The AUHIP needs to revisit its modus operandi

The latest round of the African Union High Level Implementation Panel (AUHIP)’s consultations with Sudanese parties in Addis Ababa (December 9 -13) ended in failure for reasons that are quite bizarre.

The Sudan Call, which is Sudan’s broadest opposition political alliance, and includes four out of the five original signatories of the 2016 Road Map Agreement, sent a delegation to Addis Ababa last week in the expectation of holding consultations with President Mbeki on the way forward on implementation of the Road Map Agreement. The Sudan Call was looking forward to substantive discussions with President Mbeki on how to achieve a conducive environment that could lead to an inclusive political process and a comprehensive political settlement.

Such discussions are particularly urgent at a time when Sudan faces a plethora of problems, including fuel, bread and transport shortages, hyperinflation and a sharply depreciating currency, not to mention serious human rights violations and the continued suffering of millions in the conflict zones.

Although the AUHIP-led peace process has been dormant for a long time, the Sudan Call has continued to reiterate its commitment to the Road Map Agreement and to prepare for the eventual resumption of the Road Map process by sending President Mbeki its position papers in advance of this latest round.

To the disappointment of the Sudan Call, however, President Mbeki refused to meet their delegation in Addis and insisted that he would only be prepared to meet three of the Sudan Call’s four signatories. When the Sudan Call refused to accept these restrictions, the AUHIP issued a concluding statement claiming that its insistence on the participation of non-signatories in the consultations was a position that “contradicted the objectives of the meeting. As a result, the consultations could not be completed”.

This characterisation of the reasons for failure of the latest round is completely unfair.

All correspondence sent by the Imam El Sadiq al Mahdi to President Mbeki about the Road Map Process over the last two years has been signed in his capacity as Chairperson of the Sudan Call, not as Chair of the National Umma Party. The Panel’s invitation letter of 26 November was similarly addressed to him as Chairman. It is true that this letter referred to inviting a delegation of signatories of the Road Map Agreement for consultations but the Imam made it clear in his response on 28 November that the persons who would be coming to the consultations would represent the Sudan Call, including members of its Leadership Council in addition to the signatories.

The AUHIP raised no objection and proceeded to facilitate travel arrangements and hotel accommodation for all the Sudan Call members provided by the Chairperson’s office, irrespective of whether they were signatories or not. The AUHIP even wrote to the Ethiopian Foreign Ministry asking them to facilitate visas for the non-signatories. If President Mbeki was only willing to meet representatives of the Umma Party, JEM and SLM/Minni Minawi (the only three signatories the AUHIP now seems prepared to recognise), it is difficult to understand why the AUHIP officially invited and funded well-known members of the Sudan Call who do not belong to these three organisations, including Malik Agar, Omer Al Digair, Hamid Ali Nour, Yasir Arman, Ahmed Shakir, Eltom Hajo, Mohamed Dawoud and Usama Saeed to come to Addis. Moreover, there is no conceivable reason why the Panel would have invited JEM and SLM/MM through the Imam and passed all messages to them about the Addis meeting through him unless it recognised him as the
Chairperson of Sudan Call. One obvious question that arises from this is why the Panel wasted its precious resources by funding non-signatory members of the Sudan Call to come to Addis if it had no intention of meeting them?

There appears to be no consistency in the Panel’s approach to meeting the Sudan Call. For example, President Mbeki and some of his staff met Omer Al Digair, Hamid Ali Nour and other non-signatory members of the Sudan Call during his recent visit to Khartoum in October 2018. Abdul Mohamed, President Mbeki’s Chief of Staff, met four members of the Sudan Call, including the SPLM/N faction led by Malik Agar, in Berlin in November 2018. Why is it permissible to meet Sudan Call members for consultations in Khartoum or Berlin but not in Addis Ababa, particularly when they have been facilitated to travel there by the Panel? Even more confusingly, President Mbeki assured the Sudan Call Chairperson in writing on 12 December 2018 that “In accordance with our mandate, the Panel will continue to interact with all members of the Sudan Call and other Sudanese political formations in its efforts to facilitate the resolution of the various challenges that Sudan faces”. Yet on the very same day, he refused to interact with the Sudan Call delegation that had been brought to Addis Ababa from all over the world to meet him. A degree of consistency is required from the Panel so that we and others can at least understand its behaviour.

The Panel invited Malik Agar, Yassir Arman and Mubarak Ardoul for consultations in Addis Ababa less than two weeks before convening this latest failed round of consultations. If it does not consider them to be leaders of one of the two factions of SPLM-N, then in what capacity did it invite them? If it recognises them as leaders of one of the factions of SPLM-N, then on what basis has it stripped this faction of its right to be a signatory and transferred the signature of Malik Agar to the other faction? If the Panel’s aim is to facilitate an inclusive Road Map process, is it not more logical and compatible with the letter and spirit of the AUPSC communiques 456 and 539 to ask the leader of the other faction to sign the Road Map Agreement as well and to accept both of them as signatories rather than seeking to exclude important political stakeholders?

The Panel cannot have forgotten that one of the main reasons why Sudan Call members were reluctant to sign the Road Map Agreement when the Government of Sudan signed it in March 2016 was its lack of inclusivity. The four Sudan Call members who eventually signed the Road Map Agreement on 8 August 2016 only did so on the basis of certain written understandings, including the right of the Sudan Call to choose its own delegation for meetings with the Government. President Mbeki also assured them that, if four Sudan Call members signed the Road Map Agreement, he would deal with them in future as the Sudan Call. The Panel publicly accepted the reservations of the Sudan Call which were read out by one of the signatories at the press conference that accompanied the signing ceremony on 8 August 2016.

The Road Map Agreement acknowledged that the so-called National Dialogue organized by the Government of Sudan was not sufficiently inclusive and hence provided for the AUHIP to convene a preparatory meeting to discuss how to make the National Dialogue process more inclusive. It is therefore counter-productive for the Panel to refuse to meet political parties, movements and civil society organizations that have organized themselves under one umbrella to help the Panel to discharge its mandate to achieve a more inclusive political process.

It is only to be expected that the ruling party in Khartoum, that has monopolised power for three decades and aspires to do so indefinitely, does not to comprehend the benefits of political inclusivity. Indeed, the Government of Sudan has already violated the Road Map Agreement by unilaterally terminating its own National Dialogue before a preparatory meeting could be convened, adopting a controversial Electoral Law in preparation for more rigged elections and undermining the
constitution-making process by proposing constitutional amendments to remove term limits so that President Bashir can be President for life. It is also to be expected that the Government of Sudan should be trying to divide and destroy the Sudan Call in accordance with its well-established divide and rule policy. But it is difficult to understand why the Panel should bow to pressure from the regime regarding who it can and cannot meet.

For the Panel to succeed in helping the Sudanese to solve their problems, an objective that it has so far failed to achieve in nearly ten years, it needs more efficiency, transparency and consistency in its modus operandi. It also needs a bigger and a better equipped staff that can fulfil the requirements of its mandate which has recently been expanded to cover the Horn of Africa. It is inexcusable to delay consultations with key stakeholders on the future of Sudan because of confusion over who has been invited.

The Sudan Call delegation went to Addis in good faith seeking to engage with the AUHIP on substantive issues. The delegation was extremely disappointed that they were not allowed to do so, particularly given the increasingly critical situation in Sudan. If President Mbeki is indeed willing to interact with members of the Sudan Call, as he assured the Imam Al Sadiq al Mahdi on 12 December, then we hope the Panel will reconsider the restrictive approach they took in Addis this week and listen to the views of all stakeholders in Sudan’s political process, particularly those who are seeking a fully inclusive process for a just peace and a comprehensive political settlement leading to democratic transformation.

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