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PEACE AND SECURITY COUNCIL
539TH MEETING

ADDIS ABABA, ETHIOPIA
25 AUGUST 2015

PSC/ PR/COMM.(DXXXIX)

COMMUNIQUÉ

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The Peace and Security Council of the African Union (AU), at its 539th meeting held on 25 August 2015, adopted the following decision on the activities of the AU High-Level Implementation Panel (AUHIP) for Sudan and South Sudan:

Council,

1. **Takes note** of the report of the AUHIP on its activities [PSC/PR/2.(DXXXIX)] and of the briefing of the Chairperson of the Panel, former President Thabo Mbeki, on its ongoing efforts to engage with the Government of the Republic of Sudan, political parties and armed movements in support of the peaceful resolution of conflicts in, and democratization of, Sudan, and to support the implementation of the Cooperation Agreement of 27 September 2012 between the Republic of Sudan and the Republic of South Sudan. Council **further takes note** of the statement made by the representative of the Government of the Republic of Sudan;
2. **Recalls** its earlier communiqûés and press statements on the implementation of the various aspects of the mandate of the AUHIP and other related AU's efforts, including communiqûés PSC/AHG/COMM/2.(CCCXCVII), PSC/AHG/COMM/1.(CCCLIII), and PSC/PR/COMM.(CDLVI), adopted at its 353rd, 397th and 456th meetings held on 25 January and 23 September 2013, and on 12 September 2014, respectively;
3. **Commends** the AUHIP and its members, namely former Presidents Thabo Mbeki, Abdulsalami Abubakar and Pierre Buyoya, and the support staff, for their patient and unwavering engagement with Sudan, dating back to the establishment of the AU Panel on Darfur (AUPD) in July 2008 [PSC/MIN/COMM(CXLII)], and **underlines** that the exceptional commitment of the AU as a whole, and the AUHIP in particular, reflects the profound commitment of the Continent to assist the Sudanese nation to fulfill their potential. Council **also commends** the Chair of the Intergovernmental Authority on Development (IGAD), Prime Minister Hailemariam Desalegn of Ethiopia, for his continued engagement and support to the efforts of the AUHIP and commitment to the promotion of peace, security and stability in the Horn of Africa region;
4. **Expresses appreciation** for the important role of the Special Envoy of the UN Secretary-General, Haile Menkerios, the Acting Joint Special Representative (JSR), Abiodun Bashua, and the Special Envoy of IGAD, Lissane Yohannes, in their overall efforts aimed at achieving peace, security and stability in the region, and **notes with satisfaction** the exemplary cooperation between them and the AUHIP. Council **also expresses appreciation** for the support and assistance extended to the AUHIP by the AU bilateral and multilateral partners;
5. **Welcomes** the continuing engagement and support of the State of Qatar in the search for peace in Darfur, in particular its significant financial contribution for the implementation of the Doha Document for Peace in Darfur (DDPD) and the Darfur Development Strategy (DDS), as

well as the alleviation of the suffering of the population of Darfur, including the Internally Displaced Persons (IDPs);

6. **Recalls** that the report of the AUPD, as adopted by its 207th meeting held in Abuja, Nigeria, on 29 October 2009 [communiqué PSC/AHG/COMM.1(CCVII)], whose analysis is the foundation of the AU's policy on Sudan, concludes that the Sudanese crisis in Darfur can be resolved only in a holistic manner, within the context of a comprehensive national process which addresses Sudan's challenges, including the challenge of democratization;

7. **Reiterates its support** for the National Dialogue announced by President Omar Hassan al-Bashir in January 2014, and **affirms** the principle adopted by the Sudanese parties that the National Dialogue should be an all-inclusive Sudanese process intended to address and resolve the longstanding challenges faced by the Sudanese nation and based on the agenda of peace and national unity, economy, basic rights and freedoms, national identity, constitutional review and governance and international relations. Council **notes** that the objectives of the National Dialogue are consistent with the principles espoused in the AUPD Report;

8. **Reminds** the Sudanese parties of their commitment to establish an environment conducive to the organization of the Dialogue, including through the adoption of confidence-building measures as endorsed and reflected in communiqué PSC/PR/COMM.(CDLVI) (paragraph 14 & 15), which reiterates the Sudanese parties' consensus on the steps required to hold a credible dialogue within Sudan. Council also **reminds** the Sudanese parties of the AU's commitment to leverage financial and economic assistance from the international community for the stabilization of the economy of Sudan, as part of the package of support associated with the National Dialogue process;

9. **Observes** that the National Dialogue was conceived as an all-inclusive exercise, which would command the confidence of all the Sudanese people. Council **reiterates** the necessity for an adequate and all-inclusive preparation of the dialogue process, as envisaged in the 5 September 2014 Agreement on the National Dialogue and Constitutional Process signed by the Sudanese stakeholders and endorsed by Council;

10. **Notes** the statement made by President Omar Hassan al-Bashir that the Government of Sudan is ready to observe a two-month ceasefire in order to create the necessary confidence for all stakeholders, including representatives of the armed movements, to join the National Dialogue process, and **further notes** the commitment made by President al-Bashir to grant amnesty to members of the armed movements to enable them to attend the National Dialogue in safety;

11. **Acknowledges** the commitment and readiness of the armed movements to continue their engagement with the Government of Sudan to negotiate an end to the armed conflicts in Sudan;

12. **Commends** the tireless efforts of the AUHIP in seeking to facilitate a peaceful resolution of the conflict in the Two Areas between the Government of Sudan and the Sudan People's Liberation Movement-North (SPLM-N), which is a manifestation of the Sudanese crisis and, in this regard, **notes** that, as reflected in the draft Framework Agreement of December 2014, the negotiations have already yielded substantial consensus capable of forming the basis for the resolution of that conflict;

13. **Further commends** the efforts of the AUHIP and the JSR to facilitate negotiations between the Government of Sudan and the Darfur armed movements, within the context of the agreed one-process-two-track approach to end all violent conflicts in Sudan;

14. **Notes with deep disappointment and concern** that despite the decisions and encouragement of Council, the more than six years of unparalleled efforts of the AUHIP, as well as the support offered by the international community, the fundamental challenges of the Sudanese nation remain unresolved and insufficient progress has been made in the implementation of the Roadmap for the National Dialogue and in the efforts to end Sudan's long-running conflicts;

15. **Reiterates** the importance for the region and the Continent of the resolution of the crisis of Sudan, and the particular responsibility the Government of Sudan bears for taking the lead in ensuring a credible and genuinely all-inclusive National Dialogue and democratic transformation of the country;

16. **Expresses its grave concern** about the ongoing conflict and humanitarian crisis in Darfur and the Two Areas, including the reported violations of humanitarian law associated with the conflict, and **calls upon** the parties to urgently reach agreements to facilitate and allow humanitarian assistance to reach those in need and to respect human rights and International Humanitarian Law. Council **calls upon** the Parties to take all necessary measures to create conditions for the safe, voluntary and dignified return of the displaced persons and refugees to their homes;

17. **Notes** that stopping the conflicts is an absolute requirement for the National Dialogue to proceed;

18. **Reiterates** its endorsement of the work of the AUHIP to ensure harmonized and focused action in support of the efforts of the Sudanese stakeholders to address the challenges confronting their country, including through support for negotiations to end the conflicts in Darfur and the Two Areas, and the efforts to organize a credible National Dialogue;

19. **Strongly urges** the Sudanese parties, especially the Government of Sudan, to demonstrate the necessary leadership and recommitment to processes necessary for achieving the goal of realizing the democratic transformation of Sudan, especially through the organization of an all-inclusive, transparent, adequately prepared and credible National

Dialogue. Council **expresses its conviction** that without progress on the above issues, the immense challenges facing Sudan, including the humanitarian crises, will not be overcome;

20. **Calls upon** the Government of Sudan and all concerned parties to cooperate with the AUHIP in all aspects of its mandate. Council, accordingly:

- (i) **calls upon** the Government of Sudan to desist from any actions that would undermine confidence in the process or jeopardize the possibility of holding a credible and all-inclusive National Dialogue within Sudan;
- (ii) **reiterates its call** for an urgent pre-National Dialogue meeting of all relevant parties, at the AU Headquarters in Addis Ababa, to discuss and agree on procedural matters relating to the Dialogue;
- (iii) **requests** the AUHIP to continue its engagement with the Government of Sudan and the other Sudanese stakeholders in support of their efforts to realize an all-inclusive, transparent and credible National Dialogue, and, in this regard, **urges** all parties to extend the fullest cooperation to the Panel;
- (iv) **further urges** the Parties to reinvigorate their efforts to stop the wars in Darfur and the Two Areas, and **requests** the AUHIP, in line with Council's previous decisions, to continue to facilitate negotiations to stop the war and inter-communal violence in Darfur and the war in the Two Areas;
- (v) **reaffirms its determination** to assist all the Sudanese parties with regard to the National Dialogue and the search for peace in Sudan, with a view to taking such additional decisions and actions as may be necessary to help ensure that the goal of the democratic transformation of Sudan is not derailed, and in particular that an all-inclusive and credible Sudanese National Dialogue is organized; and
- (vi) **requests** the AUHIP to report to Council, within 90 days of this decision, on the re-engagement of the Sudanese stakeholders with the processes towards an all-inclusive and credible National Dialogue as envisaged in the Roadmap and the necessary efforts for bringing to an end the conflicts in Darfur and the Two Areas;

21. **Calls upon** the Governments of Sudan and South Sudan to continue the implementation of the Cooperation Agreement in order to establish peaceful and cooperative relations between them and **requests** the AUHIP to continue its facilitation role regarding the implementation of the Cooperation Agreement;

22. **Calls upon** the Governments of Sudan and South Sudan, with the support of the AUHIP, to convene an extraordinary meeting of the Joint Political and Security Mechanism (JPSM) and **urges** the two parties to cooperate with the Panel in this regard. Council **commends** the members of the Joint Border Verification and Monitoring Mission (JBVMM) for their efforts towards the implementation of their mandate, in support of the security arrangements

between Sudan and South Sudan. Council **calls upon** Sudan and South Sudan to extend full cooperation to the JBVMM for the implementation of its mandate;

23. **Reaffirms** the continued relevance of the Agreement on the Temporary Security and Administrative Arrangements for the Abyei Area of 20 June 2011 and its previous decisions on the situation in the Abyei Area. Council **commends** the UN Interim Security Force for Abyei (UNISFA) for its outstanding contribution to peace in the Abyei Area and **demands** that the parties extend full cooperation to UNISFA;

24. **Expresses appreciation** for the reconvening of the Abyei Joint Oversight Committee (AJOC) from 28 to 29 March 2015, following an extended period during which it did not convene, and **encourages** the AJOC to meet regularly to carry out its important mandate with respect to Abyei;

25. **Calls upon** the parties to cooperate with each other towards stabilizing the situation in the Abyei Area, promoting harmonious co-existence between the communities of Abyei, including by convening the Inter-Communal Conference as planned and ensuring the implementation of the outstanding administrative and security elements of the Temporary Arrangements Agreement;

26. **Commends** the work of the AU Border Programme (AUBP) in assisting the parties to implement the Agreement on Border Issues and to strengthen their capacity to manage border issues;

27. **Appreciates** the tireless efforts of the AU Team of Experts (AUTE) on the Disputed Border Areas, chaired by Judge Abdulkadir Koroma of Sierra Leone, in engaging the parties in fulfilment of its mandate to provide a non-binding Opinion on the status of the Disputed Areas, and **urges** the parties to cooperate with the AUTE. Council **requests** the AUHIP to provide, at the next convenient occasion, a report on the status of the cooperation of the parties with the AUTE;

28. **Recalls** the support expressed by the Assembly of the Union and the endorsement by Council of the Joint Approach by Sudan, South Sudan and the AUHIP, for comprehensive debt relief, the lifting of sanctions against Sudan, and development support for South Sudan, and **requests** the AUHIP to continue to support efforts that may be required in this context;

29. **Recalls** paragraph 16 of communiqué PSC/AHG/COMM/2.(CCCXCVII) regarding the need to promote a regional and holistic approach to the challenges of peace, security, stability and development in the Horn of Africa in support of the IGAD's efforts, in which Council requested the AUHIP, in close consultation with the IGAD Chair and Secretariat, to contribute to the promotion of such an approach, which would involve the convening of a conference on peace, security, stability and cooperation and development in the Horn of Africa, and to undertake the required consultations with IGAD and its Chairperson. Council **stresses** the importance and urgency of this approach, and **invites** the Panel to expedite its consultations on the matter, with a view to submitting to it a progress report by November 2015;

30. **Decides** to remain actively seized of the matter.