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UNION AFRICAINE

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PEACE AND SECURITY COUNCIL 846TH MEETING 30 APRIL 2019
TUNIS

PSC/PR/COMM.(DCCCXLVI)

Adopted by the Peace and Security Council at its 846th meeting held in Tunis, Tunisia, on 30 April 2019, on the situation in The Sudan,

The Peace and Security Council,

Recalling the relevant provisions of the July 2000 AU Constitutive Act, the July 2002 Protocol Relating to the Establishment of the Peace and Security Council of the African Union, in particular Article 2 establishing the PSC as the standing decision-making organ for the prevention, management and resolution of conflict in Africa, and the January 2007 African Charter on Democracy, Elections and Governance;

Also recalling Decisions AHG/Dec.141(XXXV) and AHG/Dec.142(XXXV), adopted by the 35th Ordinary Session of the OAU Assembly of Heads of State and Government held in Algiers, Algeria, from 12 to 14 July 1999; the Declaration on the Framework for an OAU Response to Unconstitutional Change of Government, adopted by the 36th Ordinary Session of the OAU Assembly of Heads of State and Government held in Lome, Togo, from 10 to 12 July 2000 (the Lome Declaration); the Solemn Declaration of the 50th OAU/AU Anniversary adopted in Addis Ababa on 25 May 2013; the Assembly decision AU/Dec.269.(XVI) on the Prevention of Unconstitutional Changes of Government and Strengthening the Capacity of the African Union to Manage such Situations, adopted by the 14th ordinary session of the Assembly of the Union held in Addis Ababa, on 1 and 2 February 2010;

Specifically recalling its previous press statements and communiqués, in particular Communiqué [PSC/PR/COMM.(DCCCXL)] adopted at its 840th meeting held on 15 April 2019 on the situation in the Republic of The Sudan, with focus on its paragraph 5(c), in which Council demanded the Sudanese military to step aside and hand over power to a civilian-led transitional authority, in accordance with the will of the people and constitutional order, within a maximum period of fifteen (15) days from the date of the adoption of that communiqué, failing which, Council would automatically apply Article 7(g) of its Protocol, notably the suspension of the participation of The Sudan in all AU's activities;

Noting the statement by the Permanent Representative of the Federal Republic of Nigeria to the African Union, H.E. Ambassador Bankole Adeoye, in his capacity as the Chairperson of the PSC for the month of April 2019, and the briefing by the Chairperson of the AU Commission, H.E. Moussa Faki Mahamat, pursuant to the request by Council in the above-mentioned communiqué of its 840th meeting; **also noting** the statements made by the Representatives of The Sudan, Ethiopia, as the Chair of the Inter-Governmental Authority on Development (IGAD), and Egypt, Chairperson of the Union;

Expressing deep concern over the situation in The Sudan following the military takeover of power, on 11 April 2019, and its impact on the country, the region and the Continent, in a context where The Sudan already faces challenges;

Reiterating the solidarity of the African Union with the people of The Sudan, who will determine their own future, and **reaffirming** its commitment and readiness to continue to support The Sudan during this period, in line with the relevant AU instruments and principles;

Recognizing the legitimate aspirations of the Sudanese people to the opening of the political space in order to be able to democratically design and choose institutions that are representative and respectful of freedoms and human rights;

Commending the Chairperson of the Union, H.E. Abdel Fattah Al-Sisi, President of the Arab Republic of Egypt, for his contribution to the search for a solution to the ongoing crisis in The Sudan towards the return to constitutional order, including through the convening in Cairo, on 23 April 2019, of a Consultative Summit of the Regional Partners of The Sudan in which twelve Member States participated, namely: Chad, Congo, Djibouti, Egypt, Ethiopia, Kenya, Nigeria, Rwanda, Somalia, South Africa, South Sudan and Uganda; as well as the Chairperson of the Commission, H.E. Moussa Faki Mahamat;

Taking due note of the Joint Communiqué of the Consultative Summit of Regional Partners of The Sudan;

Welcoming the initiatives by the Chairperson of the Commission, in particular his engagement and interaction with various Sudanese stakeholders during his visit to the Sudan, from 20 to 21 April 2019, including the deployment of an AU team to support the ongoing efforts towards putting in place arrangements for the Transition; also welcoming the appointment by the Chairperson of the Commission of Ambassador Mohamed Belaich, as the AU Special Representative in The Sudan;

Acting under Article 7 of its Protocol, the Peace and Security Council:

1. **Reiterates** AU's condemnation and total rejection, through its zero tolerance policy, of all forms of unconstitutional changes of government, in particular through military coup d'etat
2. **Further reiterates** its conviction that a military-led transition in the Sudan will be totally unacceptable and contrary to the will and legitimate aspirations, to democratic institutions and processes, as well as respect for human rights and freedoms of the Sudanese people;
3. **Notes with deep regret, however,** that the Sudanese Military has not stepped aside and has not handed over power to a civilian-led transitional Authority by the expiry of the period of fifteen(15) days, as stipulated in the Communiqué [PSC/PR/COMM.(DCCCXL)] of its 840th meeting held on 15 April 2019,
4. **Acknowledges of the gradual** progress made so far by the Sudanese parties in the negotiations towards an agreement on the modalities, structures and timelines of a civilian-led Transitional Authority that will lead the process to the organisation and holding of free, fair and transparent elections; In this respect, **encourages** the Sudanese stakeholders to continue to pursue constructive dialogue to ensure the setting up of the Civilian-led Transitional Authority in the Sudan, without further delay;
5. **Decides** to extend the deadline set in paragraph 5 (c) of the communiqué of its 840th meeting for

an additional period of up to sixty (60) days for the military in The Sudan to hand over power to a civilian-led Transitional Authority; In this context, **emphasizes** that this final extension is granted to enable the putting in place of a civilian-led Transitional Authority; and, **therefore, demands** that the following steps be taken:

- i) the Military and the Sudanese stakeholders should continue to work together towards urgently completing the negotiations and agreeing on the composition of a civilian-led Transitional Authority;
- ii) the Military and the Sudanese stakeholders should finalize all transitional arrangements, including modalities, duration and priorities of the transition, as well as legislative and judicial structures, that will lead to the restoration of constitutional order;

6. **Stresses** the primacy of AU instruments and policies on unconstitutional change of government and the imperative of compliance with their provisions, **taking into account** the exceptional circumstances prevailing in The Sudan that need to be considered, in the interest of the Sudanese people and the preservation of peace in the country, the region and the Continent;

7. **Further calls on** the Chairperson of the Commission to continue to pursue and intensify his engagement and interaction in support of the efforts deployed by the Sudanese stakeholders, with a view to reach an agreement on an inclusive and consensual civilian-led Transition and, in this respect, **requests** the Chairperson of the Commission to report to the Council every three weeks and as the need arises from the adoption of this Communique, on the progress made , with a view to enable Council to assess the situation on the ground in The Sudan, bearing in mind that Council shall, at any time deemed appropriate in view of the prevailing circumstances in the country, take the necessary measures, including imposition of sanctions, in line with article 7(g) of its Protocol;

8. **Underscores the need** for all Sudanese stakeholders to exercise maximum restraint and refrain from any act or declaration that could jeopardize the efforts so deployed in the search for a sustainable solution to the current crisis, based on respect for constitutional order and reflecting the aspirations of the people of Sudan, within the framework of the relevant AU instruments. In this regard, Council:

- a) **Calls upon** all the Sudanese stakeholders to uphold the supreme interest of their country and its people to work together, with a view to finding an all-inclusive and consensual solution to the crisis that will allow the swift formation of the civilian-led Transitional Authority to lead the process towards the restoration of constitutional order, through fair, democratic and transparent elections, with the support of the relevant regional, continental and international actors, in line with paragraph 5 (d) of the Communique of its 840th meeting;
- b) **reaffirms the imperative** for an inclusive and holistic approach to resolving the challenges facing The Sudan, in line with the relevant provisions of the communique of its 207th meeting endorsing the recommendations contained in the report of the AU High-Level Panel on

Darfur; **underscores the need** for all Sudanese actors, in their efforts to resolve the current crisis, to make sure that their actions in the context of these new developments in the Sudan would not compromise the gains, thus far, achieved in resolving the conflict in Darfur, Blue Nile and South Kordofan;

- c) **Expresses readiness** to take further appropriate measures and instituting the full range of sanctions, as spelt out in Article? (g) of the PSC Protocol, on individuals and entities whose acts, conduct and utterances could compromise the search for a solution to current crisis in Sudan;

9. **Requests** the Chairperson of the Commission to take the necessary steps to ensure the implementation of this Communique, including its transmission to the African members of the UN Security Council and the Secretary-General of the UN with a view to secure their support to AU efforts in the Sudan, at this juncture of its history;

10. **Reaffirms** its respect for the sovereignty, unity and territorial integrity of The Sudan; and **further reaffirms** its support to the democratic transformation in The Sudan, in line with the communique of its 207th meeting held, at the level of Heads of State and Government in Abuja, Nigeria, on 29 October 2009; in this context, **underlines the need** for external actors to refrain from any action or initiatives that could further complicate the situation in The Sudan; and **calls on** all AU partners and the international community at large, to support AU ongoing efforts in The Sudan, bearing in mind the longstanding multifaceted challenges facing the country, including the urgent need to address the financial and economic problems;

11. **Decides** to remain seized of the **matter**.