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**AFRICAN UNION  
HIGH LEVEL IMPLEMENTATION PANEL FOR SUDAN (AUHIP)**

**PHASE 1 PROGRAMME OF ACTION (PoA).**

**January 2010.**

**INTRODUCTION**

This Programme of Action derives from the mandate given to the AUHIP by the AU PSC. The AUHIP will need to act expeditiously in order to meet the high expectations placed upon it by the Sudanese parties and public, the AU and the world.

Time is of the essence and it would have been preferable for this Programme of Action to have been initiated much earlier. The twelve months remaining before the Referendum of January 2011 are the last chance to make unity attractive in Sudan. In acting at this late stage, the AUHIP will have to impart a sense of urgency to all stakeholders and emphasize the importance of Sudan for the African continent.

The AUHIP will therefore have to act immediately to carry out the mandate it was given by the Abuja PSC Summit Meeting on October 29, 2009. Already more than two months have passed since the Panel was constituted.

The fact of the April 2010 General Elections, the imperative for a speedy resolution of the Darfur conflict and the requirement laid down by the PSC that the AUC should submit quarterly reports on Sudan place particular pressures on the Panel.

The first of these reports will be due at the end of January, and will have to include an account of the work etc, of the AUHIP since its inception. This is important to the Panel, as the AUC Report would assist the AU to determine what it should do to support the Panel.

The expectation has been generated within Sudan and internationally that the AUHIP will play a central role in helping Sudan to overcome its problems during the extremely short period January 2010 to July 2011.

It is obvious that the AUHIP-type intervention should have been made much earlier, to allow more time for such intervention to make the required impact on the complex problems of long standing which Sudan must now solve in a very short period of time.

The AUHIP will have to act in a manner that recognises the heavy burden it has inherited, and do its best to discharge its responsibilities.

This PoA and the comments below are based on this understanding. It is vitally important that the tasks below are implemented with the necessary sense of urgency.

The AUHIP will have to communicate this sense of urgency to all stakeholders, and will therefore have to set an example in this regard by the manner in which it engages its mandate, currently set to end in 10 months, at the end of October 2010.

Together we must continue consciously to bear in mind the vital importance of Sudan to the future of Africa as a whole.

**MAIN AREAS OF FOCUS OF THE AUHIP PoA.**

The **Programme of Action of the AUHIP** will have to focus on 9 (nine) main areas. These are:

- I. helping to accelerate the process towards the resolution of the conflict in **Darfur**;
- II. helping to ensure the **implementation of the CPA**;
- III. assisting the Parties to address the **post-Referendum issues**;
- IV. working with the GoS and the GoSS, Sudanese political parties and other stakeholders to develop a **national consensus about the challenges facing the country, including making unity attractive**;
- V. working with the South Sudan political parties to develop a **consensus about the challenges facing South Sudan**;
- VI. working with the GoSS and others to address the issue of **ethnic conflict in South Sudan**;
- VII. helping to ensure that the **April 2010 General Elections** are free and fair;
- VIII. helping to ensure that **Sudan's neighbours** support Sudan's conflict-resolution processes; and,
- IX. helping to **coordinate international action** on Sudan.

## **PROGRAMME OF ACTION.**

### **I. DARFUR.**

**1. (a) Engage JCM Bassole and Qatar host** on all matters relating to the Negotiations. This includes:

- (i) determining how the issue of "inclusivity" should be addressed;
- (ii) proposing that the "negotiations among the belligerents" and the "inclusive negotiations" should be run parallel to each other;
- (iii) measures to ensure that both processes are on course from February onwards and should be run without interruption;
- (iv) that the JCM should present proposals to the negotiators based on the DPA process, e.g. the ceasefire proposals, an amended DoP to include the justice issue and the TJRC, and an amended DPA; (the AUHIP could offer to help draft these documents);
- (v) the AUHIP could offer to engage the GoS on the matters under (iv) above;
- (vi) the AUHIP could offer to engage other relevant parties in this regard, including the armed opposition;
- (vii) the AUHIP could propose that the negotiations should be concluded by the end of March 2010.

- (b) Prepare a detailed presentation for this meeting, including Outlines about how the Hybrid Court etc, and the TJR Commission might be constituted;
- (c) Propose possible amendments to the Darfur DoP.
- (d) Propose possible amendments to the DPA.

*1.1. Action Period (AP) - January 2010.*

**2. Maintain a presence in Doha** to (a) monitor and (b) assist the negotiations intended to begin on January 24, 2010.(c) Liaise with the Special Envoys.

*2.1. AP - January 2010.*

**3. Engage the armed opposition groups** on all matters relating to the Negotiations. A key objective of this process should be to convince them of the importance of a speedy resolution of the Darfur conflict in which they have an important role, the transformation of Sudan, its importance to the Continent and the implications for further delay in the resolution of the conflict.

3.1. *AP - January 2010.*

**4. Engage Sudan's neighbours:** Present the overall PoA of the AUHIP to Sudan's neighbours to:

- (a) secure support of the peace process and the AUHIP's vision on Sudan.
- (b) solicit support for the Darfur peace process;
- (c) solicit support for the post-referendum issues;

In doing so, the Panel will make a distinction between those countries that can play an optimum role in Darfur and the CPA issues and identify what each country can do to contribute to the resolution of the Darfur conflict and the implementation of the CPA. Further, the Panel will:

- (a) assist the AU Commission to involve these neighbours, including the DRC, in the envisaged International Consultative Mechanism.
- (b) liaise with the GoS.
- (c) liaise with UNMIS and UNAMID.
- (d) liaise with the Special Envoys.
- (e) take steps to prepare the specific itinerary in this regard, including securing the necessary appointments.

4.1. *AP - January/February 2010.*

**5. (a) Engage the Darfur communities** – IDPs, refugees, civil society and women's groups, nomads and the Native Administration – to establish a Preparatory Committee for a Darfur-Darfur Conference (DDC) whose aim would be:

- (i) to consolidate existing consensus about the need for the end of the conflict and political and other measures that must be undertaken to resolve the conflict;
- (ii) create an enabling environment for the elections;
- (iii) address post-conflict issues that must be undertaken by all political players in Darfur and Sudan as a whole; and,
- (iv) identify whatever gaps must be filled to achieve all the above

The Panel will further:

- (b) Liaise with the GoS and the State Governments.
- (c) Liaise with UNAMID and the DDDC.
- (d) Liaise with the Sudanese political parties, which should attend the DDC as observers.
- (e) Liaise with the Special Envoys.
- (f) Liaise with the GoS on this matter during its January visit to Sudan, and request that GoS communicates with the State Governments accordingly;
- (g) Liaise with UNAMID & the DDDC for both to engage the various Darfur constituencies to arrange for the AUHIP to meet them together in El Fasher to begin the process towards convening the DDC;
- (h) Prepare proposals about the agenda of the DDC for consideration by the Darfur constituencies; and,

(i) Liaise with the Armed Opposition, refugees and the Diaspora that they should be represented at the DDC and that the Panel would take steps to facilitate their participation.

5.1. *AP - January 2010.*

**6. (a) Begin preparations for the DDC** consistent with Para 5 above. (b) Set a date for the DDC, e.g. first week of March, 2010.

6.1. *AP - January 2010.*

**7. (a) Engage the GoS about unilateral actions** it should take to improve the situation in Darfur.

(b) Liaise with UNAMID.

(c) Liaise with the Donor Community.

(d) Liaise with the Special Envoys.

#### ***For Unilateral Action by GoS***

7.1. **Improving the security environment.** The GoS can do much to help ensure security in Darfur, including by the following:

- a. Accelerating the development and deployment of Community Police in IDP camps (with UNAMID police);
- b. Improving coordination among the different security and police forces operational in Darfur;
- c. Engage SLA-Minawi on implementation of measures to facilitate the disciplined command and control of SLA-Minawi and SLA-Free Will forces;
- d. Greater facilitation of UNAMID patrolling and access.

7.2. **Promoting local peace and reconciliation.** The GoS can do much to enhance existing efforts towards local peace and reconciliation.

- a. Provide financial and political support to inter-communal reconciliation activities;
- b. Support the consultations of DDDC;

7.3. **Creating a conducive environment for the elections in Darfur.** The GoS can take unilateral steps to increase popular confidence that it is preparing for free and fair elections in Darfur. All the measures agreed at national level can and should be implemented in Darfur, and the GoS should especially encourage political parties and the media to take advantage of the rights and freedoms guaranteed.

7.4 The monitoring and reporting mechanism envisaged for these activities is an oversight committee, established by the AU Liaison Office in Khartoum, including representatives of the GoS, the Darfurian stakeholders, and UNAMID/DDDC, to report to the AUHIP on a monthly basis.

#### **For Joint Action by the GoS and AU/UNAMID**

7.5 **Improving the prospects for IDPs.** Almost all the issues necessary for resolving the IDP issue are on the table and the GoS can do much to facilitate their resolution. These activities require partnership with UNAMID.

- a. Improving security through the Community Police Services, support to UNAMID, and regular policing activities;
- b. Implementing compensation measures as agreed
- c. Initiating inquiries into land ownership in areas of proposed return;

d. Involving the IDPs in consultations over measures that could allow their participation in the general elections.

7.6. The monitoring and reporting mechanism is the same as that proposed for the unilateral GoS activities.

7.7. AP - January/February 2010.

## **II. IMPLEMENTATION OF THE CPA.**

**1. Engage (a) the CPA Assessment and Evaluation Commission (AEC), (b) the NCP/SPLM CPA Implementation Committee (IC), and UNMIS on the outstanding CPA matters.**

(c) Consider the Programme of Action (PoA) of the AUHIP with regard to the outstanding CPA matters.

(d) Engage the NCP and the SPLM about this PoA.

2. Liaise with UNMIS.

3. Liaise with IGAD.

4. Liaise with the Special Envoys.

*Having engaged the AEC, UNMIS and the NCP/SPLM IC, the AUHIP should prepare a proposal for consideration by the NCP and the SPLM on the programme and time frames to address the outstanding CPA matters.*

1.1. AP - January/February 2010.

## **III. THE POST-REFERENDUM ISSUES (PRI).**

**1. (a) Study the provisions in the South Sudan Referendum Act relating to the PRI.**

(b) Prepare a proposal about how the AUHIP might work with the NCP and the SPLM to address the PRI, including (c) obtaining from each suggestions about the items that should serve on the PRI agenda.

(d) Engage the NCP and the SPLM about how the Sudanese political parties, civil society and other Sudanese stakeholders could be engaged so that they make their own contribution to the PRI discussions and therefore take ownership of the outcome of these discussions.

(e) Engage independent think-tanks including Chatham House, Woodrow Wilson International Center, Institute for Security Studies, and others on their activities to date on PRI.

(f) Arising from these consultations, work out a PoA to engage the PRI discussions.

(g) Liaise with UNMIS.

(h) Liaise with IGAD.

(i) Liaise with the Special Envoys.

*The AUHIP could prepare its own proposal to the Parties about what should constitute the agenda of the PRI discussions.*

1.1. AP - January/February 2010.

#### **IV. DEVELOPING A NATIONAL SUDANESE CONSENSUS INCLUDING MAKING UNITY ATTRACTIVE.**

**1. (a) Engage the NCP and the SPLM about what they could do throughout 2010 to make the unity of Sudan attractive especially to the people in South Sudan.**

(b) Work with them to elaborate a PoA in this regard, including a communications programme to keep the people of Sudan informed in this regard.

(c) Discuss with the NCP and the SPLM about how the Sudanese political parties might be engaged in this effort to make their contribution to the objective of making unity attractive.

(d) Liaise with the CPA AEC.

(e) Liaise with UNMIS.

(f) Liaise with IGAD.

(g) Liaise with the Special Envoys.

*In this regard, the AUHIP should proceed from:*

- (i) the parties' common commitment, enshrined in the CPA, to make unity attractive*
- (ii) what it was told by 2<sup>nd</sup> VP Taha that the NCP/GoS and the SPLM/GoSS had agreed to act together to do whatever was necessary and possible to make unity attractive; and,*
- (iii) what it was told by 1<sup>st</sup> VP Kiir that the SPLM respects the CPA and therefore the possibility for South Sudan to opt either for unity or secession.*

1.1. AP - January/February 2010.

**2. (a) Engage, first of all, the NCP, the Umma Party and the DUP to understand their proposals about convening a National Summit Meeting of the Sudan political parties.**

(b) Engage them and others including civil society to encourage the holding of this Summit Meeting.

(c) Consider using the outcomes of the Sudan People's Initiative as part of the agenda of this Summit Meeting.

(d) Propose that the parties should establish a Preparatory Committee to organise the Summit Meeting.

(e) Propose that the Summit Meeting should be held by the end of February.

(f) Liaise with UNMIS and UNAMID.

(g) Liaise with the Special Envoys.

(i) The AUHIP could propose that civil society should also play a role in this Conference and in this regard draw from the relevant experience of the Sudan People's Initiative

(ii) The AUHIP could make proposals about the agenda of the National Summit Meeting, which could include consideration of (a) ensuring that the 2010 Elections are free and fair; (b) encouraging the participation of the Darfurians; (c) a broad outline of the Darfur peace agreement; (d) implementation of the CPA; (e) making unity attractive; (f) post-Referendum issues; and (g) relations with the neighbours.

2.1. AP - January/February 2010.

## **V. SOUTH SUDAN CONSENSUS.**

**1. (a) Follow up with the GoSS/SPLM** on the steps that have been or might be taken to convene the Summit Meeting of the South Sudan political parties.

(b) Arising from this consultation, engage all the South Sudan political parties to prepare for their Summit Meeting, including suggesting that they establish a Preparatory Committee.

(c) Propose that the Summit Meeting should be held by the end of February.

(d) Liaise with UNMIS.

(e) Liaise with IGAD.

(f) Liaise with the Special Envoys.

The AUHIP could propose that:

(i) the agenda of the Summit Meeting could include (a) creating the space in South Sudan for free democratic activity; (b) assisting the political parties with public funds; and (c) promoting reconciliation in the South by working to end the ethnic conflicts; and,

(ii) South Sudan civil society should also participate in the Summit Meeting.

1.1. *AP - January/February 2010.*

## **VI. THE SOUTH SUDAN ETHNIC CONFLICT.**

**1. (a) Engage the GoSS on its proposals about how the AUHIP might assist to build reconciliation in South Sudan**, focusing on ending the ethnic conflicts in the region.

(b) On this basis, work out a PoA to address this issue.

(c) Discuss with the SPLM how the other South Sudan political parties might be involved to encourage the process of reconciliation in South Sudan.

(d) Liaise with UNMIS.

(e) Liaise with IGAD.

(f) Liaise with the Special Envoys.

1.1. *AP - January/February 2010.*

## **VII. THE APRIL 2010 GENERAL ELECTIONS.**

**1. (a) Engage the National Electoral Commission (NEC)** on all matters relating to the elections, including the media laws, the security laws, and election monitoring;

(b) Engage the political parties about their concerns relating to the Elections, utilising, especially, their memorandum of 18 January 2010.

(c) On the basis of these consultations, work out a PoA to intervene to help ensure that the elections are both inclusive and free and fair.

(d) Engage the SPLM, especially, on how best to encourage Darfurians to participate in the elections;

(e) Liaise with UNMIS and UNAMID.

(f) Liaise with IGAD.

(g) Liaise with the Special Envoys.

The AUHIP should engage especially the NEC and the GoS about what should be done to ensure the biggest possible participation of the Darfurians.

The AUHIP should encourage the Armed Opposition not to disrupt the election process, and possibly consider the international sanctions that might arise from any actions to deny the Darfurians their democratic right to elect legislatures and executives of their choice.

For its purposes, in case the census issue continues to be a problem, the AUHIP should study and use the "Report on the 5<sup>th</sup> Population Census of the Sudan" prepared by Mr Pali Lehohla, Chief Adviser to the MOC, Sudan.

1.1. *AP - January/February 2010.*

#### **VIII. SUDAN'S NEIGHBOURS.**

**1. (a) Present the overall PoA of the AUHIP to Sudan's neighbours**, especially Chad, Libya, Egypt, Eritrea, Ethiopia, Uganda, Kenya and the CAR, and (b) secure their support.

(c) Assist the AU Commission to involve these neighbours, including the DRC, in the envisaged International Consultative Mechanism.

(d) Liaise with the GoS.

(e) Liaise with UNMIS and UNAMID.

(f) Liaise with the Special Envoys.

The AUHIP and the AU PSD should take steps to prepare the specific itinerary in this regard, including securing the necessary appointments.

1.1. *AP - January/February 2010.*

#### **IX. COORDINATED INTERNATIONAL ACTION.**

**1. (a) Assist the AU Commission (AUC) to establish the envisaged International Consultative Mechanism (ICM) which should meet on a regular basis in Addis Ababa.**

(b) In this regard make proposals to the AUC about how the ICM might be constituted and how it might work.

1.1. *AP - January/February 2010.*

#### **OTHER MATTERS.**

1. As it approves this PoA, the AUHIP should (a) determine the human resources and the logistics requirements it would need to implement the Phase 1 PoA, and (b) immediately present these to the AUC for urgent action.



2. The AUHIP should also alert the AUC to the fact that it would submit a further request for additional human and other resources once it has completed its January/February consultations, and therefore worked out its Phase 2 PoA.

3. (a) The AUC should act immediately to secure the necessary appointments, so that as soon as possible after the AUHIP has approved the Phase I PoA, it should act to implement it.

(b) The first stage of this implementation programme could be sequenced to include: (i) a visit to Doha to meet the JCM and the Qatar hosts; (ii) a visit to Khartoum to meet #the GoS, #the NEC, #the Sudan and #South Sudan political parties, #selected leaders from Darfur, #the CPA AEC and NCP/SPLM IC, and #the human rights lawyers; and (iii) a visit to Juba to meet the GoSS.

(c) With regard to 3(b) above, the AUC should inform the parties concerned about the matters the AUHIP would like to discuss with them, to enable them to prepare for the meetings with the Panel.