 meeting. See “Communiqué of the 353rd Peace and Security Council meeting at the level of Heads of State and Government/ Sudan-South Sudan,” January 25, 2013, available at <http://www.sudantribune.com/spip.php?article45303>.
- 3 The 2005 Comprehensive Peace Agreement, 2006 Darfur Peace Agreement, 2006 Eastern Sudan Peace Agreement, 2007 Cairo Agreement, 2011 Doha Document for Peace in Darfur, June 2011 Framework Agreement on the Two Areas and the nine September 2012 cooperation agreements between Sudan and South Sudan all evidence this pattern.
- 4 The AUHIP’s original mandate covered “assist[ing] in the implementation of all aspects of the AUPD recommendations, as well as to assist[ing] the Sudanese parties in the implementation of the Comprehensive Peace Agreement (CPA) and other related processes, as part of the democratic transformation of the Sudan.” See “Communiqué of the 207th meeting of the Peace and Security Council,” October 29, 2009, available at [http://www.darfurcentre.ch/images/DRDC/AU-UN-Reports/AU\\_Reports/AU\\_PSC/AU\\_PSC\\_Meeting\\_Communique\\_October\\_09.pdf](http://www.darfurcentre.ch/images/DRDC/AU-UN-Reports/AU_Reports/AU_PSC/AU_PSC_Meeting_Communique_October_09.pdf). In October 2012 the AUPSC revised that focus to include democratic transformation in both Sudan and South Sudan. See “Communiqué of the 339th Peace and Security Council meeting on the situation between Sudan and South Sudan,” October 24, 2012, available at <http://www.peaceau.org/uploads/psc.339th.com.sudan-south-sudan.pdf>.
- 5 The planned Darfur Internal Dialogue and Consultation process and the stillborn popular consultations for the Two Areas could be a vehicle for some of these discussions. See mandate for DIDC in United Nations Assistance Mission in Darfur, “Doha Document for Peace in Darfur” (2011), available at <http://unamid.unmissions.org/Portals/UNAMID/DDDP%20English.pdf>. See mandate for popular consultations in United Nations Mission in Sudan, “Comprehensive Peace Agreement between the Government of the Republic of the Sudan and the Sudan People’s Liberation Movement/ Sudan People’s Liberation Army” (2005), available at <http://www.sd.undp.org/doc/CPA.pdf>.
- 6 The short-lived six-month investigatory African Union High-Level Panel on Darfur, or AUPD, was immediately succeeded by the AUHIP. The AUPD mandate extended from March 2009 to October 2009 and was limited to suggesting solutions to the crises in Darfur that responded to the demands of peace, justice, and reconciliation.
- 7 African Union High-Level Panel on Darfur, “Darfur: The Quest for Peace, Justice and Reconciliation,” October 29, 2009, available at <http://www.sudantribune.com/spip.php?article32905>.
- 8 African Union High-Level Implementation Panel on Sudan and South Sudan, January 25, 2013, (PSC/PR/COMM.1 (CCCLIII)) January 26, 2013, at ¶22 available online at <http://www.peaceau.org/uploads/353-26-jan-psc-report.pdf>
- 9 Annex A of the AUPD report on Darfur details extensive consultations during four trips to the country. Panel members met with politicians, rebel leaders and civil society in communities in Khartoum, Juba, El Fasher, Nyala, Jebel Marra, El Geneina, Zalingie, Ain Siro, and refugee camps in neighboring countries.
- 10 The AUHIP’s January 2010 program of action on Sudan devoted an entire section to developing a national Sudanese consensus and facilitating national summit meetings of political parties in both Sudan and South Sudan. The panel also engaged with the National Electoral Commission on April 2010 election procedures. See African Union High-Level Implementation Panel for Sudan, “Phase 1 Programme of Action,” January 19, 2010, available at <http://www.ecosonline.org/news/2010/Mbeki%20AU%20Panel%E2%80%99s%20Programme%20of%20Action%20for%20Sudan/>.
- 11 The Institute for Inclusive Security coordinated a successful binational women’s delegation to visit President Mbeki during January 2013. See Coalition of Women Leaders from Sudan and South Sudan, “Communiqué: Women Shaping Peace in Sudan and South Sudan” (2013), available at [http://www.inclusivesecurity.org/wp-content/uploads/2013/02/Communiqué\\_Women-Shaping-Peace\\_2013.pdf](http://www.inclusivesecurity.org/wp-content/uploads/2013/02/Communiqué_Women-Shaping-Peace_2013.pdf).
- 12 Center for Humanitarian Dialogue, “Sudan, Our Work,” available at <http://www.hdcentre.org/en/our-work/peacemaking/sudan/>.
- 13 United Nations Security Council Resolution 2063, July 31, 2012, UN Document S/RES/2063 (2012), available at [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/RES/2063\(2012\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2063(2012)).