



**ADDIS ABABA UNIVERSITY**

**COLLEGE OF SOCIAL SCIENCES**

**CENTER FOR AFRICAN STUDIES**

**AFRICAN SOLUTIONS FOR AFRICAN PROBLEMS: ETHIOPIA'S  
MEDIATION ROLE IN (2018-2019) SUDANE POLITICAL CRISIS**

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## **Acronyms and Abbreviations**

AMIB The African Union Mission in Burundi

APSA African Peace and Security Architecture

ASAP African solution for African problems

AU Africa Union

DOP Declaration of Principle

ECOWAS Economic Community of West African States

EU European Union

ICJ International Court of Justice

IGAD Inter Governmental Authority on Development

NATO North Atlantic Treaty Organization

NISSE National Intelligence and Security Service

OAU Organization of African Union

PSC Peace and Security Council

RSF Rapid Support force

SAF Sudanese Armed Forces

SPA Sudanese Professional Association

SPLM/A Sudanese Liberation movement/Army

TMC Transitional Military Council

UNAMID United Nations and African Union Mission in Darfur

## **Abstract**

*After the overthrow of the 30-year rule of Al Bashir, the political condition of Sudan had been in a state of swinging to the left and to the right. What Ethiopia did in this particular case was to avoid an all-out conflict and bring the contending parties to the negotiating table in a step-by-step process with a spirit of 'African solution for African problem'. The effort succeeded to have resulted in a power sharing deal between the TMC and the civilian opposition power. It is believed to be the first step towards a democratic transition for the Sudan. This study therefore sought to assess the contribution of Ethiopia towards bringing the disputing Sudanese parties to reach an agreement in the spirit of solving African problems by African.*

*The study utilized qualitative method and non-probability sampling technique to select informants. By conducting semi-structured interviews and extensively reviewing secondary data sources, the study has examined the role, approaches, achievements, and challenges of the Ethiopian-led mediation during the 2018-18 Sudan crisis. The study established that there were various actors in the mediation process in the Sudan. Ethiopia's mediation effort was successful. The success of the process has depended on the outcome, acceptability of the mediators by the warring parties, the neutrality of the mediators in the process, and the skill and knowledge of mediators on the causes of conflict, the parties and process. Nevertheless, the mediation process was not smooth. There were major challenges including mistrust between the negotiating parties, internal friction among civilian groups, and pressure from various actors and skepticism towards Ethiopia's initiative. Finally, the study recommended that, coordinated and timely application of specific political, diplomatic, and economic and/or security measures and activities in response to a situation threatening peace should be a responsibility of each member state. Also, to be effective conflict prevention must be planned and implemented with its contribution and transition to longer-term peace and security as a key consideration. Finally, critical post-conflict components should be addressed.*

# CHAPTER ONE

## 1 Introduction

Africa has joined the 21<sup>st</sup> century with countless unsettled issues of political, economic and social challenges. Even though there still are issues dating back the period of colonization the problems that the continent faces today are not precisely the same as those of the colonial period. A massive and deeply rooted poverty, climate change, huge flux of migration, violent terrorism and extremism, food insecurity, armed conflict, economic and gender inequality, falling and failed states are some of the current problems that we are encountering. On the other hand, African people have got the necessary resources and knowledge to address the challenges the continent is facing. Thus, the real question is will there be an African solution for all these rising catastrophes?

Historically, the idea of "African solutions to African problems" that is an ownership of solutions for once problem started in the course of the 19th and 20th centuries with the concept of Pan-Africanism. The idea of Africa's self-governance through the motto: "Africa for Africans". The idea of African solutions to African problems was extant since the decolonization of Africa and the creation of the Organization of African Unity (OAU). However, the OAU's failure dealing with tragic conflicts that took place in the 1990s such as in Angola, Burundi, DRC, Liberia, Sierra Leone, Somalia, Sudan, Uganda and particularly the 1994 Rwanda genocide portrayed that without peace, development and prosperity could not take root in Africa. The African leaders felt the need to shift from the OAU to the African Union and adopt new measures and policies with a common motto: "African Solutions to African Problems.

"The universal catchword "African solutions to African problems" elucidated by political economist George Ayittey in response to the interventions of U.S., UN and the international community in the crisis in Somalia. The author stressed the idea that for the long-lasting catastrophes that appear everywhere in Africa a long-term solution to those problems can come only from Africans themselves. It is time for Africans to take things into their own hands and make use of their resources to solve Africa's troubles (Ayittey, 1994).



"African solutions to African problems" is applied to the different challenges faced by the continent including development, education, and health but it is used most often in relation to peace and security (Nathan, 2013). Given this context, it is not new in Africa's history that many of the African countries have experienced the most deadly conflicts. For instance, the South Sudanese crisis, Somalia crisis, the civil wars in Sierra Leone and Liberia, the Biafran War in Nigeria, the Congo Wars and the Rwandan genocide, the Ethiopian and Eritrean conflict (1999 – 2000) that left nothing but economic, social and political crisis in the continent. Researches show that between 1945 and 2000 there have been 95 conflicts on the continent with over 45 being civil wars (Solomon, 2015). Moreover, the problem is further getting severe due to the creation of failed and failing states, weak institutions, the rise of extremism and terrorism. Africa's ever-growing own insecurity is serving as a source of fear. A diplomatic intervention and cooperation among the regional governments under the motto of ASAP believed to be crucial to promote peace and security in the region and across the continent.

Sudan has been characterized by internal conflict since its independence in 1956. The current unrest in the Sudan can be traced back to December 2018, when then-President Bashir's government that rule Sudan for 30 years levied emergency austerity measures to try to stave off economic collapse. Cuts to bread and fuel subsidies sparked demonstrations in the east over living standards and the anger spread to the capital, Khartoum. The protests broadened into demands for the removal of President Bashir. The movement reached a pinnacle on 6 April, when demonstrators occupied the square in front of the military's headquarters to demand that the army force the president out. After the overthrew the 30- year old rule of Al Basher both the reformist wing of the military establishment and the people of Sudan who brought about the democratic revolution were unwilling to change their positions regarding who should rule the Sudan. This was a critical point that changed the whole course in the protest. It is here that Ethiopia's mediation efforts came into the picture. From the onset, Ethiopia's mediation had to overcome a number of challenges. Ethiopia had to deal with a deep mistrust between the parties, as well as, address various pressures from external actors.

This paper examines Ethiopia's mediation effort in the Sudan during the 2018-19 political crisis. It explores Ethiopia's mediation role, approaches, achievements, and challenges.

## 1.1 Statement of the problem

Violent conflict has always been a critical problem throughout civilization. The World Bank (2018) indicates that as well as devastating lives, communities and countries, war also has a huge impact on the global economy with the cost estimated at USD 13.6 trillion in 2015 by the Institute for Economics and Peace (2016). The cost of conflict on African development was approximately \$300bn between 1990 and 2005 (Hillier, 2007).

Mediation is one of the most effective methods of preventing, managing, and resolving conflicts. Mediation is a process whereby a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict by helping them to develop mutually acceptable agreements. Mediation outcomes can be limited in scope, dealing with a specific issue to contain or manage a conflict, or can tackle a broad range of issues in a comprehensive peace agreement (United Nations, 2012).

Various external actors play a central role in the course and conclusion of peace negotiations. Whitfeld (2010) explored various means by which international mediators may relate to and involve other external actors in a peace process. The study noted both dramatic growth in mediation and an unprecedented diversity of international mediators involving either official bodies such as the UN and the African Union (AU) as in Darfur, or more flexible arrangements, as seen in Kenya, where Kofi Annan led an AU-mandated Panel of Eminent African Personalities. The study raises the idea that the support of big neighboring countries to states in conflict can decide a peace process outcome taking the example of Mexico in its mediation of Central American conflicts; and India's helping Nepal's peacemaking after the king seized power in 2005.

Studies conducted on the success and failure of mediation efforts found that a given conflict management or a mediatory episode can be referred to as successful if it achieves some combination of fairness, or effectiveness, efficiency, participant satisfaction, and an effect towards non-violent behavior (Jameson, 1999; Bercovitch, 2007). The role of mediators in the success of mediation efforts is a widely studied topic. Young (1968) maintains that the identity and characteristics of a mediator is a primary determinant to success in mediation. Lázaro and Carmelina (2003) stated that the impact of culture is not always a negative factor in the context of international mediation, but cultural differences may exacerbate mediation process.

There are different narratives on the influence of mediators to the success of mediation processes and outcomes. The first argues that impartiality, leverage, and status are the most successful assets of mediators (Kleiboer, 1996; Zartman & Touval, 1996). For these researchers, mediation efforts by superpowers are more likely to be successful than mediation efforts by medium or small powers. The second argues that mediators do not need to be impartial, accepted, or effective (Bercovitch et. al., 1991). The argument is that mediators who are perceived as having an interest in achieving an outcome acceptable to both sides are more likely to lead a successful mediation.

The success of the status-oriented approach on the African continent has been questionable. Nathan (1999) criticizes power-based diplomacy in African civil wars, which ascribes to the first of the above arguments, based on six ‘strategic principles’ of mediation: non-partisan mediation; the parties must consent to mediation and the choice of the mediator; conflict cannot be resolved quickly and easily; the parties must own the settlement; mediators should not apply punitive measures; and mediation is a specialized activity. In 1992, Boutros-Ghali wrote the “Agenda for Peace” in which he supported local responses for local problems by arguing for a greater role for regional organizations in preventing and resolving regional conflicts, partly on the assumption that regional states know their regions best and partly as a form of burden-sharing.

Violent conflict remains the biggest threat to peace, security, and development in Africa. Attempts to address these conflicts have been led by international organizations such as the United Nations but mainly conducted under the auspices of world powers. Yet, interstate, and intrastate conflicts continue to mire African social, economic, political, and human development efforts. The Armed Conflict Location and Event Data Project, which monitors incidents of conflict around the world, found that there had been 21,600 incidents of armed conflict in Africa in 2019 showing a 36% increase from 2018 (ACLEDP, 2019). The African Union recognizes the need for change in dealing with conflicts in Africa and seeks to take more center stage by responding with ‘African solutions to African problems.’

There are very few studies on African-led mediation efforts in Africa. A study by Åberg et. al. (2008) on the use of mediation in African peace processes in the decade preceding the study. It analyzed 11 cases of mediation work in diverse conflict situations, with various parties and mediators, offering insights into the intricacies of mediation in African peace processes. Based on peace agreements mediated by African entities in these conflicts, the study concludes that compared with life during a state of war, the situations have often improved tremendously.

However, widespread human rights violations, violence, poverty, and inequality continue to affect citizens. On the other hand, Essuman-Johnson (2009) examined the efforts of the two regional bodies, ECOWAS and SADC to resolve conflicts and found their efforts ineffective. He identified collective identity, which he refers to as “regionness” and the existence of structures for conflict resolution in the regional security complex as key factors for the success of peacemaking initiatives. The study indicates that the ECOWAS security complex’s conflict resolution efforts, even though they were bold and innovative, were ad hoc and set within an effective conflict resolution mechanism and they were not “very successful”. In the case of SADC, its conflict resolution efforts in Lesotho and in the DR Congo, it did not make meaningful impact in helping to resolve the conflict save some mediation efforts by South African leaders.

Despite the obvious importance of increasing regional leadership in mediating conflicts in a spirit of “African Solutions to African Problems”, a thorough review of literature on the subject indicates that the roles of Africans in mediating conflicts in Africa, the processes and challenges remain unstudied. Hence, this study explores the process, approach, major achievements and challenges of the Ethiopian-led mediation effort during the 2018-19 political crisis of the Sudan as an African solution to an African problem.

## **1.2 Objectives of the Study**

### **General Objective**

The general objective of the study is to explore the process, approach, major achievements, and challenges of the Ethiopian-led mediation effort during the 2018-19 political crisis of the Sudan as an African solution to an African problem.

### **Specific Objectives**

- To explore the process of Ethiopian-led mediation between disputing parties during the 2018-19 political crisis of the Sudan
- To describe the approach taken by the Ethiopian-led mediation towards bringing the disputing Sudanese parties to reach an agreement
- To explore the major achievements of the Ethiopian-led mediation process between disputing parties during the 2018-19 political crisis of the Sudan
- To describe the major challenges of the mediation process

### **1.3 Research Questions**

- What was the process of the Ethiopian-led mediation between disputing parties during the 2018-19 political crisis of the Sudan?
- What was the mediation approach taken by the Ethiopian-led mediation process during the 2018-19 political crisis of the Sudan?
- What were the major achievements of the Ethiopian-led mediation between disputing parties during the 2018-19 political crisis of the Sudan?
- What were the major challenges during the Ethiopian-led mediation between disputing parties during the 2018-19 political crisis of the Sudan?

### **1.4 Significance of the study**

The significance of this thesis lies in its input to the understanding of Africa countries taking the ownership and responsibility to resolve conflict in the continent and bring solutions towards Africa's peace and security concerns. The study establishes an evidence for academics, researchers, and policy makers for why Ethiopia's mediation as a tool of conflict resolution was successful in the Sudan and the steps taken to manage such conflicts. Finally, since not much literature on the topic the study will be a valuable addition to the existing literature on the most important points that need to be considered in understanding the evolving role of member countries in conflicts, and their broader implications on the continent.

### **1.5 Scope of the Study**

The term 'African solutions for African problems' is a border and complex term that is wide-open to altered perceptions. The idea embraces addressing the political, social and economic challenges that the continent face. It also provides opportunities for African oriented approaches to be negotiated at the global arena.

Nonetheless, Africa's problems referred to in this paper specifically focus only on the challenges that are related to conflict in the continent. It is also important to clarify that by reference to African values, principles and approaches; the researcher does not espouse the rejection of external solutions. Rather, these references are made to understand Africa's disposition towards the resolution of challenges.

Furthermore, in the Sudanese case the AU as a continental organization also plays a significant role in the mediated process. It was a huge phase towards energizing the continental

organization. However, to make the study more manageable and in-depth, the study only focuses on the Ethiopian mediation effort in Sudan in general; and, the processes, approaches, achievements, and challenges of this effort in particular.

## **1.6 Limitation of the Study**

A researcher is required to remain cognizant of the possible limitations in conducting the research. The primary challenge in undertaking this research was the problem of over politicizing the research under study. Getting the permission and willingness of the informants was a difficult task. Prior to the process of data collection key informants were selected to participate in the study. However, most were not willing to respond, and those who showed their readiness to participate in the study were hesitant and unwilling to participate when approached to conduct the interview. Particularly, the efforts to interview officials from the AU who participated in the peace process were fruitless. The researcher recruited other informants in place of those who refused to participate. In addition, statements from and media sources were used to create a relatively comprehensive picture of the situation in Sudan.

Secondly, the ongoing global pandemic Coronavirus (COVID-19) was another big challenge. Given the time upon which the data collection took place, all the interviews took place via email and phone communication which limited the amount of information that can be shared by the informants. In addition, finding the official signed document, particularly, the final signed power-sharing agreement between the TMC and FFC was very difficult. To fill this gap the researcher obtained the draft translated agreement from anonymous sources who were closely following the mediation process.

Finally, there is a very limited body of knowledge, especially peer reviewed research on the 2018-19 Sudan political crisis, partly because the crisis is a very recent phenomenon but also due to limited documentation and communication by those parties involved.

## **1.7 Outline of the Study**

The study is comprised of six chapters. Chapter one provides an introduction, the gap in existing knowledge, objectives, research questions, scope, significance, and limitations of the study. Chapter two presents a brief review of related literatures on the topic of research. Chapter three presents the methods and strategies employed in conducting the study. Chapter four discusses the overview of the Sudanese protest (2018-2019); discusses the major causes, the main actors, and

the mounting tension between the TMC and pro-democratic movement. The discussion and analysis are done based on the information obtained from the interviews and extensive secondary sources reviewed from various sources. Chapter five, discussed the regional and International response to the Sudanese crisis. Particularly, explored the initiatives of Ethiopia and how the motto ‘African solution for African problem’ was applied to address the crisis and outline the challenges and the lessons that other Africa countries could learn from Ethiopia. The final the chapter Six presents a summary of the study and draw some recommendations from the discussions.

## **Chapter Two**

### **1 REVIEW OF LITERATURE**

The aim of this chapter is to discuss some of the major issues and concepts associated with mediation and the idea of African solution for African problem. It provides conceptual insights of mediation, and assessed the effort of Africans in solving their problems which is also the main theme of this research. It also tries to look at the role of Ethiopia in peacekeeping missions across the continent. The major discussions are presented as follows.

#### **1.1 The Concept of Mediation**

Throughout history individuals, groups, communities and states have sought ways of managing their customary conflicts in less costly and more peaceful way. Some of these ways may be talking to each other, negotiated, arbitrated, adjudicated, resolved by legislation, by political action, or by violent force. Mediation has been used for long and it has a reach history. ‘Peace mediation is a term that covers a range of instruments used to deal with intra- and inter-state conflicts. A plethora of definitions for the concept of mediation exist in peace and security scholarship. Mediation is a voluntary process “whereby a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict by helping them to develop mutually acceptable agreements” (United Nations Guidance (UN) for Effective Mediation, 2012).

Correspondingly, Nathan, (2005:2) mediation is most required when there is a high level of animosity and mistrust between disputant parties. As an intermediary peacemaker and an impartial third party, “the mediator serves as both a buffer and a bridge between the antagonists, ameliorating the anger and suspicion that prevent them from addressing in a cooperative manner the substantive issues in dispute”. Mediation as an extension of the negotiation process that involves the intervention of an acceptable, impartial and neutral third party, which has no authoritative decision-making power, to assist contending parties in voluntarily reaching their own mutually acceptable and implementable settlement (Moore,2003). Thus, a core function of the mediator/ mediation teams is to lessen mutual mistrust between opposing sides and raise their confidence in negotiations, in turn enabling the disputed parties to reach agreements they find satisfactory and are willing to implement.



Mediation is differentiated from other forms of third-party intervention, primarily due to the fact that it is not premised on force and that the parties maintain a certain degree of ownership over the outcome of the peacemaking process (Herrberg, Gunduz & Davis, 2009).

The baseline for defining mediation designates a voluntary and non-violence method, through a planned process, where one or more impartial third-parties assist the disputing parties to reach a mutually satisfactory solution. Based on the above definition mediators may play various diverse roles, and may enter conflicts at various levels of advancement or intensity. Facilitative mediation focuses on organising and facilitating communication between the parties in a non-directive manner (Mitchell, 1992).

## **1.2 Effective Mediation Processes for Conflict Resolution**

All conflicts are unique and require specific approaches, but highlights good practices that should inform the approaches of all mediators in order to increase the prospects of success, minimize the potential for mediator error and help generate an environment more conducive to mediation. The controversy around the meaning of success hinges on the different methodologies scholars utilize in assessing mediation processes and outcomes, which tend to be based on subjective criteria, thus rendering attempts to define success largely a relative exercise. As such, the literature presents various definitions or meanings of success, which can relate to the effectiveness of mediation processes irrespective of whether the conflict was resolved or not. Success can also refer to the fact that conflict parties agreed to mediation or accepted a mediator.

The academic literature generally agrees that mediation is an effective means of managing violent conflict. Nevertheless, measuring its precise impact is a challenge. Frei (1976: 69) referred to success as ‘a situation in which both parties to the conflict formally or informally accept a mediator and a meditative attempt within five days after the first attempt.’ Likewise, Greig & Diehl (2012: 106) defined success as the ‘achievement of getting the disputing parties to accept mediation or having the parties reach some type of agreement as a result of the mediation.’

According to Susan (1990) ‘determination of success depends upon the reasons for which the parties agreed to mediation. If they did indeed expect it to end the conflict, then the most obvious measure of successful mediation would constitute the final resolution of the conflict and the reconciliation of the parties’. ‘Two branch of theories to identify the success of mediation. The first stresses the importance of various environmental components (four main interrelated

categories may be identified: the nature of the disputing parties, the duration of the conflict, the existence of a stalemate, and the issues at stake.

The second concentrates on the value of the mediator'' (Ibid, 1990). Parties locked in deep-rooted conflict regard each other with extreme mistrust and animosity. From their perspective, negotiations entail talking to 'the enemy' and the prospect of compromising core values in order to reach a settlement. Likewise, Nathan (2005) argue through the presence and support of a trusted third party, mediation can provide a relatively calm and safe space for the adversaries to articulate and explore ways of meeting their respective concerns. Given their anxiety that negotiations may lead to an unfavourable outcome, their trust in the mediator is a critical factor. Above all, they expect the mediator to be non-partisan and fair (Ibid, 2005).

In addition, Bercovitch, Anagnoson, & Wille (1991: 8), focusing on outcomes, described success as the production of 'a cease-fire, a partial settlement or a full settlement' agreement (see also Susskind and Babbitt, 1992). Contribution towards a final agreement and the decrease of conflict or even the conclusion of an agreement promising the lessening of the conflict could also be measures of fruitful (Zartman & Touval, 1985).

The process by which conflict is addressed matters greatly because of the importance that the parties attach to their positions and because individuals and groups resent being treated as the object of some other body's plans. Nathan (2005) outlined that the key to effective mediation lies in understanding, managing and transforming the political and psychological dynamics of serious conflict that make disputant parties fiercely resistant to negotiations. Success is difficult to judge if one does not understand the mediation's initial objectives (Beardsley, 2010).

Mediators should define their role as facilitating problem-solving. ''The conflict parties, who have to make the decision to stop the fighting, and society as a whole must work towards a peaceful future. While solutions cannot be imposed, mediators can be helpful in generating ideas to resolve conflict issues'' (UN Guidance for Effective Mediation, 2012).

It is important not to forget the role played by highly proficient and experienced mediators. Mediators who are highly proficient and experienced are better equipped to manage the complexities of deep-rooted conflict and the passions and intransigence of the disputant parties Nathan (2005). They are more familiar with mediation strategies and tactics, giving them a wider range of options and tools, and they are less likely to make mistakes. Ibid (2005) describe

mediation process as “techniques relate to engaging in shuttle diplomacy when adversaries refuse to talk directly to each other; designing and convening the mediation process; preparing agendas and conducting meetings; identifying common ground between the parties; and generating options for resolving deadlocks”. The techniques are intended to enhance communication, facilitate co-operative problem-solving and help the parties to shift their orientation from win/lose to win/win.

In conclusion, mediation success is to be based on the mediation’s original intentions and outcomes. Explanations of failure and success thus require a nuanced understanding of the context, as they are case dependent. Success can also relate to the achievements *visa viz* the complexities of the conflict the mediation sought to resolve, as well as the material conditions on the ground that combine towards ensuring success of the process, and they are many, including the type of mediation, style of mediation, parties involved, the intensity of the conflict, resources available, to mention a few.

### **1.3 The maxim of African solutions to African problems**

The idea of African solutions has been expressed under different captions such as “African solutions to African challenges” and “African-led solutions to African problems”, among others. However, the common phrase used is “African solution to African problems” which goes along with the African Union’s documents and used by analysts, policymakers, academics and civil society representatives on the continent who believe that continental solution is a remedy for African problems (Ani 2016; Apuuli 2012; MØller 2009; Ayittey 1994; Nathan 2013).

The view has its roots to the Pan-Africanist movement. The notion resonates with Marcus Garvey’s Pan-African arguments in the early 1900s. Garvey argued for Africa’s self-governance through his motto: “Africa for Africans” (Ani, 2016). The idea was extant as the countries in Africa gained independence in the 1950s and 1960s. There was widespread euphoria around African ownership and responsibility for self-determination and development (Ani, 2016; 2018).

According to Solomon (2012) despite its roots in the Pan-African movement the immediate origins and admiration of the ‘African solutions to African problems’ are linked to two related developments. The first one is the end of the Cold War and the emergence of a new global order in which Africa ‘lost’ its geo-strategic value and was called upon to deal by itself with the mess that the legacies of colonialism and the Cold War left. Similarly, Bachmann (2011) forwarded that the sinking of the strategic influence of African leaders as allies in the vast ideological

disagreement after Cold War and the indecisiveness attitude of the superpower like the United States (US) over its nonchalant or not concern attitudes in the Somalia crisis, additionally, the non-compliance of the Security Council to authorize the UN involvement in the 1994 Rwanda's crisis, that recorded the highest number of casualties through horrible genocide showcase to the entire world, has proved that the global community's abandonment on Africa was not by mistake at all. The lack of interest of the Western powers in Africa's matters and affairs together with others invariably reasons led to the African leaders to think of a way to come up with an alternative solution to their problems instead of continuous reliance on Western power or assistance (Dauda et al, 2018). The second one is the change in the nature of conflicts, which led to the recognition that Africa needs to develop its own means for overcoming the challenges of peace and security facing it.

In addition, Muchie & Lukhele- Olorunju et al (2013) further outline reasons as first, African leaders have stated that they prefer to solve their own problems and reduce the influence of external actors in continental affairs. They further state that African governments should be the ones to bear the primary responsibility for the resolution of these conflicts and, hence, should take the lead in responding to them. Secondly, the motivation behind this approach is that Africans have a compelling interest in local peace and stability, are more familiar with local conflict dynamics compared to external states and can build trust through frequent interaction. Thirdly, western states and coalitions have shown a tendency to intervene when their interests are at stake and not always simply because of the security threat thousands of Africans face in times of conflict.

Significant number of authors observes that African solutions to African problem are a renewed commitment of Africans to address continental challenges with the spirit of ownership. However, the idea is understood in the context of its different dimensions. The first group of African thinkers and politicians advocates that only African oriented endeavors can provide long-lasting solutions to Africa's challenges, irrespective of the laudable efforts of external actors. To African continent to move forward, Africans need to take things by their own hands if the continent should progress and not to end up in chaos completely. This metamorphoses into what is known as the African Solution to African Problem (Bachmann, 2011; Nathan, 2013).

Ayittey (1994) also further elaborate the idea as African states should be more proactive in resolving the conflicts in the continent to guard against unsuitable external solutions. If you formulate your own solutions to your problems, you would have every reason and incentive to

see them work. Correspondingly, According to (Møller,2009) in April 2009 a Google search for the phrase ‘African Solutions to African Problems’ generated nearly 10,000 hits, indicating that it has indeed struck a chord, probably both in Africa and in the rest of the world. In Africa it seems to connote pride and a ‘can do attitude’.

On the contrary, some criticize the notion of “African solutions to African problems” for not being reflective of the present realities of Africa. It is neither obvious that ‘Africa’ could nor should solve all the continent’s problems, therefore notion of ‘African solutions to African problems’ has a negative connotation towards some significant external initiatives that emanated outside Africa (Solomon 2012; Gebrewold, 2010). They question the capacity of Africans to mobilize their own resources to face their problems and contemplate that a slogan may also invite the further marginalization and isolation of the African continent. They suggested the possible replacement for the notion by proposing that we should instead look for “Appropriate solutions to African problems” (Møller, 2009; ISS, 2008)

Despite all the arguments by various scholars in the origin of the notion of African solution for African problems that is one of the founding principles of the establishment of AU. The efforts of African leaders to realize the notion of African solutions to African problems is evident from the establishment of the African Peace and Security Architecture (APSA) (Nathan & Solomon 2013; 2012). The AU Peace and Security Protocol place two main principles to understand the creation of APSA (Lins, 2016). First, APSA is envisioned as a means by which Africa can take a greater role in managing peace and security on the continent, with the objective of offering ‘African solutions to African problems’. Second, the AU has the right to intervene. It explicitly recognizes the right to intervene in a member state on a humanitarian and human rights ground. The Article of the AU allows the organization to intervene in member states pursuant to a decision of the assembly in respect to grave circumstances, namely war crime, genocide and crime against humanity (AU 2000; art.4 (h). these two principles are intended to prevent the recurrence of tragedies such as the Rwandan genocide where the international community failed to intervene to stop the bloodshed by creating an African diplomatic and military capability to intervene in such situations. Notably, APSA is designed to deliver compressive peace to the continent as they were locally formulated in order for the African people to take their destiny by themselves (Mehari, 2012).

Through Agenda 2063, African leaders pledge not to hand on the burden of conflicts to the next generation of Africans. As Lobakeng (2017) stressed that ASAP appears to be an indication of

Africa's determination to solve her own challenges and leave the image of a permanently troubled land behind. However, there are various shortcomings for the application of ASAP approach. First; the inability to act with one voice during times of conflict. African countries have a tendency of not acting with one voice in their responses to a conflict. Notably, the uneven power capacity in Africa entails that some powerful states in Africa such as Nigeria, South Africa and Egypt could assert their views and approaches as continental approaches. Moreover, different values and interests in Africa raises concerns on how to identify common positions or approaches to conflict resolution that could be considered 'African'(Nathan, 2013;Ani,2016).For instance, the case of Libya.

Differences and competition among Africa states continue to keep progress slow while creating more confusion of what African solutions are. The tension and power politics at play between regional hegemony often prevents them from coming together and acting with one voice in times of conflict (Mays, 2003). The need to protect their power and influence in their respective regions has a negative impact on continental unity. The power politics at play between regional hegemony will not allow another regional hegemony into the other's backyard without careful oversight and adherence to an unofficial set of rules for behavior, causing delays in conflict management (ibid, 2003).

Finally, the major controversy with the third party intervention has to do with the fear of and abuse of intervention by powerful states. In the case of Africa, conflict form the most formidable problems, external actors have been more influential in determining how the continent conflict and security challenges should be tackled. The UN and its agencies, the European Union as well as powerful states like US, France, Britain and Russia have been playing a major part in proffering a solution to Africa's problems.

Phiri& Matambo (2017) noted that external intervention in Africa is a continuing reality and are motivated by rising, often conflicting motives. One of the motives behind external intervention in Africa comes with its load and restraint of colonial history. Colonialism foiled home-grown development in Africa and Africa's sustained efforts could be traced to that era. The other point the authors mention the altruistic nature of the intervention by the international system; that has been a self-serving scheme to profit from African possessions. Ani (2016) on his side stated that the weaker states are continually suspicious because powerful states misuse the opportunity of action in order to pursue their interests in the name of dispute resolution. As Ayittey (1994)

outlined the conflict in Somali has often been cited as an illustration of how external interventions have been met with insurmountable problems.

The decision to intervene is also influenced by the anticipated benefits in a given country to obtain on the intervention. The failure to intervene in Rwanda during the 1994 genocide could support the preceding argument. It was clear that the Rwanda crisis of 1994-95 was abundantly neglected by the international community. In March 1999, the global body to conduct a formal review of the Rwandan crisis. The Report noted: The lack of will to act in response to the crisis in Rwanda becomes all the more deplorable in the light of the reluctance by key members of the International Community to acknowledge that the mass murder being pursued in front of global media was genocide (Mays, 2003). It has been stated repeatedly during the course of the interviews conducted by the Inquiry that Rwanda was not of strategic interest to third countries and that the international community exercised double standards when faced with the risk of a catastrophe there compared to action taken elsewhere (ibid,2003). Similarly, in 2000 the OAU conducted its own investigation of the Rwandan crisis. The resulting document, known as the OAU International Panel of Eminent Personalities, clearly blamed the weak political will of the Western States for the failure to react to the crisis (OAU, 2000a).

To sum up, the maxim ‘African solutions to African problems’ has become a selling brand for individuals (especially politicians), groups, associations and organizations seeking to garner support for any course initiated in (or for) Africa without an adequate engagement with the values and entailments of the maxim. Some African leaders have also misused the idea of ‘African solutions to African problems’ to advance their interests (MØller 2009; Dembinski and Reinold 2011). When they face internal challenges in their respective states they accuse external actors and colonialism for the challenges faced in the continent.

#### **1.4 Sharing Experiences from Mediation Processes in Africa**

The African region has experienced many conflicts ranging from the perilous war, Post-election violence, genocide just to name a few. In resolving these conflicts, mediation has been used as a tool for conflict resolution. For example, mediation was used by the government of Kenya to resolve Uganda's civil war in 1985; mediation was also used by Tanzania’s government to resolve Rwanda's civil war in 1992 and 1993.

Africa has a history of producing mixed results on mediation efforts to end conflicts. The above selected two cases show serious efforts by Africans to formulate solutions that seek to settle

conflicts through mediation. For instance, the political manipulation of ethnic and class differences goes back to pre-independence of Burundi in 1962. In 1993, Melchior Ndadaye, the very first Hutu president ever elected, was assassinated, launching the country once again into crisis. Some 250,000 people were killed between 1993 and 2003. Serious efforts to mediate the Burundi crisis began in 1996, with regional states imposing sanctions on Burundi. The Arusha talks were first led by the chief mediator Julius Nyerere and later by Nelson Mandela. A regional process, with less influence from outside the continent than some more recent peace processes in Africa (Simon, 2008; 21-27). 19 parties signed the “Arusha Peace and Reconciliation Agreement for Burundi” in 2000, creating institutions for transition to democracy, power-sharing, and security sector reform. Political parties and some of the armed groups participated in the Arusha process. However, some of the armed splinter groups continued fighting in the hills, so that ceasefires with these armed groups had to be negotiated after the peace agreement (various ceasefires were signed between 2003 and 2008). The Arusha Accords were more successful than expected, key challenges remain with regard to the definitive settlement of the armed conflict with the remaining armed group (Ibid, 2008).

African mediators have a commitment to the “African solutions to African problems” norm. Meanwhile, several observers have noted that when the mediation is African, compromise is often seen as a moral obligation in the interests of African unity” (Duursma, 2017).

### **1.5 Ethiopia as a Regional and Continental Peacekeeper**

Ethiopia has played active role in continental and regional peacekeeping and mediation missions since the establishment of OAU. The mediation effort in 1963 Algeria-Morocco border conflict, the civil wars in Biafra with the support one of the founding father of the organization Haile Selassie are some examples (Mehari, 2017). The country has a long history of successfully participating in peacekeeping missions in Rwanda, Burundi and Liberia, Darfur, Somalia and South Sudan, Congo, Ivory Coast, Liberia, Sudan, South Sudan and Somalia as well as smaller contributions in other missions like, Mali. Following the political crisis in Congo in 1960s, UN officially request Ethiopia to intervene in the crisis to stabilize the country.

In 1960-63 a three brigades consisting of 10,000 personnel in total which consists of soldiers from over 30 countries led by Lieutenant General Kebede Gebre, a former commander of the Ethiopian Peacekeeping force in Korea, selected to be commander chief of the UN Peacekeeping operation in Congo. This was an indication of the respect and confidence that the



UN had at that time on Ethiopia's commitment to peace (Dalil, 2016). Similarly, Ethiopia has also sent its military forces to the UN peacekeeping mission in Rwanda (UNAMIR) with the troops arriving in the aftermath of the Rwandan genocide of 1994.

Ethiopia has been the center of regional diplomatic peace efforts playing an active role in regional peace and security issues through diplomatic engagement, military intervention, mediation, and peacekeeping activities at the regional and continental level, mainly through multilateral agencies such as IGAD and the AU; and it is seen as a reliable mediator in East Africa and the Horn (Mehari, 2017). Ethiopia has been IGAD's chief and the focus of several initiatives since 2008. The September 1993 peace initiative on Sudan at the Addis Ababa summit issued the 1994 Declaration of Principles (DOP) that aimed to identify the essential elements necessary for a just and comprehensive peace settlement in order to end the civil war in Sudan. In 2002, the two opposition parties Government of Sudan and Sudanese People's Liberation Movement/Army (SPLM/A) signed the Comprehensive Peace Agreement (CPA) under the auspices of the AU and IGAD. Ethiopia as a sovereign country and through IGAD contributed significantly in signing and implementing the Comprehensive Peace Agreement (CPA) (Mehari & Abel, 2018).

Ethiopia has also been instrumental in the South Sudanese mediation effort since civil war broke out in the world's newest nation in December 2013. Ethiopia played a vital role in the peace process for South Sudan that led to the signing of a compromise agreement for a transitional government of national unity (TGoNU). Despite progress being slow, as the Chair of IGAD, several rounds of negotiations between President Salva Kiir and his arch rival, former Vice President, Dr. Riek Machar, as well as other opposition leaders are undertaken. There by preventing regional war in the Horn of Africa. Ethiopia, as Chair of IGAD was played a leading role in the High-Level Revitalization process for South Sudan's peace process (Ibid, 2018).

Following, a civil war that erupted in Sudan in 2003 the African Union deployed a peacekeeping mission to Sudan, which was replaced in 2008 by the African Union/UN Hybrid operation in Darfur, referred to by its acronym UNAMID, the second largest UN Peacekeeping operation in the world. Ethiopia begun its mission in UNAMID in February 2008 and as of February 2017 it had 2,575 personnel altogether which made the country the largest contributor to the mission (Sigatu, 2018). Also, the more recent UN mission in Abyei, the United Nations Interim Security Force for Abyei (UNISFA) which included the deployment of Ethiopian troops to monitor the

demilitarization of the Abyei region, so that conflicts between Khartoum and Juba can be kept at a safe distance (Lie & Mesfin, 2018).

Correspondingly, for long Somalia has been a safe haven for Islamist extremist groups to carry out terrorist attacks in the region at large. 1990s Ethiopia faced its first military encounter in Somalia after the collapse of the Somali state. The serious terrorist attacks in 1996 by Al-Ittihad a Somalia fundamentalist group to form an Islamic state by unify all Somalis in the horn of Africa led the group to its final days when Ethiopia responded in late 1996 and in 1999. From the time when then, Ethiopia has meticulously shadowed political developments in Somalia, and its military has repeatedly intervened to contain problems emerging from Somalia (Kidist, 2014). Ethiopia withdrew its troops in 2009. In 2011 the Ethiopian forces operated together with AMISOM troops in a somewhat combined offensive against Al-Shabab. Later officially join the AMISOM at the beginning of 2014 (Ibid, 2014). Ethiopia's military intervention in Somalia in 2006 opened a window of opportunity for the deployment of AMISOM, which in turn gave some hope and impetus for the consolidation of the peace process and state building in Somalia. It also encouraged regional security cooperation, as Uganda, Burundi, Kenya, and Djibouti joined AMISOM (Kidist, 2014).

According to UN report, as of September 2019 Ethiopia ranks first on the troop contribution to UN peace keeping operation by sending 6382 troops, 104 Military Experts on Mission military experts, and 47 police officers a 118 staff office a total of 6651 in conflict zones mainly in the horn of Africa. On the other hand the country is showing its commitment by regularly paying its AU assessed contribution. According to Mehari & Abel (2018) Ethiopia pays \$6.8 million per year (4% of the total assessed contributions to the AU) based on its capacity to pay and gross domestic product (GDP). This put the country as one of 11 Africa Union (AU) member states that regularly pay their full assessed contributions, and one of seven that usually make advance payments.

Recently Ethiopia played a significant role in relation to facilitating a road to peace in the Horn of Africa. Despite, the challenges encountered the peace talks under Ethiopia initiative between the countries in the region appear to have opened a pathway to pursue further resolutions, potentially changing the landscape of politics in the region and opening up the possibility of diplomatic thaws between neighboring states in the Horn of Africa (DW, 2018). For instance, by far the new Era of Ethiopia and Eritrea tearing the wall of hostilities trapped in deadly sin

situations because of the no peace no war policy applied two decades ago offers the best opportunity to ease tensions in the sub-region (The Economist, 2018).

In September 2018, Ethiopia, Eritrea, and Somalia have gone long step forward into signing tripartite agreements of higher value to the region. On February 20, 2019, Prime Minister Abiy Ahmed met Muse Bihi Abdi, leader of the northern Somalia territory of Somaliland, in Addis Ababa to strengthen bilateral ties, discuss regional security issues and try to mediate in its dispute with the central government in Mogadishu. Also, on March 4, Prime Minister Abiy met Eritrea president Isaias Afwerki and South Sudan's President Salva Kiir in Juba to further the Intergovernmental Authority of Development-led peace process in the country (New African, 2019). On March 6, Prime Minister Abiy, Somalia president Farmajo, and Kenyan President Uhuru Kenyatta met in Nairobi to try to resolve the maritime dispute between Kenya and Somalia. In addition, Ethiopia has tried to help normalize diplomatic relations between Eritrea and Djibouti after years of political hostility (ibid, 2019). Ethiopia's mediation effort is certainly an optimistic phase towards political integration, sustainable peace and meaningful cooperation in the region (Mehari, 2019).

In nutshell, Ethiopia has formulated a robust foreign and national security policy and strategy which basically envisions making the people of Ethiopia live harmoniously with their neighbors based on the principle of mutual coexistence.

## CHAPTER THREE

### 2 RESEARCH METHODS, MATERIALS AND PROCEDURES

The purpose of conducting a research is to seek out new knowledge or add to existing knowledge and broaden an understanding of a particular issue through collecting and analyzing information (Creswell, 2012). In doing so, there is the need to identify an approach or a method that implies how to go about or carry out the research and make sure that the method is the most appropriate for conducting a given study. A research method is a strategy of enquiry that entails the techniques or tools that are used to collect data or gather information (Kothari, 2004). It is therefore important to examine the general assumptions or the underlying principles of research method that will guide a given study.

The research design to be employed by this study is a qualitative research approach. This methods is used in order to identify, explore, and explain the attitudes, actions and perceptions of respondents on the phenomenon under study. Particularly a case study method is applied since it involves an up close, in-depth and detailed examination of a subject of study as well as its related contextual conditions. The research site is the Republic of the Sudan is a country located in northeaster Africa. The country approximately covers a total area of 1,861,484 Sq km. It borders the Red Sea between Egypt on the north and Eritrea and Ethiopia on the southeast; it borders Chad and the Central African Republic on the west. According to CIA (2020) estimation the total number of country's population is 45,561,556 (July 2020 est.).

The study population comprised of six key informants diplomats from the Ministry of Foreign Affairs of Ethiopia, diplomats from Sudan, and scholars in the field of peace and security were purposively selected by the researcher. The reason for having deliberately selected this category of informants was their in-depth knowledge and experience around issues pertinent to the research problem.

#### 2.1 Sources of Data collection

The completion of this thesis was achieved through the joint use of primary and secondary materials.

**Primary sources;** in an effort to collect primary data and “uncover new clues, open up new dimensions” of the research problem and to secure vivid, accurate, inclusive accounts informed

by personal experience in-depth interviews that are semi-structured were administered. In this regard, an interview guide consisting of a number of themes was relied upon to gather information. This included open-ended questions, which gave informants the freedom to express their opinions. The semi-structured interviews were opted for because they enable the interviewer to constantly: “appraise the meaning of emerging data for his problem and uses the resulting insights to phrase questions that will further develop the implications of these data”.

**Secondary sources;** document analysis is extensively employed particularly prior and during conducting field study. In developing the body of literature review, a number of documents, journal articles, newspapers, books, reports and other relevant scholarly publications were used. Particularly, since the issue is a recent phenomenon the researcher collected and examined various articles, journals, reports and done an extensive media analysis (on popular news media networks and social media).

## **2.2 Method of Data Analysis**

It is noted that qualitative data may take the form of interview transcripts collected from research participants or other identified texts that reflect experientially on the topic of study. In this study a qualitative data extracted through interviews and review of secondary data were analyzed using a thematic analysis technique. The analysis stage involved translating the data and categorizing expressions into sub themes unified to the research objectives, exploring rival explanations, and presenting data.

## **2.3 Ethical Consideration**

Ethical consideration is one of the most important parts of the research that enable researcher to pay due attention to some ethical behaviours. In conducting this study, the researcher takes in to account the necessary ethical behaviour. While contacting the participants, the researcher explained the purpose of the study in advance and obtained the informed consent of informants prior to their participation in the study. In the data collection process the researcher keep the anonymity and requested the consent of the participants for interview and recording.

## Chapter Four

### 3 Overview of the Sudan Political Crisis (2018-2019)

#### 4.1 The ousted of Omar Hassan Ahmed al-Bashir

*'Freedom, peace, justice...the revolution is the choice of the people'*

There has been a long history of coups, counter-coups, protests, and a military establishment in Sudan. The country has experienced these in 1958, 1969, 1985, and 1989, as well as failed coup attempts in 1961 and 1971 (Blanchard, 2019). The February 1989 coup against the democratically elected Prime Minister al-Mahdi was a historic date that brought al-Bashir to power. In the course of these thirty years in power, his rule in Sudan has been referred to as the era of Iron fist military dictatorship that caused greater violence, economic paralysis, a new stage in a dark history of conflict, and political division for Sudan (VOA, 2019).

Over the years, several notable attempts have been made to mobilize the people of Sudanese and get rid of the Bashir government or at least pressure it towards democratic reform. For instance, in 2011 al-Bashir vulnerability to the uprising was first made apparent when protesters swept across Sudan as civilians filled the streets after economic austerity measures dramatically increased gasoline prices, prompting fears that the costs of other basic goods. Infrequent and uncoordinated protests, particularly among university students, were also witnessed in the coming months.

After, a series of protests broke out on September 23, 2013, in response to the removal of state subsidies on fuel and cooking gas in Khartoum. The violence spread first across Khartoum and Omdurman in the heart of the regime's power base, and then to other cities in the days that followed. Protesters, calling for the removal of al-Bashir, blocked roads and set government buildings on fire. As usual, the regime responded brutally, with killing estimated 80-200 peoples in September alone (Amnesty International, 2013). Some anticipated that the protest movement could grow large enough to pressure Bashir to step down however, the movement was quelled and Bashir indeed survived. Also, in 2016, with thousands taking to the streets to protest the death of a student who had participated in a peaceful march yet, these demonstrations were largely limited to Sudan's student and youth community.

Omar al-Bashir was a survivor. However, December 2018 was different; the protest glinted in the city of Atbara, a town pressed between the Nile deserts some 350 km of the north of the capital, Khartoum, and the historic home of Sudan's once-powerful trade union movement. Then, it begins quickly spreading in other parts of the country including the southern town of Demazin in Blue Nile state, El-Obeid in Northern Kordofan, al-Gadarif in eastern Sudan, and the cities of Khartoum, Bahri, and Omdurman (Sudan Tribune, 2018a). The major political failure of the regime of Al Bashir was to underestimate the scale and determination of the civil uprising. He assumed he could ride out the protests that brought Sudanese from all walks of life.

The 2018 protest was a combination of mixed factors of economic and political related causes trigger public outcry. From the economic perspective, a country with rich natural resources larges areas of fertile land, a significant deposit of gold and occupies strategic geopolitical position due to the presence of Nile River have been failed to deliver consistent and inclusive socio-economic development. Particularly, the economy had been crippled and poverty has been a living reality for many during Bashir.

Sudan's economy has been characterized by low GDP per capita income, the presence of high rates of poverty, unemployment, and inequalities in resource sharing. This deep economic crisis in Sudan began following South Sudan's separation in 2011. A territorially contained a large proportion of Sudanese natural resources such as a bulk of the oil. The secession led to the movement of 8.26 million populations, the loss of 68 percent of forest and woodland areas, and 47 percent of reserved and protected wildlife areas as well as a 25 percent (619,745 km<sup>2</sup>) shift in the total land area of the original territory from the north to south Sudan (Adeeb & Daniel, 2012). All these factors posed substantial challenges to the economy in a country where most (approximately 70 percent) of its population directly or indirectly draw their living from agriculture.

Sudan lost nearly three-quarters of oil reserves that generated around half of all tax revenues and two-thirds of Sudan's foreign exchange earnings (Medani, 2011). The economy suffered from a shortage of financial resources, as Sudan government revenues declined by about 75%. The decline in revenues from oil and the declining economic conditions lead to the continuous deterioration of economic indicators including deterioration of GDP, annual growth rate, revenues, and gross capital formation over the period.

Also, according to economic mismanagement appears from the lack of rationality in the allocation of the budget. Over the years military expenditure increased despite a temporary fall in overall government expenditure. For instance, the government has appropriated more than 29 billion pounds (SDG) (about \$1, 8 billion) to defense and security. While, 1,9billion for the economic sector, 5,5million for culture and information, 5,3million for health, 828million for education, 1,7bn for minerals, and 1,7bn for transport, roads, and bridges (Sudan Tribune,2016). Similarly, in the 2018 budget year, the government allocates a high percentage of revenue to the army, security service, and paramilitary. According to Radio Dabanga (2017), the draft budget which the Ministry of Finance submitted to the national parliament amounts about SDG 23.888 billion (\$3.393 billion, nearly 14 percent) would be allocated to the national security service and the defense sector. As its efforts to reduce spending focused on eliminating subsidies rather than downsizing the military budget or recovering revenues lost to corruption, they knock out the poor harder.

On top of that internationally, the government of Bashir was ill-famed in the international community. The deterioration in Sudan's global economic links appears from the wide-ranging painful and long-term Sanctions overcharges by the U.S government in 1997. Bashir's Islamist government was accused of international terrorism; destabilize neighboring governments; and the prevalence of human rights violations, including slavery and the denial of religious freedom, constitute an unusual and extraordinary threat to the national security and foreign policy.

Although in October 2017the US lifted its general commercial embargo on Sudan, removing sanctions that had prohibited US Persons from engaging in or facilitating most transactions involving Sudan or its government. Yet, the economy suffers from several serious limitations on the inflow of foreign direct investment from other world countries, and foreign investors and commercial banks have been reluctant to reengage (World Bank, 2019). The blocked investments give rise to a lack of foreign-exchange reserves and prevented the country from resolving its large external debt, which has climb sharply in recent years.

Another example of economic mismanagement appears from the failure of Bashir's government in the implementation of economic reform, economic stability, and economic growth in 2018.Inflation has made life very expensive and the Sudanese were getting angrier over the past year. To address this government devalued the Sudanese pound from seven to eighteen pounds per U.S. dollar and then later to 30 pounds per dollar. After the first devaluation in early January



2018, the illegal parallel market rate, which had fluctuated between eighteen and twenty Sudanese pounds per dollar, rapidly increased to 31 and later doubled to 60 pounds per dollar (International crisis group, 2019a).

In November 2018, the official inflation rate stood at 68.93 percent, one of the world's highest (Sudan Tribune, 2018b). In December 2018, the government's response to the crisis generated added an extra panic; the Central Bank of Sudan issued a decision to limit cash withdrawals at ATMs and bank accounts has upset Sudanese, who are now unable to withdraw their money (Searcy, 2019) Both the continuous devaluation of the Sudanese pound together with the rising inflation leads to a high increase in prices of basic goods and high costs of living that resulted in the continuous deterioration of the situation for many people that motivated serious mass demonstrations among people in Sudan.

From a political perspective, Sudan is a country with a long history of political uncertainties. Samia (2020) outline the longstanding failure of political institutions, political instability, dominance of one political party system and autocracy, political repression, and human rights abuses, including violent government suppression, lead to frustration among the people in Sudan and motivated the protestors to insist on an absolute comprehensive change of the political regime.

The failure of the political system and institutions was demonstrated by the lack of democratic institutions and the predominance of undemocratic institutions in Sudan. The government also was highly criticized for not building a political system that is independent and free from political interference. Bashir has been elected three times as President in polls that have been widely criticized for electoral rigging. His strong oppression towards opposing parties and maintains full control and predominance over the political field created a failed political system.

On the other hand, corruption is prevalent in all industries and all branches and government levels: A lot of revenue has been lost and civilians have been forced to bribe public servants for services to which they would normally be entitled (Elamin, 2019). According to Transparency International's Corruption Perception Index (CPI) which ranks countries based on how corrupt their public sector is perceived to be, ranked Sudan 165 out of 183 countries surveyed in 2015(Transparency international, 2015). While in 2016, Sudan ranked 175out of 183 countries (Transparency international, 2016). The country was the 5<sup>th</sup> most corrupt country out of 183

countries that survived around the world in 2017(Transparency international, 2017).According to the latest CPI in 2018 the country ranked 172 out of 183 countries (Transparency international, 2018).Although corruption is a usual practice in many economies in the world, its impact is greater on fragile economies like Sudan. The occurrence of high corruption, lack of institutional confidence, and a lack of political honesty resulted from a disappointment, dissatisfaction, and deep negative effects on the people.

Above all, throughout three decades, the country has endured long periods of bloody conflicts due to the wide social and political marginalization, unequal access to scarce resources, mis-governance and the curtailment of freedoms and civil liberties based on regionalism, religion, ethnic groupings and political affiliation in the country. The country experienced a destructive genocidal conflict in the Darfur region from 2003. “The citizens' anger was manifestations by the rebellions launched in the peripheries by residents of marginalized rural areas. In an attempt to repress the uprising, the government accused of taking various measures that include; ethnic cleansing against Darfur's non-Arabs using the infamous horse-backed militias known as the RSF also known as the Janjaweed (the “devils on horseback), which proceeded to attack civilians and block international aid. The force is accused by Human rights Watch for carrying out endless human rights abuse” (Human Rights Watch, 2020). Human Rights Watch found that “the RSF committed a wide range of horrific abuses, including the forced displacement of entire communities; the destruction of wells, food stores and other infrastructure necessary for sustaining life in a harsh desert environment; and the plunder of the collective wealth of families, such as livestock. Among the most egregious abuses against civilians were torture, extrajudicial killings, and mass rapes” (Human Rights Watch, 2015).

Even though, the Bashir's government has denied backing the Janjaweed. The conflict had caused a huge humanitarian, economic, and political crisis in the country. It had taken the life of 300,000 people and displaced 2 million people. On March 4, 2009, the ICJ in The Hague issued an arrest warrant;Bashir became the first sitting head of state indicted by the ICJ, for war crimes and crimes against humanity in Darfur. The move worsened the situation by increasing pressure on his already isolated government. Also, despite the secession of South Sudan, Sudan continued to experience internal latent conflict, with full-blown conflict in Abyei and South Kordofan and Blue Nile states.

All these factors triggered the protests, nonetheless the immediate cause that sparked the protest was following the government cut subsidy that resulted in the tripled in the prices of bread from one Sudanese pound to three (about \$0.02 to \$0.06) (Elmileik, 2018). Demonstrators linked these economic hardships to the rule of longtime President Omar al-Bashir and his autocratic regime. At first glance, these protests appeared to have a basic short-term goal, one about addressing rampant inequality and lack of access to basic goods and services. However, as protests grew stronger, the current of discontent with Bashir's administration seemed to grow far deeper. "Freedom, Peace, and Justice", "Down, that's it", "Tasgut bas" ("Just fall, that's all"), "Revolution is the people's choice", "we are all Darfur" was chanted by the protesters.

As the protests spread, on February 23 a state of emergency was declared. Agamben (2005) has argued on the state of emergency as a political weapon of securitization. By such an analysis, what the declaration provides to al Bashir was the ability to promote himself as an element of stability, while stressing the danger of insecurity. He announced the suspension of constitutional amendment procedures, which will allow him to run for a new term. Also dissolved the government at federal and state levels and appointed high-ranking police and military officers as the new Wallis of the states that include his defense minister, General Awad Ibnou, as first vice-president and appointed 16 army officers and NISS officers as governors of the country's 18 provinces (BBC News, 2019a).

He also dismissed many in his cabinet and reshuffles his cabinet as part of his reform. Bashir decreed a ban on unauthorized gatherings and demonstrations; tightened restrictions on the press; and expanded authorities for searches, seizures, and arrests. The media that provide regular live coverage of the protest was suppressed and restricted. Newspapers were banned, journalists were arrested, social media online platforms, such as Facebook, WhatsApp, and Twitter were blocked, and foreign Media were shut down and expelled (Saba and Eltahir, 2019). Security uses brutal forces like rubber bullets and tear gas at defenseless protesters, killing and wounding dozens. Thousands of protesters composed of different groups that include; opposition leaders, organizers and activists were killed violently, hundreds detained were without charge for months, and many were abused ( Human Rights Watch, 2019). The government's desire to quash protests through curfews and emergency state laws only served to fuel the anger.

On April 6 the protestors decided to march towards the military head-quarter and staged a sit-in outside to mark the anniversary of the 1985 uprising that overthrew military ruler Gafaar

Nimeiri. The protesters outside the compound had moved to win by chanting "thawra" (revolution) and waving the national flag. The development had a reviving point in one of the capital's most pivotal regions and no one needed to take off. SPA leaders stood before the swarms to report that the sit-in would not end until Bashir was gone.

Finally, the protesters' resolve have won out. Omar Al-Bashir the iron- fist ruler who survived crippling conflicts, remained immovable in the face of an indictment by the ICJ, the man who weathered a storm of civil war, protests and two decades of international isolation was removed from power due to his failure to win the support of the Sudanese people and the sympathy of his armed forces. On April 11, 2019, the Defense Minister Awad Ibn Auf and the first vice president appeared on the national TV and radio station and announced

- The end of the regime of Bashir and be arrested in a "safe place";
- The imposition of three-month state of emergency, and that a curfew will be in place for a month
- The establishment of transitional council and the first two-year will be a transition period supervised by the military.
- The suspension of 2005 constitution.

### **3.1.1 The major actors in Sudan's political transition**

Unlike past protests, the current popular uprising in Sudan was different in terms of intensity, popularity, duration, spread and organization (Africa Center for Strategic Studies, 2019). The coalition is not limited to political actors or elite-driven process. It is a genuinely popular uprising that brings together several students, professionals, political parties, women's associations, community groups, trade unions, the Sudanese diasporas, and academics from different walks of life. Particularly, the youth and the diaspora connected in social media through various classic modes online campaigning (the hashtag #Sudan-uprising).

#### **1. Civilian and other actors**

The majority of demonstrators who participated in the protest and social movements did not belong to political parties or active civil society organizations. However, the youth in Sudan has become more organized under the umbrella of the Sudanese Professional Association. The association which was established in October 2016, SPA is an extension of the long history of Sudanese professionals' tireless attempts to form independent trade unions and bodies to defend

their rights and seek to improve their working conditions. It comprised of many bodies united under an agreed-upon charter and common goals. The association is the main actor driving the popular revolt that organized were weekly “schedules” resistance announced via Facebook, Twitter, and old-fashioned flyers, asked civilians to attend a demonstration or protest. After the fall of Omar al-Bashir, the Association was a leading figure that rejected efforts to restore the former regime and calls for changing the current transitional government.

The other is the FFC the alliance involves more than twenty groups including, the SPA, Umma party, the Sudan People's Liberation Movement (SPLM-N), and the Darfurian players, the National Consensus Alliance, and the Unionist parties. The intention of this was for a peaceful struggle aimed at several broad goals: an end to Bashir's presidency and the rule of his administration; the formation of a transitional government; an end to the violence against protesters and restrictions on freedoms of speech and expression; and justice and accountability for "crimes against the Sudanese people" (SPA, 2019a).

## **2. The Military and Security**

Sudan’s military has a long history of intervention in politics. The security apparatus was composed of three main organizations comprising the security apparatus the Sudanese Armed Force (SAF), the intelligence service (NISS) and the paramilitary militia of the Rapid Support Forces (RSF) each force carries different loyalties. Under Bashir, the military played a role in political repression and was implicated in mass atrocities against civilians (predominantly ethnic minorities) in the course of multiple counterinsurgency operations (Congressional Research Service, 2019).

After Bashir’s ouster, senior generals representing the Sudanese Armed Forces (SAF), the National Intelligence and Security Services, and paramilitary groups including the Rapid Support Forces (RSF) formed a Transitional Military Council (TMC). This unit has been playing a prominent role since the beginning of the revolution.

### 3.2 Protests Continue after the ousted of Al-Bashir

*"The first one fell, the second will, too!"*

The removal of Bashir was a bittersweet moment and the beginning of another protest for Sudanese. The extent to which the TMC represents a break from the regime of Omar Al Bashir was debated. For the protestors, the dynamics among the TMC's members, their relationship with the Bashir regime, and their ambitions for power were subjects of concern. For instance, the TMC's original leader was Bashir's defense minister and was promoted in February by Bashir to the role of first vice-president, Lt. Gen. Ahmed Awad Ibn Auf. He has been under U.S. blacklist for his role in the violence in Darfur (Middle East Monitor, 2019). Only one day after Sudan's longtime autocratic ruler, President Omar Hassan al-Bashir was ousted the General Awad Ibn Ouf announced on state television that he was stepping down as head of the transitional government and would be replaced by Lt. Gen. Abdel Fattah Burhan another military leader (Sudan Tribune, 2019a).

Subsequently, the head of the feared National Intelligence and Security Service the central actor in the repression of political activities, surveillance, and censorship under Bashir Salah Abdallah Mohammed Salih widely known as Salih Ghosh the military council announced his resignation. Salih Ghosh had overseen a sweeping crackdown against protesters in four months of mass demonstrations that led to the army's toppling of Bashir (The Independent, 2019). The move was seen as an effort to assuage the thousands of protesters who have camped outside the country's military headquarters in the capital, Khartoum, demanding that a civilian government replace al-Bashir and his regime. Protesters celebrated this resignations as "victory for the will of the mass."

Particularly, all eyes were on Lt. Gen. Mohamed Hamdan Dagalo, better known by his nickname "Hemeti," the commander of RSF and the TMC's deputy leader. Many observers describe him as the TMC's most powerful member and also referred him as the de-facto ruler of Sudan. This increased a genuine fear of protestors that the hard-fought revolution will be hijacked. Since there was a wide suspicion that the TMC is the composition of old guards of Bashir. Aljazeera (2019a) quoted a protestor as saying

*"Nobody is happy ... We don't want the army for another two years  
People will continue to demonstrate!"*

The military council sought to calm public anger. According to a report from various media, the protestors were beating drums, chanting, and sang slogans such as; "Peace! Justice! Freedom!" and "The first one fell, the second will, too! Refuse to comply with the curfew or leave their encamped position in front of the military headquarters in the capital Khartoum. Reuters (2019) quoted a protestor as saying

*“We are at our sit-in until we hear the response from the army to the to the professionals’ association demands. We will defend the revolution from hijacking,”*

The sit-in grew in size and tensions culminated in April- May, The calls for a purely civilian government got louder and urged protests to continue. Several rounds of talks followed, between the TMC and the FFC, the umbrella organization of protestors and opposition groups. An official negotiation on an interim government began on April 20, 2019. On May 14, initial an agreement was reached on how Sudan should be governed in a three-year transitional period for the transfer of power to entirely civilian administration was announced in. The first six months will be allocated to signing peace accords with rebels in the country's war zones like Darfur, Blue Nile, and South Kordofan. During the transitional period, the FFC alliance would have 67 percent of the seats on a 300 member transitional legislative council, while the rest would be taken by other groups. The TMC proposed to accept the Prime Minister position to be filled with civilians and to size the position of Ministry of internal affairs, the defense Ministry and the majority of the Sovereign Council.

However, the question of who will lead the leadership council (the sovereign council) sits at the center of the dispute between the two sides. Since, the TMC want it to be military-led, while the protestors insist on a civilian cabinet. On May 16, the TMC had suspended the talks late on after two outbreaks of violence around protest sites in Khartoum. The council accused protestors of not respecting an understanding of de-escalation while talks were underway. No-one was sure if the Sudan path would follow either the Egypt’s route or the political model of Tunisia.

What changed the whole maneuver of Sudanese politics and winded the prospect of reconciliation was June 3, 2019, also known as “Ramadan Massacre” during a sit-in front of army headquarters in Khartoum. The incident was a crucial turning point in the Sudanese revolution since it started on December 18, 2018. Civilian protestors and international human rights groups widely believed the Rapid support force (RSF) also known as the Janjaweed

militiamen was to be responsible for the atrocities committed in Sudan. Different social media, news media, and agencies had widely divergent data for the numbers of people killed on June 3, 2019. However, according to a report by Amnesty international (2020) 127 people were killed and 700 protesters and others present at the sit-in that day were injured.

There were also reports of women being raped and several bodies were pulled out of the River Nile for days afterward, and some protest participants are still missing (The guardian, 2019). The tension between the two sides escalated when a sense of mourning and anger further fuelled demands on the civilian side. Sudan's opposition has reiterated its refusal to negotiate after the "bloody massacre". On June 3, 2019, FFC release a press statement " announced the beginning of an all-out political strike and civil disobedience, and termination of negotiations withholding the TMC what they referred as the coup council (no longer referred to as the Transitional Military Council)responsible for the massacre committed on civilians, by the combined forces of the Sudanese military, the Janjaweed militias (also called the 'Rapid Support Forces'), the 'national security' forces and other militias, in Khartoum and other cities and towns of Sudan fully responsible for the massacre committed today (FFC 2019a). On June 6, 2019 protest leaders have announced a package of conditions to be met before resuming talks. Including, for those responsible for the violence to be held to be account, transfer of power to a civilian government, and the immediate dissolution of the Janjaweed militia (SPA, 2019b).

The aftermath of June 3 was a harsh time for Sudanese who had been on a street for months. Yet the atrocity committed on the peaceful protestors failed to quell Sudan's popular uprising. Over again, on 30th of June 2019 SPA organized a large-scale public demonstration " million's march" in mourning of the victims of the 3rd of June and demanding the handover of power to a civilian authority (SPA, 2019c). There was a long time internet shutdown, both to prevent the spread of incendiary videos showing the atrocities committed and to impede further mobilization (Radio Dabanga, 2019a). Still, it didn't stop protesters in the capital again took to the streets. The demonstration further gained weight when it coincides with the 30th anniversary of the 1989 coup that brought al-Bashir. Elmileik&Khalil(2019) quoted a protestor saying

*“There will either be chaos and total war or a clear democratic transformation for the country because Sudanese will never accept to be ruled by another dictatorship!”*



On the contrary, the TMC's initial response was to deny attacking the sit-in, claiming they only targeted an area across the street from the sit-in that they said hosted "illegal activities." The TMC spokesman then expressed regret for "mistakes" made by officers while attempting to disperse the sit-in (A.Suleiman, 2020). Once again tension spikes after the TMC announced the canceling of all agreements with the civilian opposition, ending all negotiations, and an election in nine months would take place under "regional and international supervision (BBC News, 2019b). Also rejected the idea of an international probe and indicated it had started its investigation along with prosecutors. The council clearly showed its interest in the arrangements that do not allow the military and security forces the final say in government decisions which was the same demand that broke off negotiations before the incident are not accepted. On 6 June 2019, the AU suspend Sudan from participating in all AU activities.

## Chapter Five

### 4 Regional and International response to the Sudan Crisis (2018-2019)

#### 4.1 The Role of AU, ArabLeague, IGAD, Gulf countries and Egypt, and European Union (EU) and the Sudan Troika (the United Kingdom, the United States, and Norway)

In today's world, there is no such thing as completely internal affairs of a specific sovereign country. Almost every conflict involves the interests of external actors or affects others and has often-regional implications (Garang, 2015). Sudan strategically positioned on the Red Sea and its political crisis is of interest to an array of foreign actors. Although widespread support to the Sudanese people after Bashir was ousted, there are different views within the regional and international community on how to react to TMC's assumption of power. Also, several international diplomatic actors have offered to mediate between the TMC and FFC.

##### I. The African Union (AU)

As a regional actor, the AU played a more visible and impactful role in addressing the crisis in Sudan. Following the removal of longtime leader Al-Bashir and the announcement of the military AU declared the action as coup d'état. The Chairperson of the AUC, Moussa Faki Mahamat, denounced the military's actions.

After on April 15, the AU's Peace and Security Council (AUC) adopted a decision stating that "the actions of the Sudanese military amounted to an unconstitutional change of government and also reiterated the need for a civilian-led and consensual transition and demanded that the military hand over power within 15 days" (AU, 2019a). The chairperson of the AUC, Moussa Faki Mahamat, visited Khartoum on 20-21 April 2019 and had consultations with the TMC, political parties, and civil society organizations, the UN, European Union (EU), bilateral partners, African diplomatic corps and other members of the international. Nevertheless, the TMC failed to hand over power to the civilian this resulted in an extension of 60 days before suspension (AU, 2019b).

During the three-month notice period, there was no tangible change to transform power to civilians. Thus, on 6 June 2019, the AU suspend Sudan from participating in all AU activities (AU, 2019c). In line with the AU Constitutive Act and African Charter on Democracy, Elections

and Governance, specifically Article 7 (1) (g) of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union, which provides that the PSC may “institute sanctions whenever an unconstitutional change of Government takes place in a Member State, as provided for in the Lomé Declaration” (AU, 2002). The readmission condition was that Sudan needed to establish a civilian-led transitional authority.

Following the visit by commissioner Musa Faki and the suspension of Sudan from AU on May 1, 2019, the AUC deployed Mohamed El Hacem Lebatt (principal strategic advisor to the AUC chairperson) as the AU Special Envoy leading the AUC facilitation team, with the mandate to facilitate and technically support the negotiations and dialogue among the Sudanese stakeholders to reach a power-sharing agreement that would pave the way for a consensual and civilian-led transition (AU, 2019d).

## **II. Inter-Governmental Authority on Development (IGAD)**

On June 19, 2019, in its 68th Extra-Ordinary Session, the Council of Ministers of the IGAD (an East African eight-country trade bloc) discussed the situation in Sudan. In the meeting, the Council expressed " its deep regrets over the tragic incident of 3 June 2019, and calls on the TMC to exercise maximum restraint to avoid further loss of lives and further calls on all other parties to avoid actions that would escalate tensions” (IGAD, 2019).

At the same meeting, IGAD Calls on "all actors to be the voice of reason and conduct themselves in the spirit of compromise and refrain from any act of violence as they work towards the timely formation of a mutually acceptable civilian-led transitional government." Appreciate Ethiopia's initiative and underline “ its concern over the interference of other external actors and proliferation of initiatives;”

## **III. The Arab League**

Sudan is a member of the Arab League. Following the ouster of al- Beshir the league voiced its support for the steps taken by the TMC and called up on the international community to support all the efforts that will bring stability and consensus to the country. However, the league was criticized for keeping silent over the bloody crackdown on peaceful protesters and was the last regional body to condemn the June 3, 2019 attack on protesters (Sudan Tribune, 2019b).

On 16 June 2019, the Secretary-General of the Arab League, Ahmed Aboul-Gheit, visit Sudan and met with the leader of the TMC’s including the council head Abdul Fattah al-Burhan. The

league also sent a delegation to a bid to resume dialogue between the conflicting Sudanese parties. Radio Dabanga (2019b) quoted the Secretary-General's spokesman of the Arab League

*'The delegation's visit comes in the context of the commitment of the Arab League to support the parties in Sudan, to call for the resumption of the negotiation process, and to build confidence between them to ensure a broad national consensus to overcome the difficulties of the current phase and reach a compromise formula for the transitional period''.*

Yet, "the Arab League involvement in Sudan didn't bring any tangible intervention or initiative other than supporting the negotiations and encouraging for dialogue between the two sides" (Anonymous June 6, 2019)

#### **IV. The European Union (EU) and the Sudan Troika (the United Kingdom, the United States, and Norway)**

Sudan's relationship with the EU passed through a process of challenging stages. EU member states were strident supporters of the ICJ. The arrest warrant issued by the court against president Bashir in 2009 and 2010 contributed to worsening Sudanese-EU relations. At the same time, the EU member states were determined to limit the influx of refugees from Africa through "the Khartoum process<sup>1</sup>". As a source and transit country, Sudan has become an important country in the struggle against migration.

According to a press statement from Council of the European Union (2019) "The EU firmly condemns the violent attacks in Sudan on 3 June 2019, which resulted in the killing and injuring of many peaceful civilian protesters, as well as sexual and gender-based violence, "It is clear that the responsibility lies with the TMC as the authority in charge of protecting the population." The council also underlines that a civilian-led transitional authority is the only partner with which EU-Sudan relations can be normalized. "When Sudan embarks on a transition to civilian rule, the EU looks forward to supporting the country in tackling the social, economic and political challenges and implementing the necessary reforms, and will assist accordingly".

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1 The Khartoum Process is a platform for political cooperation amongst the countries along the migration route between the Horn of Africa and Europe. See also <https://www.khartoumprocess.net/about/the-khartoum-process>

Similarly, following the ousting of President Omar Al Bashir the Troika (the United Kingdom, United States, and Norway) issued several statements that condemning the abuse of human rights and curtailment of freedoms, as well as the use of violence against peaceful protesters by the TMC. The group declaring its willingness to support dialogue and political and economic transition in Sudan (U.S Department of State, 2019a). Additionally, convened meetings on 18 May 2019 Troika met in Washington DC and on 21 June 2019, met in Berlin to discuss the post-coup crisis in Sudan (Radio Dabanga, 2019c). The United States government as a unilateral effort appointed Ambassador Donald Booth who served as U.S. special envoy for Sudan and South Sudan under the Obama administration, to be special envoy again to lead U.S. efforts to support a political solution to the current crisis that reflects the will of the Sudanese people (U.S Department of States, 2019b). However, the Torika group reach an agreement for broad support for the mediation effort of the African Union and Ethiopia toward helping the Sudanese achieve their desire for a civilian-led transitional government.

## **V. The Gulf Countries and Egypt**

The 2017 crisis, Saudi Arabia, UAE, Bahrain, and Egypt imposed an economic, travel blockade and severed diplomatic ties, with Qatar, accusing it of destabilizing the region with its support for radical Islamic groups. This development pushes the Gulf countries and Turkey to search alliance and influence the dynamics relation with the Horn of Africa. The rivalry between the Gulf countries is becoming visible across the Red Sea corridor and these long-standing, intersecting rivalries are grafting themselves onto existing local conflicts and generating new tensions in the region (International Crisis Group, 2019b).

Sudan has found itself squeezed between these two opposing camps. Al-Bashir tried to deal with the two rival blocks. While, Sudan joined the Saudi-led coalition in Yemen in 2015, deploying thousands of troops. In return, Saudi Arabia and the UAE have provided millions of dollars support to Sudan since 2016, as well as various investment pledges (Dunne, 2020). Khartoum also kept ties open with Qatar and Turkey. Both these countries provided direct investment, such as the Turkish rehabilitation of the port city of Suakin, associated with the construction of a naval facility (De Waal, 2019). Qatar also facilitated talks beginning in 2008 between the Sudanese government and rebel movements in Darfur.

Since the beginning of the Sudanese uprising U.A.E, Saudi Arabia, and Egypt have been the most visibly involved countries in Sudan. There were regular visits by the TMC, U.A.E, Saudi

Arabia, and Egypt. In the aftermath of a popular revolt that toppled longtime autocrat Omar al-Bashir the head of the TMC General Abdel Fattah al-Burhan on his first trip abroad met with Egyptian president Abdel Fattah al-Sisi and the president expressed his support to stabilized Sudan. Following the visit the protestors in Sudan were not happy about it and warned Egypt not to interfere their politics. Protestors in Khartoum even gathered in Egyptian Embassy called up on the Egyptian government for an end to its interference. Sudanese protestors were chanted various slogans like, 'Tell Sisi this is Sudan, your borders end at Aswan' and 'Mind your own business Sisi, no to intervention in Sudanese Affairs' On the other hand, Egypt, looks at Sudan as a potential ally. Its involvement in Sudan is rooted in its historical desire to maintain political stability in an important neighbor, as well as to thwart Islamist movements it views as extensions of the Muslim Brotherhood (International crisis group, 2019). Furthermore, Egypt is invested in preventing its regional rival Ethiopia from shaping Sudan's post-Bashir order. And maintaining sufficient influence to defend its interests in Nile issue.

Similarly, on April 16, 2019 the General received "a high-level" Saudi-UAE delegation that delivered a message from their leaders expressing the two their readiness to support Sudan and its people at this important historical phase and the delegation renewed keenness of Saudi Arabia and the UAE on Sudan's security and stability (Sudan News Agency (SUNA), 2019).

On May 26, 2019, Al-Burhan's visited the UAE following the visit of his deputy, Mohamed Hamdan Daglo to Saudi Arabia (Emirates News Agency (WAM), 2019a). Furthermore, Saudi Arabia and the UAE backed the military council in the aftermath of the coup against Omar al-Bashir by pledging millions of dollars. Saudi Arabia and the United Arab Emirates had agreed to send Sudan \$3 billion worth of aid; USD 500 million has been provided by both countries as a deposit in the Central Bank of Sudan to strengthen its financial position, alleviate pressure on the Sudanese pound and achieve more stability in the exchange rate (Saudi Press Agency, 2019; WAM, 2019b).

Bashir's was dealing with the two camps, but now Sudan has to belong to one camp. The Gulf States particularly, Saudi, Emirates and Egypt were dying to get a fresh influence in the new Sudan. Unfortunately, the protestors were suspicious of the interference by Arab governments. The protestors were saying "the revolution is a fully Sudanese revolution, they all have their own interest in mind not Sudan's" (*Informant 3, June 6, 2019*).

## **4.2 Ethiopia's Mediation role in the Sudan Crisis**

Over the years, despite some hostilities, Ethiopia and Sudan have been close allies politically; economically as well culturally. There is an age-old tie between the two peoples who shared borders. Ethiopia has been providing troops and diplomatic support to help stabilize Sudan. Following the UN-AU hybrid force in Darfur, the Ethiopian peacekeeping force was deployed to Darfur in 2008. Similarly, the other noteworthy peacekeeping operation is that of Abiye where the Ethiopian peacekeeping force is unilaterally carrying out the task. When the civil war broke out between the north and south Sudan, Ethiopia had taken the initiative to bring the two parts to the round-table discussions and peace talks. There have been thousands of Sudanese nationals taking refugees in Ethiopia during moments of crisis and violence in Sudan. Correspondingly, Ethiopians have been taking refuge in Sudan for decades and there are still thousands of Ethiopians who have made their home in Sudan.

Peace and stability in Sudan matter in the region of the horn of Africa for clear reasons. First, the absence of stability in Sudan or the power vacuum there would spell uncontrollable international terrorist groups in the most unstable and already war thorn region of the horn of Africa. Terrorist groups like, Boko Haram, Alshababa, and others that already exist in the region and this would be a good reason to build there empire in the region as well in Africa. Second, unstable Sudan would be the source of a terrible influx of refugees and attending humanitarian complications. Third, the Sudan is a country that bordering large number of African countries at the same time it is the extension of Africa in the Arabic and Islamic world there is a wide interest due to the geopolitical and strategic location of the country. The quarrel between the TMC and civilians would turned the Sudan in to a proxy war ground for rivalry powers like what we see in Libya or Yemen.

### **4.2.1 Entry Points / Pre-meditation**

Since the beginning of the Sudanese protest, Ethiopia has been closely following the political situation in Sudan. After, the ousted of Bashir the Ethiopia government send a message expressing support for the protestors, while 'appreciating' the military council for overseeing the transition (Office of the prime minister -Ethiopia (PMO), 2019a). On April 15 2019 a delegation headed by General Galaledin Alsheikh, Member of the TMC of the Republic of Sudan met with Prime Minister Abiy Ahmed and briefed the situation in Sudan (PMO, 2019b). On May 05, 2018, the Ethiopian Foreign Minister Gedu Andargachew visited Khartoum and held meetings

with both the TMC and the Declaration of Freedom and reaffirmed "Ethiopia's firm commitment to support the people of Sudan based on the principles of non-interference and respect for sovereignty"(Ministry of Foreign Affairs of Ethiopia (MFA), 2019a). Furthermore, the head of TMC General Burhan met with Prime Minister Abiy in Addis Ababa on 28 May 2019 (PMO, 2019c).

Despite these visits, and some effort to discuss with the two sides towards finding a peaceful means to end dispute the response from Ethiopia was more of watchful and following what was happening in the neighboring country. A press statement from the Ministry of Foreign Affairs of the Federal Democratic Republic of Ethiopia (MFA, 2019b)

*“Ethiopia is closely following current developments in the sisterly neighboring country, Ethiopia expresses its confidence that the Sudanese will surmount this difficult moment. Ethiopia fully respects the sovereignty and political independence of Sudan and sincerely hopes that all Sudanese political stakeholders will find a peaceful solution to the problem. Ethiopia fully understands and respects the wishes of the Sudanese people and stands by them”*

However, the aftermath of June 3, 2019, and the suspension of Sudan from the AU was a turning point in the involvement of Ethiopia in the Sudan crisis. The mounting tension between the two sides placed the country into a very dangerous standoff. The resuming negotiation between the two sides has proven very difficult. The fate of the country was a dividing line. The perception of betrayal by the military was prevalent. There was a suspicion that the strongly fought revolution that costs the lives of many Sudanese might be aborted before it achieves its aims. Also, there was a fear that some elements might exploit the tense situation by resorting to violent means which could potentially rip apart the fragile country.

In this critical time, Ethiopia takes the initiative to mediate the dispute between the two sides and to facilitate a smooth transition in the Country. The delegation led by Prime Minister Abiy Ahmed visited Sudan on June 7, 2019. The objective of the visit was to seek a peaceful resolution of the political situations in Sudan (MFA, 2019c). During his visit the Prime Minister met with members of the TMC including Chief of the TMC Lt. Gen Abdel Fattah al-Burhan and FFC leaders separately urged the sides to resume negotiations. After the meeting, the Prime minister expressed *“Ethiopia’s commitment to fostering peace in the region and underlined that a prerequisite for restoring peace in Sudan is unity”* (ibid, 2019c). Later, the Prime Minister



assigned Ambassador Mohamed Dirir as his special envoy to help broker the deal. As the disagreement between the two Sudanese parties had reached an impasse. Ethiopia was immediately on the ground with a shorter time frame to support the restoration of peace through engaging more in preventive diplomacy to avoid the escalation of the crisis). The as shuttle diplomacy to persuade the TMC and the FFC to engage in dialogue and reach a compromise agreement

*“ the involvement of Ethiopia was a timely response as many in Sudan and abroad fear the violence in Sudan could lead to a civil war”.* (Informant 1, June 10, 2019)

#### **4.2.2 The mediation phase**

As already noted in the literature review above, mediation is a method of mitigating the concerns through the presence and support of an intermediary peacemaker who is not party to the conflict, who enjoys the trust of the disputants, and whose goal is to help them to forge agreements they find acceptable. By virtue of these characteristics the mediator serves as both a buffer and a bridge between the antagonists, ameliorating the anger and suspicion that prevent them from addressing in a cooperative manner the substantive issues in dispute. From the beginning, there was a Confidence-building mediation, which is a process of facilitated dialogue and negotiation in which Ethiopia as a third party assists the parties, with their consent, to manage or resolve their conflict by accommodating each other's fears and needs. Ethiopia's peaceful round table discussion and diplomatic channels were widely acknowledged by the Sudanese people, the coalition of the opposition, and subsequently by the military despite some hesitation.

There are several possible explanations as to why the disputing parties accept the involvement of Ethiopia as reliable mediator. First; Ethiopia was passing through its political ups and down following long years of intense protests and political instability. The protests are perhaps more similar to what happened in Sudan, where protests ultimately led to the appointment of Prime Minister Abiy Ahmed. The democratic attitude that the Prime Minister has been adopting toward his own people led a welcoming attitude as a mediating actor.

Secondly, as outlined by Zartman and Touval (1985) “parties might accept mediation with the belief that a mediator would help attain a more favorable settlement than would otherwise be achieved (or even any settlement at all)”. In few months, the coming of Prime Minister Abiy to the office marked by instant changes in the region, including, brokering peace with country's

neighbor and long-time foe Eritrea For many in the region, the Abiy factor has hurled the region into a diplomatic frenzy of exchanges of visits, reunion, peace agreements, and restoration of relationships (Somalia institution for development research and analysis, 2018). The internal reforms agendas along with regional integration initiatives increased Ethiopia's engagement in regional peace and security issues. Particularly, the shuttle diplomatic missions across the volatile and conflict-ridden region of the Horn of Africa increased the hope for a new era of closer and more constructive regional relations. The new faces of Abiy leadership received praise, positive coverage across the continent and add on the reliability and confidence Ethiopia get over the issue.

*“Ethiopia initiative was a much better chance than anyone else in bringing the two sides together. Prime Minister Abiy's experience of passing through a multifaceted transition and his effort to make peace across the continent increase the weight of Ethiopia's acceptance” (Informant 3, June 6, 2019)*

Thirdly, the Sudan is a place of interest for many parties. The involvement of this parties in mediation encompasses a substantial measure of self-interest. However, there was no hidden agenda for Ethiopia in the process. Ethiopia was believed to play the role of facilitator; by organizing and facilitating communication between the two parties in a non-directive manner, eliciting the underlying interests and needs behind the stated demands and positions. The effort was widely acknowledged by the Sudanese people, the coalition of the opposition, and subsequently by the military despite some hesitation.

*“Ethiopia didn't have its political agenda when it entered into seeking the solution to the Sudanese problem. It was listening to the voice of the people of Sudan; it was listening to the plight of the people of Sudan and it was a timely action to solve the problem from its root”. (Informant 1, June 10, 2019).*

The position of Ethiopia to broker a return to direct talks between the two sides was believed to be neutral and impartial in the hostility among the two sides.

*‘What Ethiopia did was to bring both sides to the negotiation table in a step by step process. The two sides were looking for a win-win outcome and Ethiopia's deep commitment and neutral position in the situation help to get the trust of both parties ‘. (Informant 2, June 4, 2019)*

The mediation team managed to address the root causes of the dispute, producing an agenda or 'Road Map' for the dialogue that ensured the mediation was tackled in a sequence of manageable steps. This road map was divided into 'plans'. First, focused on smoothing the way to resume the talk soon in good-faith to stop the violence. Secondly, to facilitate dialogue to iron-out the remaining outstanding points and reach an agreement.

As a result, in the first round Ethiopian-mediated negotiations had secured a major improvement. To resumption of talks which have broken down along with the forced dispersal of a sit-in in Khartoum. According to MFA (2019c), press release on the discussions of the Ethiopia Special Envoy to the Sudan with the various parties announced "the two sides have agreed to uphold what they have already agreed before the suspension of the negotiation, regarding the structures, powers, and responsibilities of the transitional government". The two sides also agreed to refrain from inflammatory statements and de-escalate tensions, the TMC on its side has agreed to take confidence-building measures including the release of political prisoners and FFC, on its part, has agreed to call-off the Civil-Disobedience.

Following several weeks of round talk the intensive diplomatic efforts under the facilitation of Ethiopia resulted in Agreement. When talks got under way, The AU and Ethiopia have been critical to bridging the divide between the opposition coalition and security establishment. There was a disunity between the AU and Ethiopian envoys stymied early efforts at achieving a breakthrough. The envoys offered different proposals to the opposition and military council, each containing altered numbers for the composition of the planned legislative and sovereign councils. Then again after discussions in Addis, the AU and Ethiopian envoys closed ranks on 26 June.

*"There were two initiatives independent of each other but the which lied on how to create a synergy and continue the process together" (Informant 1 , June 10, 2019).*

The two actors come up with a joint proposal, which became the basis for the 17 July political accord and the constitutional declaration eventually adopted on 17 August. The parties signed the Political Agreement on 17 July 2019, and later the Constitutional Declaration on 17 August 2019 (Appendix C). The signing of the power-sharing agreement saw a remarkable and viable political achievement that has the potential to put Sudan on the path to enduring stability after the failure of several peace negotiations. Still, many fault lines remained both between the parties involved in the agreement and within their respective ranks.

## 5.3 Major achievement and Challenges of the mediation process

### 4.2.3 Achievements

As noted already in the literature review section, there are various arguments to measure the success of mediation. Susan (1990) and Zartman & Touval (1985) argue that final resolution of the conflict, decrease of conflict or even the conclusion of an agreement promising the lessening of the conflict could also be measures of fruitful. Third party mediation with confidence building facilitation proved to be the winning solution. Elements that have contributed to the success of the peace process were timing, credibility, impartiality, and the skill of the mediation team. The achievement of Ethiopia's effort measured in terms of the two outcomes that the mediation process brought.

First, several rounds of talks between the two sides remained deadlocked following the June 3 incident. The two sides refused offers of international and regional mediation. "Still, even as pressure for mediation grew, it was not immediately clear which regional and international actors would get traction. In the end, it was Abiy Ahmed, Ethiopia's prime minister, who reset the talks" (International crisis group, 2019c). Frei (1976: 69) referred to success as 'a situation in which both parties to the conflict formally or informally accept a mediator and a meditative attempt within five days after the first attempt.' Likewise, Greig & Diehl (2012: 106) defined success as the 'achievement of getting the disputing parties to accept mediation or having the parties reach some type of agreement as a result of the mediation.' The success of Ethiopia's mediation effort is a continuum which starts to be measured the moment the mediator is able to amicably bring the contending parties to the mediation table peacefully for sustainable dialogue

Secondly, the real issue is that the parties were too divided, and the issues were too sensitive. Zartman & Touval (1985) outlined contribution towards a final agreement and the decrease of conflict or even the conclusion of an agreement promising the lessening of the conflict could also be measures of fruitful. Ethiopia's facilitative mediation paved the way for negotiation between the two parties. This finally resulted the signing of the political agreement and constitutional declaration. The agreement brings restoration of relative peace and stability in the country and the ultimate formation of a transitional government. As we have witnessed from the conflicts that the continent experienced so far guns have failed in too many countries like, Syria, Libya.

*“Things would have seriously worsened; we would have another civil war the role Ethiopia played has been extensive and key in installing confidence in Sudan by ensuring that the situation doesn't degenerate into Chaos. Sudan might follow the footsteps of Libya perhaps Syria and Yemen which spiraled into civil war after their popular uprisings.” (Informant 3, June 10, 2019)*

#### **4.2.4 Challenges**

Ethiopia’s peaceful roundtable discussion and diplomatic channels reduced the tension and ultimately contending parties to reached agreement. However, the approach was not a free road and there were several challenges.

##### **I. Mistrust between the negotiating parties**

The fall of al-Bashir was only the beginning of another revolution in Sudan. The negotiations which interrupted several times were characterized by mutual mistrust between the TMC and FFC. Particularly, tension had soared between the two sides after the June 3, 2019 incident. Yet again on June 30<sup>th</sup>, 2019 tens of thousands of demonstrators participated and took to the streets demanding civilian rule. These new protests and tension escalated again at a time when Ethiopia and the African Union (AU) were jointly mediating between the protesters and the TMC. To find the best approach to convince parties through confidence-building that the best way to deal with their differences was to enter into negotiations. This was compounded by the deeper mistrust that existed among the parties.

*’Following the June incidence there was a gigantic suspicion and counter suspicion among the TMC and FFC’’ (Informant 1, June 10, 2019)*

Bridging the gap of competing interests among and between the negotiating a party, bringing them to the negotiation table, setting the agenda to discuss was a major challenge for Ethiopia.

##### **II. Internal friction among civilian groups**

The FFC is the umbrella coalition of three groups. The first comprised the political parties that opposed Bashir, and whose leaders hailed from the socio-cultural elites of the central regions that have dominated the country since independence. The second was made up of armed groups from the peripheral regions, which have traditionally been marginalized. The third comprised diverse

civil society organizations, such as the SPA, human rights groups, and so-called “resistance committees” informal neighborhood groups that emerged during the uprising to mobilize revolutionaries.

These groups established primarily to oust Omar al Bashir after the removal of Bashir there were internal quarrels among members and members put indirect pressure on each other in the concurrent negotiation process.

*‘There was a disagreement among the opposition. One side “leaning towards negotiations” with the TMC on a future transition while the other is demanded that the military council must be ousted. Also, many rebellion groups, civil society organizations, and political parties inside the FFC complained about their exclusion from the negotiation process with TMC and the SPA dominating the FFC team.’.*  
(Informant 3, June 6, 2019)

### **III. Pressure from various actors**

Sudan is a country of interest for many big actors motivated by different interests like geostrategic, political interests. The case of Sudan was considered as "too many cooks in the kitchen." First, there has been various sideline mediation efforts by various actors. Second, there were actors that want to take a side and support the negotiating parties. Due to this the negotiation process was over stretched and put an extra pressure on Ethiopia in terms of keeping the expectation of the negotiating parties.

### **IV. Skepticism towards Ethiopia’s initiative**

As much as the initiative from the Ethiopia government received acceptance by many, there was also doubt on the capacity and influence of Ethiopia on the matter. Referring to it as a unilateral initiative from a country that is fragile itself. For long the political system in the country resulted in a deep political crisis with widespread grievances across this country. Following a wave of protests the new Prime Minister Abiy Ahmed coming to power. Although, there is much to laud regarding the political developments that transformed the country into a new political reform. There are also many critiques of Ethiopia's internal political condition. Particularly, Mosley (2020) mentioned the unleashed new wave of unrest rooted in identity politics, causing displacement and humanitarian crisis. This and other internal challenges create a skepticism towards Ethiopia's role as a mediator in the Sudanese political crises.

On the other hand, Ethiopia's economic transformation is one of the continent's success stories. Yet, Ethiopia to assert such a position should emerge as an economic and military power in the region.

*“Having the fastest growing economy and a massive population is one thing but, without purchasing power and economical house, it is merely a number.” (Informant 6 May 20, 2019).*

The biggest fear was that Ethiopia's meditation role will be limited and replaced by the Gulf countries (Saudi Arabia and U.A.E), European Union, and the USA because of the power of balance and the influence that they can put.

### **4.3 African solution for African problems; Lesson from Ethiopia**

*“I am my brother's keeper. I am my sister's keeper.”*

*Prime Minister Abiy Ahmed*

Based on the discussion with the informants, while responding to a question on the entailments of African solutions; many respondents maintain that utmost the initiatives by external actors don't take into a count the political and social context of African problems. As a result, to address African problems we need the existence of homegrown solutions that could better understand the norm, culture, history of human interaction, the psychology of the societies of the continent could offer practical results. “Africa solution for African problems” is a paradigm shift in security thinking that stresses the ownership of African issues. Accordingly, African solutions to African problems are a cooperative security approach among African states, through strengthening AU, regional and sub-regional organizations and by broadening the traditional security issues to include local psychology, environment, economic and social concerns. This approach of security gives due emphasis to historical ties of African societies and cultural proximities”.

*The idea ASAP is a noble idea that should prevent external intervention in Africa. As we have witnessed the crisis in Libya how it was managed by external actors. The motto failed because there are another hand middling into the problems of Africa and don't allow Africans to solve their problems by themselves. The motto put Africa at the forefront of solving its problems” (Informant 6, June 10, 2019)*

Yet, no matter how prevalent the phrase ‘African Solutions to African Problems’ is criticized for being unrealistic because it is not reflective of the present realities of Africa. The main reason is that the question of Africa’s capability towards solving its own continental problems. The term ASAP is abused because the reality of Africa is to the opposite. There is a wide gap between ambitions, plans, and implementation. The peace and security initiatives in Africa some of the projects more than help it was derived by getting funds from international communities. It does not seem ethically justifiable such act, and it doomed and undermined genuine efforts’’ (Seife May 20, 2019).

Thus, the concept of ‘‘African solution for African problems’’ is subject to much debate. As collected from primary and secondary sources, the primary framework for understanding ‘African solutions to African problems’ is a call for a continent wide coordination and harmonization of interests and values in a bid to address the common security challenges faced by Africa. It placed African actors on the front to feel ownership and take a responsibility to address the peace and security challenges in the continent.

Based on this, there were various efforts by various stakeholders to intervene in the Sudanese Crisis. The fact that Ethiopia takes the initiative and stood to the ground to solve this African crisis together with the AU was a very wise decision that produced positive results. Ethiopia’s initiative was a welcoming development that shows Africans feeling of ownership, responsibility and trying to help other Africans in need. It this was done within broader efforts designed to resolve conflict and to ensure regional peace and stability. The understanding that the future of Ethiopia is inextricably bound up with what happens in the rest of the region informed Ethiopia motivation in intervening to resolve the Sudan crisis.

Mediation is a mystery. Some peace processes are successful, some are dismal failures, and most are a bit of both. The transition of disputing parties from disagreement to peace is extremely complex and difficult. Ethiopia’s mediation experience presents many lessons around determinants for mediation success in Africa. The first and foremost two broad lessons are that (i) Mediation of inside conflicts is more of an art, and is better understood in terms of specific cases rather than general rules, and also that each conflict is unique, and for this reason, mediators benefit more ‘‘from guidance than they do from regulation; from shared principles more than accountable requirements.’’; and (ii) The mediators’ personality, experience, acumen and behaviour have a large impact on the success of the mediation process. Sudan is a country with complicated and diverse political dynamics, and to mediate one must always be conscious of the dynamics, culture, language, and



history. The fact that the involvement of a well-respected, well-seasoned diplomats, who understands the culture of the people of the Sudan and who can speak the language possibly create optimism on the Sudanese side. Throughout the meetings, the Special Envoy of Ethiopia shuttle between the two sides to assist the parties to resume their talk on the remaining outstanding points of previously started discussions and negotiations. Hislaire (2011) argue that ‘insider mediation’ which entails the use of respected and trustworthy figures that have in-depth knowledge and experience of the dynamics and context of a conflict in the quest to find solutions to conflict that are recognized and valued by all parties.

These two lessons feed into each other very well, in the sense that the experience, acumen and personality are indeed an art that they applied strategically to the specific case of the Sudan to achieve success. In demonstrating the reasons for this argument, the ensuing discussion will also strive to highlight point by point, how the experience infers lessons on the pre-determinants for mediation success and failure, showing in turn how the key principals in the mediation team created conditions for mediation success in the negotiations for the parties.

- Ethiopia’s mediation effort came at a time before the disagreement had led to another endless conflict. Ethiopia managed to employ preventive diplomacy and the establishment of direct communication links between the parties to the conflict, which partly contributed to the de-escalation of the conflict as a result of direct engagement by the parties.
- The importance of local ownership of the transition and reconstruction process can’t be overemphasized. Parties in the conflict needed to actively participate. This is subject to the mediators taking a step back to provide them with the ground to do so. In a tenacious demonstration to make the mediation process nationally owned, Ethiopia mediators promptly established early meetings with the disputed parties, civil society and other stakeholder. Besides ensuring ownership of the process, this action also helped boost the confidence and trust in the mediation process.
- The Sudan experience proffers a lot of lessons regarding third party mediation. In Africa, third party intervention is not only motivated by the desire to resolve internal conflict, but whilst upholding self -interest. While when we see Ethiopia’s mediation style was free from imposing national and personal interest. Thus, it is important for the mediator to

nurture a perception of impartiality towards the cause of the parties to the conflict to enhance the success of the mediation. The mediation is more likely to be accepted by disputing parties.

- The mediation process in the Sudan further demonstrated that interparty political negotiations that bring together parties with different ideologies are characterized by profound mistrust, which often generates tension during the process. A successful mediation process under such circumstances would require rigorous initiatives high-calibre facilitator, who can convince conflicting parties to close ranks and agree to collaborate. Such was the experience of Ethiopia's mediators in facilitating the talk that paved the way for the formation of the coalition government, which saw arch enemies working together. In so doing, the conflict in the Sudan de-escalated and was temporarily resolved.
- Ethiopia's approach further demonstrates the importance of coordination among key stakeholders in resolving a conflict that attracts diverse local, regional and international interests. At the beginning, there were some concerns that Ethiopia's initiative and the AU mediation were initially not well coordinated and synergized. At a point during the negotiations, the TMC expressed sharp criticism and displeasure against the approach, in favor of a joint initiative. However, this was later addressed as the negotiations proceeded, with the AU and Ethiopia eventually combining their efforts and proposals. The partnership between AU demonstrates how success can be wrought by the hybridization of mediation through the combined efforts. The collaboration between Ethiopia and AU was in the spirit of solving "African problems by Africans" through joint efforts. It adds to the experience of Africans in solving conflicts in Africa through the same process and in a wise manner.

*"The collaboration between Ethiopia and AU indeed showed a way to solve a problem in a more civilized manner and it is a way of indicating the progress that Africa is showing its advancement in terms of solving its own problem through diplomacy." (Informant 5, May 24 2019)*

## CHAPTER SIX

### 5 CONCLUSION AND RECOMMENDATION

A conflict is a lasting phenomenon and it will not stop. For many Africans it is a day to day life reality. It has had a massive impact on the fight against poverty, ultimately stunting the continent's prospects for long-term structural stability, sustainable development and has caused the deaths of millions of people, injuries and abuses to countless others and destroyed innumerable livelihoods. The pattern of new conflicts in the continent bubbling up alongside old ones that likely repeat itself have an enormous impact on the stability of the Africa. Clearly violence, instability and armed conflict in the continent will remain a large concern requiring an ongoing and dedicated response from AU, sub regional organizations and its member states. In light of this there has been amplified engagement regarding materializing of “African solution for African problems.” Which primarily put Africans to unreservedly feel ownership and take responsibility for the peace, security agendas and initiatives in the continent.

Ethiopia mediation role in Sudan highlights Africans responsibility in terms of spearhead conflict resolution effort in the continent. Irrespective of the challenges Ethiopia have engaged more in preventive diplomacy to prevent the escalation of the crisis, as well as shuttle diplomacy to persuade the TMC and the FFC to engage in dialogue and reach a compromise agreement. Ethiopia's timely and proactively respond to the Sudanese crisis was marked by a high sense of ownership, responsibility, and showed Ethiopia's commitment and the political willingness to create peace in the region as well Africa. Ethiopia has also promoted negotiation and dialogue among the two sides. Remarkably, Ethiopia's effort has led to the establishment of transitional government. While, the path ahead remains daunting Ethiopia's facilitative mediation was largely raised hope and prevent for now a worst-case scenario of spiraling violence and state collapse. Furthermore, The Sudanese case presents vital and instructive lessons on how to facilitate and improve the efficacy of regional interventions during times of crisis and conflicts in Africa.

Moving forward,

- We are likely to see more African interventions to stem conflict in the coming years. It is recommended that conflict prevention which includes long-term activities to reduce structural tensions or prevent the outbreak, escalation or recurrence of violence should

not be limited to AU or neighbors. Coordinated and timely application of specific political, diplomatic, and economic and/or security measures and activities in response to a situation threatening peace should be a responsibility of each member states.

- Africa countries need to establish strategic partnerships to respond expediently to the face of new crisis; and establish medium and long-term conflict prevention and management processes, and the continental early warning system should also play a leading role in this. In this regard, Africa countries should identified the principle of comparative advantage as a key element in determining who should take the lead, and the guidelines for considering who has the comparative advantage was proposed top include, intimate knowledge of the conflict and history, relations with the parties that will ease contact, and acceptance from disputant parties.
- When examining the effectiveness of mediators in Africa, much focus is given to third parties' economic and coercive resources, of which African third parties typically have less. Analysts tend to focus much less on perceived legitimacy even though it is crucial given that warring parties enter mediations voluntarily.
- While examining the success of mediators, too much emphasis on the personal characteristics of mediators may also distract the urgent search for mediators whose competence and efficacy derives from the protracted process of learning and training about mediation. It is better to train mediators than find those with messianic qualities.
- Finally,criticalpost-conflict components might be ignored.Crisis-response approaches may reduce or end hostilities in the short term but not the long term. Through this approach a conflict could be managed, but not settled. In the longer term the fundamental issues that drive conflict eventually have to be addressed, or else the conflict is likely to break out repeatedly. Addresses the drivers of conflicts, requires a more broad-based approach that integrates various policy instruments and agencies. These instruments are (economic policy, social engineering, political assistance, etc).Therefore, regional actors should address the key priorities of the post-crisis phase in their support of the Sudanese Transitional Government by support initiatives to build sustainable peace across the country, including Darfur, particularly at a time when the country is ranked as the eighth most fragile state in the world

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## ANNEXS

### Appendix I

#### The List of Informant and interview dates

List of Participants	List of Names	Date of Interview	Interviewing
Informant 1	H.E Ambassador Mahmoud Dirir (Special Envoy to the Prime Minister)	June 10 , 2019	Via phone
Informant 2	Mr. Hirko Gari (A Senior Diplomat , Ethiopian Embassy Sudan)	June 4, 2019	Via phone
Informant 3	Anonymous (A Senior Diplomat. Minister of Foreign affairs of Sudan)	June 6, 2019	Via phone
Informant 4	Mr. Meuze Aregay ( Diplomat, Ethiopian Embassy in Sudan)	June, 2019	Via E-mail
Informant 5	Demeke Achiso(P.h.D) (Political Science and international Relations lecturer, Addis Ababa University)	May 24, 2019	Via phone
Informant 6	Seife Kidane (P.h.D) (University of Pretoria)	May 20, 2019	Via Email

## **Appendix II**

### **Guiding questions**

1. What do you think is the meaning and significance of the Motto ‘ ‘ African Solutions to African Problems’ ’? Briefly explain
2. What were the key factors that enabled Sudanese people to experiment new wave of political system after Omar Al Bashir’s 30 years of presidency?
3. Do you think ‘African Solution for African Problems’ was applied in addressing the recent political upheaval in Sudan? Please elaborate.
4. In this political development, how significant role was Ethiopia employed in mediating various political actors including the Military? Please explain.
5. Do you think there were a synergy and coordination between Ethiopia and the African Union in finding peaceful solutions to the matter?
6. What were the key challenges that Ethiopia faced in the process?
7. How do you explain regional and International response to the Sudan Crisis?
8. Throughout this much anticipated political dynamism in Sudan, What do you think are the lessons that other Africa countries could learn from Ethiopia?

## **Appendix III**

### **The Political Agreement between TMC and FFC and the Draft Constitutional Charter for the 2019 Transitional Period**

#### **Political Agreement for the Establishment of Governing Structures and Institutions in the Transitional Period**

##### **Between the Transitional Military Council (TMC) and the Forces of the Declaration of Freedom and Change (FDFC)**

This is a non official translation of the final version of the Political Agreement that was signed on 17 July 2019.

Inspired by the long struggles of the Sudanese people during the years of the former dictatorship regime since its seizure of power and undermining of the constitutional system on 30 July 1989,

With faith in the glorious revolution of December 2018 carried out across our country to uproot the former regime,

Out of loyalty to the souls of the pious martyrs and in recognition of the rights of all those wronged by the policies of the regime of 30 July 1989,

Grounded in the legitimacy of this blessed revolution and in fulfillment of the aspirations of the Sudanese people for freedom, peace, justice, the achievement of democracy, and the building of a sovereign nation-state on the basis of an integrated advancement project and the enshrinement of principles of political pluralism,

Established on the rule of law which recognizes diversity and is based on citizenship as a foundation for rights and duties, the upholding of values of social justice, fairness, and equality, the preservation of human dignity, and the equality of men and women in rights and duties,

Committed in the coming phase to the need to orient the government toward bolstering economic development to achieve prosperity and welfare for all, cementing social harmony, deepening religious tolerance and national reconciliation, and restoring and building trust between all the people of Sudan,



Responding to the call of the glorious revolution of December and in realization of the goals of the Declaration of Freedom and Change agreed upon between the Forces of the Declaration of Freedom and Change and the Transitional Military Council to eradicate the regime of 30 July 1989, implement measures for transitional justice, combat corruption, restore stolen public funds, rescue the national economy, realize social justice and a state of harmony and social welfare, and reform the state apparatus and public service,

Aware of our need for joint cooperation to move as a nation toward the phase of change and reconstruction and certain of our determination to make a peaceful transition to civilian power and lay the first building blocks for a sound civil order to govern Sudan in the transitional period, we the Transitional Military Council and the forces signatory to the Declaration of Freedom and Change issued on 1 January 2019 (both of which are subsequently referred to as the two parties) have agreed to sign this political agreement defining the governing structures and their jurisdictions in the transitional period established for the parliamentary governing system as well as pledged together to respect it and abide by what is stated therein.

We have agreed also to adopt the constitutional document for the transitional period – appended to be issued as a decree with the signature and stamp of the Transitional Military Council.

## **Chapter One**

### **Guiding Principle**

1. The two parties agree on the sacredness of the national sovereignty and unity of the Sudanese soil, unity of the Sudan with all its diversity.
2. The two parties deal with each other abiding by the principle of partnership, good will and ceasing hostile and inflammatory rhetoric.
3. The two parties adhere to democratic principles, human rights, and tolerant Sudanese values.
4. The two parties agree on the principle of settling all disputes which may arise with mutual dialogue and respect.

## **Section Two: Transitional Arrangements**

### **Sovereignty Council**

5. The Sovereignty Council shall consist of 11 members, five military personnel chosen by the Transitional Military Council and five civilians chosen by the Forces of the Declaration of Freedom and Change. In addition to these ten members, a civilian person shall be chosen with the agreement of the two parties.
6. The Sovereignty Council shall be presided over by a military member of the Council for 21 months starting from the date of signature on this agreement.
7. The Sovereignty Council shall be presided over by a civilian member of the Council for the remaining 18 months of the transitional period.
8. The decree of the constitutional document for the transitional period shall delimit the jurisdictions, obligations, and powers of the Sovereignty Council.

### **Council of Ministers**

9. The Forces of the Declaration of Freedom and Change shall choose the prime minister for the civilian government according to the conditions stated in the decree of the constitutional document for the transitional period.
10. The Council of Ministers shall consist of a prime minister and a number of ministers not exceeding 20 from among national talents with independent judgment. They shall be selected by the prime minister from a list of candidates from the Forces of the Declaration of Freedom and Change to be confirmed by the Sovereignty Council with the exception of interior and defense ministers, whom the prime minister shall appoint after their selection by military members of the Sovereignty Council. Furthermore, as an exception, the prime minister may nominate two partisan individuals who have attested qualifications to handle ministerial portfolios.
11. The decree of the constitutional document for the transitional period shall delimit the jurisdictions and powers of the Council of Ministers. 12. It is not permitted for one who takes on a position during the transitional period in the Sovereignty Council or the Council of Ministers or

as a state or provincial governor, as the case may be, to run in the elections directly following the transitional period.

### **Section Three: Legislative Council**

13. The Forces of the Declaration of Freedom and Change affirm their reservation of 67% of the membership of the Legislative Council with 33% for other forces who are not signatories to the Declaration of Freedom and Change.

14. The Transitional Military Council affirms its position as reviewing the percentages of membership in the Legislative Council.

15. The two parties agree that the formation of the Legislative Council will be postponed until after the establishment of the Sovereignty Council and Council of Ministers to allow for discussion regarding it between the Forces of the Declaration of Freedom and Change and military members of the Sovereignty Council.

16. The Legislative Council will be formed during a period not exceeding 90 days from the date of the establishment of the Sovereignty Council.

17. Until the formation of the Transitional Legislative Council, the Sovereignty Council and Council of Ministers will exercise the legislative powers of said Council in a joint meeting with any legislation being submitted to the Sovereignty Council for approval and signature. Filed legislation shall be considered to enter into effect starting 15 days after the date of its filing with the Sovereignty Council.

### **Section Four: Commission of Inquiry**

18. After the establishment of the transitional government, the National Independent Commission of Inquiry will be formed to carry out a transparent and detailed investigation into the bloody and unfortunate incidents and crimes committed on 3 June 2019 in addition to other incidents and occurrences which saw violations of the rights and dignity of citizens, both civilian and military. The National Commission may request any African assistance if the need arises.

### **Section Five:**

#### **Missions of the Transitional Period**

19. The two parties agree that the missions of the transitional period shall be as follows:

1. Institute an effective policy and approach to achieve comprehensive peace in Darfur and the regions of the Blue Nile and South Kordofan in consultation with all armed movements as well as a just and comprehensive peace to bring a complete end to the war by addressing the roots of the Sudanese problem and healing its legacy, with consideration of affirmative action.
2. Work to conclude the aforementioned comprehensive peace process within a maximum period of six months from the date of signature of this agreement.
3. Remedy the economic crisis by ending economic deterioration and work to achieve sustainable development by implementing an urgent economic, financial, and humanitarian program to address existing challenges.
4. Implement legal reform, rebuild and redevelop the legal and human rights system, and guarantee autonomy for judges and sovereignty of the rule of law.
5. Strengthen the role of Sudanese women in all social, political, and economic areas and combating all forms of discrimination against them.
6. Strengthen the role of youth and provide opportunities for them in all social, political, and economic areas.
7. Establish preparatory mechanisms for the drafting of a permanent constitution for the Republic of Sudan, enact legislation related to the missions of the transitional period, and convene a constitutional conference.
8. Institute programs to reform the state apparatus during the transitional period to reflect its autonomy, nationalism, and the distribution of opportunities within it without prejudice to eligibility and competence requirements, provided that they support the task of reforming the military apparatus of military institutions according to the law.
9. Institute a balanced foreign policy that ensures the supreme national interests of the state and works to improve Sudan's international relations based on the principles of autonomy and shared interests.
10. Assume an active role in social welfare and achieve social development through the provision of healthcare services, education, and housing with a guarantee to protect the environment and future generations.
11. Institute procedures and measures for transitional justice and its implementation.

12. Dismantle the enabling structure of the former regime of 30 July 1989 and establish the rule of law and institutions.

### **Section Six:**

#### **Regional and International Support**

20. The two parties call on the African Union, Intergovernmental Authority on Development (IGAD), United Nations, European Union, Arab League, Organization of Islamic Cooperation, permanent members of the Security Council and all fraternal and friendly nations to mobilize strong economic, financial, and humanitarian assistance to implement this agreement and support the transitional powers in achieving full success in their various missions and obligations.

21. The two parties thankfully appeal to fraternal and friendly organizations and nations for support in removing the name of Sudan from the list of nations sponsoring terrorism, lifting sanctions, and pardoning debt.

22. This support is subject to the principle of constructive partnership between the Republic of Sudan and all partners within the framework of full respect for the autonomy of Sudan and non-interference in its internal affairs, regardless of the partner or the theme of the partnership. Signed in Khartoum on this day 17 July 2019 and witnessed by the African Union and the Democratic Federal Republic of Ethiopia and partners.

#### **Signatories**

**Transitional Military Council**

**[SIGNATURE]**

**Forces of the Declaration of Freedom and Change**

**[SIGNATURE]**

#### **Witnesses:**

**African Union  
Ethiopia**

**[SIGNATURE]**

**The Federal Democratic Republic of**

**[SIGNATURE]**

**Partners:**

**European Union**

**[NO SIGNATURE]**

**United Nations**

**[NO SIGNATURE]**

**Arab League**

**[NO SIGNATURE]**

**United States of America**

**[NO SIGNATURE]**

**The non-official translation of the Draft Constitutional Charter for the  
2019 Transitional Period  
Preamble**

Drawing inspiration from the Sudanese people's struggles over the course of history and the years of the former dictatorial regime from the time that it undermined the constitutional regime on 30 June 1989;

Believing in the principles of the glorious September 2018 Revolution;

In fulfillment of the lives of the martyrs and affirming the rights of the victims of the policies of the former regime;

Affirming the role of women and their active participation in carrying out the revolution;

Recognizing the role of young people in leading the revolutionary movement;

Responding to the aspirations of the Sudanese people to build a modern, democratic nation-state in accordance with an integrated reform project;

Enshrining the principle of political pluralism and the establishment of a state of law that recognizes diversity, takes citizenship as a basis for rights and duties, and that elevates the values of justice, equality and human rights;

Believing in the unity of Sudanese territory and national sovereignty;

Committed to the goals of the Declaration of Freedom and Change agreed upon between the Military Council and the Forces of Freedom and Change;

Striving to implement measures to achieve transitional justice, fight corruption, recover stolen funds, reform the national economy, achieve a state of prosperity, welfare and social justice, reform institutions of the state and public service, strengthen the pillars of social peace, deepen the values of tolerance and reconciliation between the components of the Sudanese people and rebuild trust between all the people of Sudan;

Confirming our determination to lay the foundations for a healthy civil regime to govern Sudan in the future;

And based on the legitimacy of the revolution;

We, the Transitional Military Council and the Forces of Freedom and Change, have agreed to issue the following Constitutional Charter:

### **Chapter 1:**

#### **General provisions**

##### Name and Entry into Force

1. This document is called the Constitutional Charter for the 2019 Transitional Period, and it shall enter into force from its date of signature.

##### Repeal and Exemption

2. a. The Transitional Constitution of Sudan of 2005 and the constitutions of provinces is repealed, while the laws issued thereunder remain in force, unless they are repealed or amended.  
b. The decrees issued from 11 April 2019 until the date of signature of this Constitutional Charter remain in force, unless they are repealed or amended by the Transitional Military Council. If they contradict any provisions of this Constitutional Charter, the provisions of the present Declaration prevail.

##### Nature of the State

3. (1) The Republic of Sudan is an independent, sovereign, democratic, parliamentary, pluralist, decentralized state, where rights and duties are based on citizenship without discrimination due to race, religion, culture, sex, color, gender, social or economic status, political opinion, disability, regional affiliation or any other cause.

- (2) The state respects human dignity. It is founded on justice, equality and diversity and guarantees human rights and fundamental freedoms.

#### Sovereignty

4. Sovereignty belongs to the people and is exercised by the state in accordance with the provisions of the Constitutional Charter, which is the supreme law of the country and its provisions prevail over other laws. The provisions of laws that contradict the provisions of this Constitutional Charter shall be repealed or amended to the extent necessary to remove the contradiction.

#### Rule of Law

5. (1) All people, bodies and associations, whether official or unofficial, are subject to the rule of law.
- (2) The transitional authority upholds the rule of law and apply the principle of accountability and restitution of grievances and rights that have been denied.
- (3) Notwithstanding any other text in any other law, war crimes, crimes against humanity, crimes of extra-judicial killing, violations of human rights and international and humanitarian law, crimes of financial corruption, and all crimes that involve abuse of authority committed since 30 June 1989 shall not be extinguished by prescription.

### **Chapter 2:**

#### **Transitional period**

##### Duration of Transitional Period

6. (1) The duration of the transitional period shall be 39 Gregorian months, starting from the signing of this Constitutional Charter.
- (2) During the first six months of the transitional period, the priority is to work seriously to establish peace in accordance with the content of the Transitional Period Program in this regard.

##### Mandate of the Transitional Period

7. During the transitional period, state agencies performs the following duties:



- (1) Work on achieving a just and comprehensive peace, ending the war by addressing the roots of the Sudanese problem, treating its effects, taking into account the provisional preferential measures for war-affected regions, underdeveloped regions and the most affected groups.
- (2) Repeal laws and provisions that restrict freedoms or that discriminate between citizens on the basis of gender.
- (3) Hold accountable members of the former regime by law for all crimes committed against the Sudanese people since 30 June 1989.
- (4) Resolve the economic crisis by stopping economic deterioration and work on laying the foundations for sustainable development by implementing an urgent economic, social, financial, and humanitarian program to face the current challenges.
- (5) Carry out legal reform, rebuild and develop the human rights and justice system, and ensure the independence of the judiciary and the rule of law.
- (6) Work on settling the statuses of those who were arbitrarily dismissed from civil and military service, and strive to remedy the harm they suffered in accordance with the law.
- (7) Guarantee and promote women's rights in Sudan in all social, political, and economic fields, and combat all forms of discrimination against women, taking into account provisional preferential measures in both war and peace.
- (8) Strengthen the role of young people of both sexes and expand their opportunities in all social, political and economic fields.
- (9) Establish mechanisms to prepare to draft a permanent constitution for the Republic of Sudan.
- (10) Hold a national, constitutional conference before the end of the transitional period.
- (11) Enact legislation related to the tasks of the transitional period.
- (12) Implement programs to reform state agencies during the transitional period in a manner that reflects their independence, patriotism, and the fair distribution of opportunities therein, without altering conditions of aptitude and competence. The

task of reforming military bodies is entrusted to military institutions in accordance with the law.

- (13) Draft a balanced foreign policy to achieve the supreme national interests of the state and work on improving and building Sudan's foreign relations on bases of independence and shared interests in a manner that preserves the sovereignty, security and borders of the country.
- (14) Perform an active role in social welfare and achieve social development by striving to provide healthcare, education, housing and social security, and work on maintaining a clean natural environment and biodiversity in the country and protecting and developing it in a manner that guarantees the future of generations.
- (15) Dismantle the June 1989 regime's structure for consolidation of power (*tamkeen*), and build a state of laws and institutions.
- (16) Form a national, independent investigation committee, with African support if necessary as assessed by the national committee, to conduct a transparent, meticulous investigation of violations committed on 3 June 2019, and events and incidents where violations of the rights and dignity of civilian and military citizens were committed. The committee shall be formed within one month from the date the appointment of the Prime Minister is approved, and that the order forming the committee contains guarantees that it will be independent and possess full powers to investigate and determine the timeframe for its activities.

### **Chapter 3:**

#### **Transitional period bodies**

##### Levels of government

8. (1) The Republic of Sudan is a decentralized state, whose levels of government is as follows:
  - (a) The federal level, which exercises its powers to protect the sovereignty of Sudan and the integrity of its territory, and promote the welfare of its people by exercising powers on the national level;
  - (b) The regional or provincial level, which exercises its powers on the level of regions or provinces as prescribed by subsequent measures;

- (c) The local level, which promotes broad popular participation and express the basic needs of citizens, and the law determines its structures and powers.
- (2) The different levels of governance have both exclusive and shared competencies and powers, and they have resources, as determined by the law.
- (3) Until the geographical demarcation and distribution of powers and competencies between the levels of government is re-examined, the existing system shall remain in effect and executive governments shall be formed in the provinces, as determined by subsequent measures.

#### Transitional Government Bodies

- 9. The bodies of the transitional government consist of the following:
  - (1) The Sovereignty Council, which is the head of state and symbol of its sovereignty and unity;
  - (2) The Cabinet, which is the supreme, executive authority of the state;
  - (3) The Legislative Council, which is the authority responsible for legislation and oversight over the executive's performance.

### **Chapter 4: Sovereignty Council**

#### Composition of the Sovereignty Council

- 10. (1) The Sovereignty Council is the head of state, the symbol of its sovereignty and unity, and the Supreme Commander of the armed forces, Rapid Support Forces, and other uniformed forces. It is formed by agreement between the Transitional Military Council and the Forces of Freedom and Change.
- (2) The Sovereignty Council consists of 11 members, of whom five are civilians selected by the Forces of Freedom and Change, and five are selected by the Transitional

Military Council. The eleventh member is a civilian, selected by agreement between the Transitional Military Council and the Forces of Freedom and Change.

- (3) Over the first 21 months of the transitional period, the Sovereignty Council is chaired by someone selected by the military members, and in the remaining 18 months of the transitional period, starting from ..... 2021, it is chaired by a civilian member selected by the five civilian members who were selected by the Forces of Freedom and Change.

#### Competencies and Powers of the Sovereignty Council

11. (1) The Sovereignty Council exercises the following competencies and powers:
- (a) Appoint the Prime Minister selected by the forces of Freedom and Change;
  - (b) Confirm the Cabinet members appointed by the Prime Minister, from a list of candidates provided by the Forces of Freedom and Change;
  - (c) Confirm the heads of regions or governors of provinces, according to the case, after they are appointed by the Prime Minister;
  - (d) Confirm the appointment of members of the Transitional Legislative Council after they are selected in accordance with the provisions of Article 23 (3) of this Charter;
  - (e) Confirm the formation of the Supreme Judicial Council after it is formed in accordance with the law;
  - (f) Confirm the appointment of the Judiciary President, judges of the Supreme Court, and the president and members of the constitutional court, after they are nominated by the Supreme Judicial Council;
  - (g) Confirm the appointment of the Prosecutor-General after he is nominated by the Supreme Council of the Public Prosecution;
  - (h) Confirm the appointment of the Auditor-General after he is selected by the Cabinet;
  - (i) Confirm Sudan's ambassadors abroad at the nomination of the Cabinet, and accept the accreditation of foreign ambassadors to Sudan;
  - (j) Declare war based on a recommendation from the Security and Defense Council, which consists of the Sovereignty Council, the Prime Minister, the Minister of Defense, the Minister of Interior, the Minister of Foreign Affairs, the Minister of

Justice, the Minister of Finance, the Supreme Commander of the Armed Forces, the Prosecutor-General and the Director-General of the General Intelligence Service, provided that [the declaration of war] is ratified by the Transitional Legislative Council within 15 days from the date of the declaration. If the Transitional Legislative Council is not in session, an emergency session is convened;

- (k) Declare a state of emergency at the request of the Cabinet, which is ratified by the Transitional Legislative Council within 15 days from the date of the declaration;
  - (l) Sign laws passed by the Transitional Legislative Council. In the event that the Sovereignty Council fails to sign it for 15 days without providing reasons, the law is deemed in effect. If within the said 15 days, the Sovereignty Council provides reasons for its refusal to sign, the law is returned to the Transitional Legislative Council for deliberation on the Sovereignty Council's observations. The draft law is adopted if the Transitional Legislative Council passes it again; in this case, the Sovereignty Council's approval is not necessary for the law to enter into force.
  - (m) Ratify final rulings issued for execution from judicial authorities;
  - (n) The power to pardon people convicted and vacate the sentence or conviction in accordance with the law;
  - (o) Sign international and regional agreements after ratification by the Transitional Legislative Council;
  - (p) Sponsor the peace process with armed movements;
  - (q) Issue regulations organizing its activities.
- (2) For the purposes of this article, "confirm" means the formally necessary signature for the issued decision to enter into effect. The decision enters into effect within 15 days from the date that it is submitted to the Sovereignty Council. If the Sovereignty Council provides reasons for its refusal to confirm or ratify within 15 days from the date that it receives the decision, the decision is returned to the body that issued it to deliberate the Sovereignty Council's observations. If the competent body issues the decision again, the decision or ratification is considered legally effective.

- (3) The Sovereignty Council issues decisions by consensus or, in the absence of consensus, by a two-thirds majority of its members.

#### Conditions for Membership in the Sovereignty Council

12. The chairman and members of the Sovereignty Council meet the following conditions:
- (1) He is of Sudanese nationality by birth, and not hold the nationality of any other country;
  - (2) He is not be less than 35 years of age;
  - (3) He possesses integrity and competence;
  - (4) He has not have been convicted by a final ruling from a competent court for a crime related to honor, trustworthiness or financial responsibility.

#### Loss of Membership in the Sovereignty Council

13. (1) Members of the Sovereignty Council lose their membership for any of the following reasons:
- (a) Resignation;
  - (b) Illness that prevents them from performing their duties, according to a medical decision issued by an accredited body;
  - (c) Conviction by a final ruling from a competent court on a crime related to honor, trustworthiness or financial responsibility;
  - (d) Loss of one of the conditions of membership;
  - (e) Death;
- (2) In the event that a seat on the Sovereignty Council is vacant, the Transitional Legislative Council nominates a replacement member, if the member whose seat was vacated is civilian, and the Supreme Commander of the Armed Forces nominates the replacement if he was military, and the Sovereignty Council confirms the appointment

### **Chapter 5:**

### **Transitional Cabinet**

#### Composition of the Transitional Cabinet

14. (1) The Cabinet is composed of a Prime Minister and a number of ministers not exceeding 20 from national talent of independent counsel, appointed by the Prime Minister from a list of candidates from the Forces of Freedom and Change, and confirmed by the Sovereignty Council, except for the Ministers of Defense and Interior, who is nominated by the military component of the Sovereignty Council.
- (2) The Forces of Freedom and Change selects the Prime Minister, and he is appointed by the Sovereignty Council.
- (3) Ministers bear collective and individual responsibility before the Transitional Legislative Council for the performance of the Cabinet and ministries.

#### The Cabinet's Competencies and Powers

15. The Cabinet has the following competencies and powers:
  - (1) Carry out the tasks of the transitional period in accordance with the program of the Freedom and Change Declaration contained in this Charter;
  - (2) Work to stop wars and conflicts and build peace;
  - (3) Expedite draft laws, the draft general budget of the state, international treaties and bilateral and multilateral agreements;
  - (4) Draft plans, programs, and policies for the public civil service, which shall be responsible for administering the apparatus of the state by applying and implementing such plans and programs;
  - (5) Form independent national commissions in accordance with the provisions of Chapter 12;
  - (6) Appoint and dismiss the heads of the civil service, oversee and guide the work of state agencies, including the activities of ministries, public institutions, bodies and authorities and the companies subordinate or connected thereto, and coordinate between them in accordance with the law;
  - (7) Supervise the enforcement of the law in accordance with the various competencies and take all measures and procedures to perform its transitional duties;
  - (8) Issue regulations organizing its activities.

#### Conditions for Membership in the Cabinet

16. (1) The Prime Minister and members of the Cabinet meet the following conditions:
- (a) He is Sudanese by birth;
  - (b) He is not be less than 25 years of age;
  - (c) Fairness, competence, qualification, and he has the practical expertise and the appropriate administrative capabilities for the position;
  - (d) He has not been convicted by a final ruling from a competent court of a crime of honor, trustworthiness or financial responsibility;
- (2) Subject to the condition found in Paragraph (1-a) of this article, the Prime Minister and the Ministers of Defense, Interior, Foreign Affairs, and Justice shall not bear the nationality of another country. Exemptions from this condition may be granted by agreement between the Sovereignty Council and the Forces of Freedom and Change for the Prime Minister, and by agreement between the Sovereignty Council and the Prime Minister with respect to the ministers mentioned in this paragraph.

#### Loss of Membership in the Cabinet

17. (1) The Prime Minister or member of the Cabinet lose their position for any of the following reasons:
- (a) Resignation of the Prime Minister and its acceptance by the Sovereignty Council;
  - (b) Resignation of the minister and its acceptance by the Prime Minister and confirmation by the Sovereignty Council;
  - (c) Ministers may be dismissed by the Prime Minister, and such dismissal is confirmed by the Sovereignty Council;
  - (d) Withdrawal of confidence by the Transitional Legislative Council with a two-thirds majority;
  - (e) Conviction by a final ruling from a competent court of a crime related to honor, trustworthiness or financial responsibility;
  - (f) Illness that prevents him from performing his duties in accordance with a medical decision by a legally competent body;
  - (g) Death;
  - (h) Loss of one of the conditions of membership;



- (i) In the event that the position of Prime Minister is vacant, the Transitional Legislative Council names a Prime Minister, and the Sovereignty Council confirms his appointment.

## **Chapter 6:**

### **Common provisions for constitutional positions**

#### Financial Disclosure and Prohibition of Commercial Activities

18. (1) Upon assuming their positions, members of the Sovereignty Council, Cabinet, governors or ministers of provinces or heads of regions and members of the Transitional Legislative Council submit a financial disclosure including their properties and obligations, including those of their spouses and children, in accordance with the law.
- (2) The chairman and members of the Sovereignty Council and ministers, governor and ministries of provinces or heads of regions undertake to not practice any profession or commercial or financial activity while occupying their positions. They do not receive any financial compensation, gifts, or work of any type from any non-government entity, whatever the case may be.

#### Prohibition on Candidacy in Elections

19. The chairman and members of the Sovereignty Council and ministers, governors of provinces, or heads of regions, are not be entitled to run in the public elections that follow the transitional period.

#### Challenging Actions of the Sovereignty Council and Cabinet

20. (1) Anyone harmed by the actions of the Sovereignty Council or Cabinet may challenge the same before:
- (a) The Constitutional Court, if the challenge is directed at any infringement of the constitutional order or constitutional freedoms, protections or rights.
- (b) A court, if the challenge is directed at violation of the law.

#### Procedural Immunity

21. (1) Criminal procedures may not be taken against any members of the Sovereignty Council, Cabinet, Transitional Legislative Council or governors of provinces/heads of regions without receiving permission to lift immunity from the Legislative Council.

- (2) The decision to lift this procedural immunity is issued by a simple majority of members of the Legislative Council.
- (3) Until the Transitional Legislative Council is formed, lifting immunity falls within the competencies of the Constitutional Court. If the Legislative Council is not in session, an emergency session is held.

#### Oath of the Chairman and Members of the Sovereignty Council and Cabinet

22. The chairman and members of the Sovereignty Council and ministers swear the following oath before the President of the Judiciary:

“I ..... swear by Almighty God, as chairman/members of the Transitional Sovereignty Council/Cabinet, that I will be sincere and faithful in my loyalty to the Republic of Sudan, and that I will perform my duties and responsibilities with seriousness, trustworthiness and transparency for the advancement, prosperity and progress of the Sudanese people. I swear that I will uphold, protect and preserve the Transitional Constitutional Charter, that I will observe the laws of the Republic of Sudan, and that I will defend the sovereignty of the country. I swear that I will work for its unity, that I will strengthen the pillars of democratic governance, and that I will protect the dignity and honor of the people of Sudan. With God as my witness.”

### **Chapter 7:**

#### **Transitional Legislative Council**

##### Composition of the Transitional Legislative Council

23. (1) The Transitional Legislative Council is an independent, legislative authority. It may be dissolved. The number of members therein shall not exceed 300 members, and it represents all forces participating in change, except for members of the National Congress and political forces that participated in the former regime until its downfall;
- (2) The participation of women is not be less than 40% of the membership of the Transitional Legislative Council;
- (3) 67% of the members of the Transitional Legislative Council are selected by the Forces of Freedom and Change, and 33% are selected by other forces who did not sign the Freedom and Change Declaration. The appointments take place and the percentages of each force are determined in consultation between the Forces of Freedom and Change and the military members of the Sovereignty Council;

- (4) The Transitional Legislative Council is formed and begins to exercise its duties in a period not exceeding 90 days from the date that this Charter is signed;
- (5) In forming the Transitional Legislative Council, the components of Sudanese society are taken into account, including political, civil and professional forces, Sufi orders, native administrations, and armed movements, whether or not they signed the Freedom and Change Declaration, as well as other components of Sudanese society.

#### Competencies, Powers and Term of Office of the Transitional Legislative Council

24. (1) The Transitional Legislative Council has the following competencies and powers:
  - (a) Enact laws and legislation;
  - (b) Oversee the performance of the Cabinet, hold it accountable, and withdraw confidence therefrom or from any of its members, if necessary;
  - (c) Approve the general budget of the state;
  - (d) Ratify bilateral, regional and international agreements and treaties;
  - (e) Enact legislation and regulations organizing its activities and select the Speaker of the Council, Deputy Speaker and its specialized committees;
- (2) In the event that confidence is withdrawn from the Prime Minister, the Transitional Legislative Council names the Prime Minister, who is confirmed by the Sovereignty Council;
- (3) Until the Legislative Council is formed, the Council's powers are invested in the members of the Sovereignty Council and the Cabinet, who exercise them in a joint meeting, and who take decisions by consensus or by a two-thirds majority of members.
- (4) In the event that the position of Prime Minister is vacant on account of death or disability before the Transitional Legislative Council is formed, his replacement is appointed by the same method that the Prime Minister was initially appointed;
- (5) Decisions of the Transitional Legislative Council are issued by simple majority;
- (6) The term of the Transitional Legislative Council comes to an end at the conclusion of the transitional period.

#### Conditions of Membership in the Transitional Legislative Council

25. Members in the Transitional Legislative Council meet the following conditions:
- (1) He is a Sudanese national by birth;
  - (2) He is not be less than 21 years of age;
  - (3) He possesses integrity and competence;
  - (4) He has not been convicted by a final ruling from a competent court of a crime relating to honor, trustworthiness, or financial responsibility;
  - (5) He must be able to read and write.

#### Loss of Membership in the Transitional Legislative Council

26. (1) A member of the Legislative Council loses his position for any of the following reasons:
- (a) Resignation and its acceptance by the Transitional Legislative Council;
  - (b) Dismissal by the Transitional Legislative Council, in accordance with the regulations organizing work;
  - (c) Conviction by a final ruling from a competent court of a crime related to honor, trustworthiness or financial responsibility;
  - (d) Illness that prevents him from performing his duties, according to a medical decision from a legally competent body;
  - (e) Death;
  - (f) Loss of one of the conditions of membership set forth in Article 25.
- (2) In the event that the seat of a member of the Transitional Legislative Council is vacant, the entity that originally nominated him selects a replacement member, who is approved by the Sovereignty Council. If this is impossible, the Transitional Legislative Council selects a replacement member.

#### Oath of the Speaker and Members of the Transitional Legislative Council

27. The Speaker and Members of the Transitional Legislative Council swears the following oath:

“I ..... swear by Almighty God, as Speaker / member of the Transitional Legislative Council that I will be sincere and faithful in my loyalty to the Republic of Sudan, and that I will perform my duties and responsibilities with seriousness, trustworthiness and transparency for the advancement, prosperity and progress of the Sudanese people. I swear that I will uphold, protect and preserve the Transitional Constitutional Charter, that I will observe the laws of the Republic of Sudan, and that I

will defend the sovereignty of the country. I swear that I will work for its unity, that I will strengthen the pillars of democratic governance, and that I will protect the dignity and honor of the people of Sudan. With God as my witness.”

## **Chapter 8:**

### **National judiciary bodies**

#### **Supreme Judicial Council**

28. (1) A Supreme Judicial Council is established to take the place of the National Judicial Service Commission, and [the Council] assumes the duties of the latter. The law defines its composition, competencies and powers.
- (2) The Supreme Judicial Council selects the president and members of the Constitutional Court and the president of the judiciary and his deputies.
29. (1) In the Republic of Sudan, jurisdiction is entrusted to the judicial authority.
- (2) The judicial authority is independent from the Sovereignty Council and the Transitional Legislative Council and the executive branch, and it has the necessary financial and administrative independence.
- (3) The judicial authority has jurisdiction to adjudicate disputes and issue rulings in accordance with the law.
- (4) The President of the Judiciary of the Republic of Sudan is the head of the judicial authority and president of the National Supreme Court, and he is responsible for administering the judicial authority before the Supreme Judicial Council.
- (5) The agencies and institutions of the state implement the rulings and orders of the courts.

#### **The Constitutional Court**

30. (1) The Constitutional Court is an independent court, separate from the judicial authority. It is competent to oversee the constitutionality of laws and measures, protect rights and freedoms, and adjudicate constitutional disputes.
- (2) The Constitutional Court is formed and its competencies and powers is defined by law.

## **Chapter 9:**

## **Public Prosecution**

31. The Public Prosecution is an independent agency that works in accordance with the organizing laws.
32. The Supreme Council of the Public Prosecution nominates the Prosecutor-General and his assistants, who is appointed by the Sovereignty Council.

## **Chapter 10 Auditor-General**

33. The Public Audit Agency is an independent agency that works in accordance with the organizing laws.

## **Chapter 11: Uniformed Agencies**

### **Armed Forces**

34.
  1. The armed forces and Rapid Support Forces are a national military institution that protect the unity and sovereignty of the nation. They are subordinated to the Supreme Commander of the Armed Forces and subject to the sovereign authority.
  2. The Armed Forces Law and the Rapid Support Forces Law organize the relationship of the military institution with the executive authority.
35.
  1. The police forces are national, uniformed law enforcement forces, and are competent to preserve the security and safety of society. They are subject to the policies and decisions of the executive authority by law.
  2. The Police Law and Armed Forces Law organize their relationship with the sovereign authority.

### **General Intelligence Service**

36. The General Intelligence Service is a uniformed agency that is competent in national security. Its duties are limited to gathering and analyzing information and providing it to

the competent bodies. The law defines its obligations and duties, and it is subject to the sovereign and executive authorities by law.

#### Military Courts

37. Notwithstanding the general jurisdiction of the judiciary, military courts may be established for the armed forces, Rapid Support Forces, police forces, and the General Intelligence Service in order to try their members with regards to their violations of military laws. Crimes against civilians or relating to the rights of civilians over which the regular courts of the judiciary are competent are be excepted therefrom.

#### **Chapter 12:**

#### **Independent Commissions**

38. (1) Independent commissions shall be established, and figures with attested competence and integrity shall be nominated therefor. They are formed and their competencies defined by the laws that establish them.
- (2) For nomination to membership on such commissions, candidates shall meet the following requirements:
- (a) Academic qualification and practical expertise in the relevant field;
  - (b) May not have held sovereign or constitutional positions during the period of rule from June 1989;
  - (c) Neutrality, integrity, competence and professional independence;
- (3) The Sovereignty Council appoints the chairman and members of the following commissions, in consultation with the Cabinet:
- (a) Peace Commission;
  - (b) Borders Commission;
  - (c) Constitutional Drafting and the Constitutional Conference Commission;
  - (d) Elections Commission.
- (5) [*sic*] (a) Legal Reform Commission;
- (b) Anti-Corruption and Public Funds Recovery Commission;
  - (c) Human Rights Commission;
  - (d) Civil Service Reform Commission;
  - (e) Land Commission;
  - (f) Transitional Justice Commission;

- (g) Women and Gender Equality Commission;
- (h) Any other commissions that the Cabinet deems necessary to establish.

### **Chapter 13:** **State of Emergency**

39. (1) Upon the occurrence of any emergent danger or natural or environmental disaster that threatens the unity of the country, or any part thereof, or its safety or economy, the Cabinet may ask the Sovereignty Council to declare a state of emergency in the country or any part thereof, in accordance with the Constitutional Charter and the law.
- (2) The declaration of a state of emergency is presented to the Transitional Legislative Council within 15 days from the date of its issuance. If the Transitional Legislative Council is not in session, an emergency session is convened.
- (3) Upon the Legislative Council's ratification of the declaration of a state of emergency, all exceptional laws, orders and measures issued thereunder remain in force.
- (4) The declaration of a state of emergency is extinguished if the Legislative Council does not ratify it, and all the measures taken thereunder are extinguished, without retroactive force.
40. The powers of the Cabinet in a state of emergency are as follows: while the state of emergency is in effect, the Cabinet may take any measures without restriction, or may partially repeal or limit the effects of provisions of this Declaration. Furthermore, if the exceptional situation reaches the point that it threatens the safety of the nation, the Cabinet may, in consultation with the Sovereignty Council, suspend part of the rights document found in this Declaration. However, it may not reduce the right to life, protection from enslavement or torture, or the principle of non-discrimination on the basis of race, gender, religious conviction, disability, or the right to litigate or the right to a fair trial.



## **Chapter 14:**

### **Rights and freedoms Charter**

#### 41. The essence of the rights document

- (1) The rights document is a pact between all the people of Sudan, and between them and their governments at every level. It is in obligation on their part to respect the human rights and fundamental freedoms contained in the document, and to work to advance them, and they shall be considered the cornerstone of social justice, equality and democracy in Sudan.
- (2) All rights and freedoms contained in international human rights agreements, pacts, and charters ratified by the Republic of Sudan shall be considered an integral part of this document.
- (3) Legislation shall organize the rights and freedoms contained in this document but shall not confiscate them or reduce them, and it shall only restrict such freedoms as needed by democratic society.

#### 42. The State's obligations

The state undertakes to protect and strengthen the rights contained in this document and guarantee them for all without discrimination on the basis of race, color, gender, language, religion, political opinion, social status, or other reason.

#### 43. Life and human dignity

Every person has a fundamental right to life, dignity, and personal safety, which shall be protected by the law. No person may be deprived of life arbitrarily.

#### 44. Citizenship and nationality

- (1) Citizenship is the basis of equal rights and obligations for all Sudanese.

- (2) Anyone born to a Sudanese mother or father has an inalienable right to possess Sudanese nationality and citizenship.
- (3) The law shall organize citizenship and naturalization, and no one who has acquired citizenship by naturalization shall be deprived of nationality except by law.
- (4) Any Sudanese person may acquire the nationality of another country, as regulated by law.

45. Personal freedom

- (1) Every person has the right to freedom and security. No one shall be subjected to arrest or detention, or deprived of freedom or restricted therefrom except for cause in accordance with procedures defined by law.
- (2) Every person who is deprived of freedom shall have the right to humane treatment and respect of their human dignity.

46. Prohibition of slavery and forced labor

- (1) Slavery and human trafficking shall be prohibited in all forms. No person shall be enslaved or subjected to forced labor.
- (2) No person shall be compelled to perform work by force except as a punishment following conviction by a competent court.

47. Equality before the law

People are equal before the law, and have the right to the protection of the law without discrimination between them because of ethnicity, color, gender, language, religious faith, political opinion, racial or ethnic origin, or any other reason.

48. Women's rights

- (1) The state shall protect women's rights as set forth in international and regional agreements ratified by Sudan.
- (2) The state shall guarantee to both men and women the equal right to enjoy all civil, political, social, cultural, and economic rights, including the right to equal pay for equal work, and other professional benefits.
- (3) The state shall guarantee women's rights in all fields through positive discrimination.
- (4) The state shall work to combat harmful customs and traditions that reduce the dignity and status of women.
- (5) The state shall provide free healthcare for motherhood, childhood and pregnant women.

49. Children's rights

The state shall protect the rights of the child as set forth in international and regional agreements ratified by Sudan.

50. Protection from torture

No one may be subjected to torture or harsh, inhumane, or degrading treatment or punishment, or debasement of human dignity.

51. Fair trial

- (1) Accused persons are innocent until proven guilty by law.
- (2) Upon being arrested, the person arrested shall be notified of the reasons for the arrest and shall be informed of the charge against them without delay.
- (3) Any person, whether civil or criminal proceedings are being taken against them, shall have the right to a fair and open hearing before a competent ordinary court in accordance with the procedures defined by law.
- (4) Charges may not be brought against any person because of an act or failure to act if such act or failure to act did not constitute a crime at the time of its occurrence.

- (5) Every person shall have the right to be tried in their presence without unjustified delay on any criminal charge. The law shall regulate trials in absentia.
- (6) The accused shall have the right to defend himself personally or via an attorney he selects. He shall have the right to be provided legal assistance by the state when he is unable to defend himself in crimes of extreme gravity.

52. Right to litigate

The right to litigate shall be guaranteed for all, and no one shall be deprived of the right to resort to the justice system.

53. Restriction of the death penalty

- (1) The death penalty may only be inflicted as retribution (*qasas*), a *hudud* punishment, or as a penalty for crimes of extreme gravity, in accordance with the law.
- (2) The death penalty may not be inflicted on anyone who has not reached 18 years of age at the time that the crime was committed, and it may not be inflicted on anyone who has reached 70 years of age, except in the case of *qasas* and *hudud* crimes.
- (3) The death penalty may only be inflicted on pregnant women and nursing mothers two years after [they have finished] breastfeeding.

54. Right to privacy

No one's privacy may be violated, nor shall it be permitted to interfere in the private or family life of any person in his home or correspondence, except by law.

55. Freedom of belief and worship

Every person shall have the right to freedom of religious belief and worship. They shall have the right to profess or express their religion or belief through worship, education, practice, performance of rituals, or celebrations, in accordance with the requirements of the law and public order. No one shall be compelled to convert to a religion they do not believe in or to practices rites or rituals they do not voluntarily accept.

56. Freedom of express and the press

(1) Every citizen shall have the unrestricted right to freedom of expression, to receive and publish information and publications, and to access the press, without prejudice to public order, safety and morals, as defined by law.

(2) The right to access the internet, without prejudice to public order, safety, and morals, as defined by the law.

(3) The state shall guarantee freedom of the press and other media, as regulated by law in a democratic, pluralistic society.

(4) All media shall adhere to the ethics of the profession and shall not incite religious, ethnic, racial, or cultural hatred, or call for violence or war.

57. Freedom of assembly and organization

(1) The right to peaceful assembly shall be guaranteed, and every person shall have the right to free organization without others, including the right to form political parties, associations, organizations, syndicates and professional unions, or the join the same in order to protect their interests.

(2) The law shall regulate the formation and registration of political parties, associations, organizations, syndicates and professional unions, in accordance with what is required by democratic society.

(3) No organization shall have to right to work as a political party, unless it has the following:

- (a) Open membership for all Sudanese, regardless of religion, ethnic origin or place of birth;
- (b) Democratically elected institutions;
- (c) Transparent and open sources of funding.

58. The right to political participation

Every citizen has the right to political participation in public affairs, as regulated by law.

59. Freedom of travel and residence

(1) Every citizen has the right to freedom of travel and free choice of place of residence, except for reasons required by public health or safety, as regulated by law.

(2) Every citizen shall have the right to leave the country, as regulated by law, and they shall also have the right to return.

60. Right of ownership

(1) Every citizen shall have the right to acquisition and ownership by law.

(2) Private property shall not be appropriated except by virtue of a law and for the public interest, and in return for fair, immediate compensation. Private funds may only be confiscated by virtue of a court ruling.

61. Right to education

(1) Education is a right for every citizen. The state shall guarantee access thereto without discrimination on the basis of religion, race, ethnicity, gender or disability.

(2) Education at the general level shall be compulsory, and the state shall provide it free of charge.

62. Independence of universities and institutes of higher learning

The state shall guarantee the independence of universities and academic research centers, and freedom of thought and academic research.

63. Rights of handicapped persons and the elderly

(1) The state shall guarantee for handicapped persons all the rights and freedoms set forth in this document, in particular respect for their dignity. It shall vouchsafe appropriate education and work for them, and guarantee their full participation in society.

(2) The state shall guarantee for the elderly the right to respect for their dignity, and provide them with the necessary medical care and services as regulated by law.

64. Right to health

The state shall undertake to provide primary health care and emergency services free of charge for all citizens, develop public health, and establish, develop and qualify basic treatment and diagnostic institutions.

65. Ethnic and cultural groups

All ethnic and cultural groups shall have the right to enjoy their own culture and develop it freely. The members of such groups shall have the right to exercise their beliefs, use their languages, observe their religions or customs, and raise their children in the framework of such cultures and customs.

66. Protection of rights and freedoms

Subject to Article 30 of this document, the rights and freedoms set forth in this document shall not be reduced. The Constitutional Court and other competent courts shall preserve, protect and apply this document, and the Human Rights Commission shall oversee its application in the state.

**Chapter 15:**  
**Comprehensive Peace Issues**

67. During the transitional period, state agencies shall work on performing the following duties:
- a. Achieve a just and comprehensive peace, end the war by addressing the roots of the Sudanese problem and handling its effects, taking into account the provisional preferential measures for regions affected by war and underdeveloped regions, and treat issues of marginalization and vulnerable groups and the groups most harmed.
  - b. Prioritize working on completing the comprehensive peace agreement mentioned in the above paragraph within a period not exceeding six months from the date that this agreement is signed, beginning within one month from the date that the Peace Commission is formed.
  - c. Apply UN Security Council Resolution 1325 and the relevant African Union resolutions regarding participation of women at all levels in the peace process, and apply regional and international charters regarding women's rights.
  - d. Conduct legal reforms that guarantee women's rights, by repealing all laws that discriminate against women, and protect the rights granted to them by this Constitutional Charter.
  - e. Work on stopping hostilities in disputed regions, and build a comprehensive and fair peace process by opening corridors for delivery of humanitarian assistance, and release prisoners and persons convicted because of the war, and exchange prisoners;
  - f. Issue a general amnesty for rulings issued against political leaders and members of armed movements because of their membership therein.
  - g. Start implementing transitional justice and accountability measures for crimes against humanity and war crimes, and present the accused to national and international courts, in application of the no-impunity principle;
  - h. Facilitate the mission of the UN delegation of the High Commissioner of Human Rights to work in Sudan.
  - i. Return properties belonging to organizations and individuals that were confiscated due to war in accordance with the law.



- j. Adhere to the relevant international standards for compensation and return of properties to displaced persons and refugees, and ensure and guarantee the human rights of displaced persons and refugees set forth in international agreements and national laws within the voluntary return process and after.
  - k. Ensure the right of displaced persons and refugees to participate in general elections and the Constitutional Conference.
68. The essential issues for peace negotiations include the following:
- a. Particularity of the regions affected by war;
  - b. Security arrangements;
  - c. Voluntary return and sustainable solutions for the issues of displaced persons and refugees;
  - d. Issues of marginalization and vulnerable groups;
  - e. Equal citizenship;
  - f. The system of governance and the relationship between the center, provinces/regions;
  - g. Issues of land and tribal lands (*hawakir*);
  - h. Fair distribution of power and wealth;
  - i. Fair and sustainable development;
  - j. Reconstruction of regions affected by the war;
  - k. Compensation and restoration of property;
  - l. Transitional justice, reconciliation and restitution of victims;
  - m. The administrative status of provinces/regions affected by the war;
  - n. Any other issues to achieve a comprehensive and just peace process.
69. The comprehensive peace agreements signed between the transitional authority and the armed movements shall be included in this Constitutional Charter in accordance with its provisions.

**Chapter 16:**  
**Miscellaneous provisions**

70. (1) The provisions of this Constitutional Charter have been derived from the political agreement of governing structures in the transitional period signed between the Forces of Freedom and Change and the Transitional Military Council. If any provisions of

these two documents are in conflict, the provisions of this present Declaration shall prevail.

- (2) The Transitional Military Council shall be dissolved once the constitutional oath is sworn by the members of the Sovereignty Council.
- (3) Except where a relevant provision is included in this Constitutional Charter, the work of existing state agencies and institutions shall continue, unless they are dissolved, abolished, or reconstituted by any subsequent measure.
- (4) a. With the exception of the authorities and powers granted to the Sovereignty Council by virtue of this Constitutional Charter, all authorities and powers of the President of the Republic of an executive character and set forth in valid law shall be vested in the Prime Minister.  
  
b. If a dispute arises between authority of a sovereign and an executive character, the Constitutional Court shall be competent to decide on such a dispute.
- (5) The Sovereignty Council and the Cabinet shall represent the state abroad in accordance with the powers of each body.
- (6) Peace agreements concluded between the government of Sudan and armed movements shall be reviewed to resolve imbalances so as to ensure a comprehensive and just peace.

Transitional Military Council  
[signature]

Forces of Freedom and Change  
[signature]

## **1. Declaration**

I the undersigned, declare that this thesis is my original work and has not been presented for a degree at any other University, and that all sources of material used for the thesis have been duly acknowledged.

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**Tisefin Motuma Tolossa**

MARCH, 2020

This thesis is submitted for examination with my approval as an advisor of the candidate

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**Mohammed Hassen (P.h.D)**

March, 2021