The 2019 Sudan Coup and Conflict Resolution by the African Union

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Abstract

The intervention of the African Union (AU) in the 2019 coup and post-coup crisis of Sudan is the focal point of this study. The objective of the study is to evaluate the peaceful resolution of the 2019 coup and post-coup crisis in Sudan by the African Union. The research questions of the study are: What is the background of the 2019 Sudan Coup? What role did the Forces of Freedom and Change play in the 2019 coup and post-coup crisis of Sudan? How effective is the African Peace and Security Architecture (APSA) with respect to its mandate to intervene in member states? What are the methods used by the AU as it intervened in the 2019 coup and post-coup crisis in Sudan? The study is guided by the theoretical framework of Collective Security theory with major proponents such as Cardinal Richelieu Immanuel Kant, Woodrow Wilson etc. The study concludes that the prominent role played by the AU in the coup and post-coup crisis in Sudan is highly commendable but the lessons drawn there from can enhance future operations. The study recommends that the military capacity of the African Standby Force should be invigorated with adequate manpower and firepower to effectively carry out peace enforcement operations. Also the AU should draw a template and procedure for interface with the regional organisation of the state engulfed in conflict or crisis that the APSA is to mediate to avoid disjointed and uncoordinated mediation. The qualitative research methodology was adopted for the study.

Keywords: Sudan, Coup, Conflict, African Union

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Background to the Study
The importance of regional organisations in conflict resolution cannot be overemphasized. This assertion is buttressed by the role the African Union (AU) has been playing in the African continent, especially the recent 2019 coup and post-coup crisis in Sudan. It underscores the importance of the African Peace and Security Architecture. In clear departure from the OAU principle of non-intervention in member states the AU principle of non-indifference mandates it to intervene as enshrined in its Constitutive Act. As a matter of policy the AU rejects coups and consequently rejected and condemned the military coup of 11 April 2019 in Sudan that deposed Omar al-Bashir who had ruled Sudan since 1989. At this time Sudan was Africa's biggest country but the cleavage of South Sudan in 2011 reduced the size.

The intervention of the AU was geared toward aborting a military dictatorship through a coup and to align with the demands of the broad mass of Sudanese population that power should be transferred to a civilian administration. After the coup the military attempted to forcefully clamp down on agitators for a democratic government and this plunged Sudan into severe crisis. The marathon mediation and commitment of the AU to make peace as well as uphold its principle of zero tolerance to coups eventually yielded dividends as they brokered an agreement between the belligerents.

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The theoretical framework of the study is the Collective Security theory. Resolution of conflicts in the international system revolves around collective security and from the perspective of this study it is the most efficient response to international conflicts. Collective Security is a conception whereby the nation-states of the world, under the auspices of an international organisation like the United Nations and regional organisations like the AU, agree to deter or prevent war and maintain international peace and security by opposing aggression. According to Inis (2006), Collective Security is “addressed to any state, friend or foe that commits an act of international aggression.”

Collective Security is predicated on Chapter VII – Articles 39-51 of the UN Charter. Collective Security is a conception which proposes that an attack, aggression or violent behaviour of a nation state against another nation state would be jointly resisted. The aggressor would be compelled to face the combined force of all other nations. Accordingly, Wolfer (1979), declared that: “Collective Security rest ultimately on the deterrent force of the international collectivity” It is based on the premise that “an attack against one is an attack against all.”
There was a coup d'état in Sudan on 11 April 2019 and it led to the overthrow of Omar al-Bashir as President of Sudan. The coup was by the Sudanese Armed Forces under the leadership of Lt. Gen. Ahmed Awad Ibn Auf sequel to turbulent protest and uprising by a broad mass of the population of Sudan (El Sirgany, Elbagir, Abdullah, 2019). On announcing the toppling of the government and the National Legislature, Lt. Gen. Ibn Auf suspended the constitution of Sudan, declared a three-month state of emergency and a two-year transition period to prepare for civilian rule under a military council (AU 2019; BBC 2019; El Sirgany 2019).

The new regime eventually paved the way for the release of all political prisoners and anti-Bashir protest leaders (El Sirgany, Elbagir, Abdullah, 2019). Lt. Gen. Ahmed Awad Ibn Auf who was the leader of the coup was the Vice President of Sudan as well as the Defense Minister. Millions of people all over Sudan instantaneously jubilated over the removal of Bashir but also clamoured for the ouster of Ibn Auf on grounds that he was too close to the ex-president hence representing a bleak reminder or al-Bashir's regime. For reasons of the demonstrations for his removal Ibn Auf stepped down three days after the coup and was replaced by Lieutenant General Abdel Fattah al-Burhan (Hassan, and Kodouda 2019).

Al Bashir came to power as President of Sudan in June 1989, through a military coup d'état staged against the government of Prime Minister Sadiq al-Mahdi. He was a lieutenant general of Sudan Armed Forces (SAF) as at the time of the take-over. Invariably Al Bashir had retained his grip on power in an iron-fisted rule of nearly thirty years, thereby making him one of the longest-serving Presidents in Africa (Vhumbunu, 2019).

Bashir’s three decade of leadership was characterized by brutal violence and corruption that blacklisted and made him wanted by the International Criminal Court (ICC) on charges of war crimes and other atrocities. The ICC Chief Prosecutor issued an arrest warrant on Bashir...
in 2009 for genocide and war crimes perpetrated against Darfur wherein approximately
15,000 villagers were killed by his Janjaweed militia between early 2003 and late 2004. Bashir
was accused of using chemical weapons against the people of Darfur and the raid displaced
millions of Sudanese people (African Union 2019).

The protracted civil war in Sudan between the north and south was under his brutal regime.
The war eventually ended with the Comprehensive Peace Agreement (CPA) in 2005 which precipitated the break-up of Sudan in 2011 sequel to the plebiscite of South Sudan. In the
1990s Bashir gained notoriety for his support of terrorism by hosting various terrorist organisations such as Hezbollah, Hamas, al-Qaeda etc. His support and sponsor of terrorism made the US State Department to classify Sudan as a state sponsor of terrorism (Amao, 2019).

Beginning with the Atbara Protest of 19th December 2018, the government of Omar al-Bashir
was confronted with mounting public anger and the most serious uprising since his thirty-year
grip on power (Assal, 2019). To crush the revolts al-Bashir adopted several punitive measures
and strategies which began with denial of access to social media and instant messaging by the
major service provider of Sudan (Yousef, 2019). He imposed curfew and the riot resulted in
the closure of schools all over Sudan (Amin, 2018).

A year-long state of emergency was declared on 22 February 2019 by President Al-Bashir and
he dissolved the national and regional governments. Regional governments were replaced
with military and intelligence-service officers (Hearst, Hooper and Sneineh, 2019). These
officers were saddled with the responsibility of aborting the popular uprising and they
committed atrocities against the protesters (Hassan and Kodouda, 2019). The punitive
measures and strategies were to no avail because the protest paved the way for a military coup
d’etat in Sudan on 11 April 2019 that overthrew his government.

After the coup Bashir was placed under house arrest with heavy military guard (Sevenzo,
Sirgany and Elbagir, 2019). Six days after the coup al-Bashir was transferred from house arrest
in the presidential palace to Kobar maximum security prison in Khartoum with tight security
and charged for political killings. It was in this same prison that Bashir had incarcerated
political prisoners when he was the president of Sudan (Vhumbunu, 2019; Michael, 2019).

Initially the Transitional Military Council announced that al-Bashir would not be extradited
to the International Criminal Court (ICC) on account of the arrest warrant for crimes against humanity and war crimes but be tried in Sudan (Michael, 2019). This declaration led to
massive public outcry and protest. On December 2019 al-Bashir was sentenced to two years’
imprisonment in a correctional centre for corruption. “Authorities have also agreed that
Bashir should stand trial before the International Criminal Court on charges of genocide and
war crimes committed from 2003 in the Darfur conflict…” (Zondi, 2017). This is in line with
public outcry which made Ibn Auf and Salah Gosh to resign after leading a successful coup
d’etat.

The mantle of leadership thereafter fell on the shoulders of Lt Gen Abdel Fattah Abdelrahman Burhan as head of the transitional military council of Sudan (BBC 15-Apr-
The resignation of Ibn Auf and the emergence of Abdel Burhan were regarded as a triumph by the protestors who were highly jubilant (Africa News 12-Apr-2019). This is because Burhan is widely accepted to be a man of integrity and is not implicated for war crimes by the ICC (CBC News 12-Apr-2019).

**The Forces of Freedom and Change**

The protests began in the northern town of Atbara on 19 December 2018 when the people there set fire on offices of Bashir’s National Congress Party in the course of demonstrating against the tripling of the price of bread. The protest spread to other major towns in Sudan and eventually got to Khartoum (the national capital) on 24 December 2018 despite very tight security. The authorities made concerted efforts to clamp down on the demonstrators using tear gas, rubber bullets and live ammunition but the opposition intensified (Copnall, 2019; Maclean, 2019).

The maiden Atbara protest was mainly by students spurred by economic challenges which motivated Sudanese from all walks of life to join. The initial stage of the demonstration was deficient in leadership and proper organisation. This gap was subsequently filled by the Sudanese Professional Association (SPA) – an umbrella group of professionals with collaboration from doctors, health workers, engineers, journalists, teachers, pharmacists, lawyers etc. (Declan, Goldstein, 2019; BBC 16-Aug-2019) The SPA was established in 2012 but operated stealthily to avoid arrest and destruction by the al-Bashir’s regime (Alamin, 2019).

The SPA had initially planned to conduct a major demonstration on the 24th of December 2018, demanding for an increase in the minimum wage to mitigate the hyperinflation but took advantage of the mass demonstrations triggered in Atbara to call for the removal of al-Bashir. This match to the Presidential Palace was stiffly challenged by security forces that used tear gas, rubber bullets and live ammunition to disperse them (Tomas, Zdenek, 2019; Assal, 2019).

“ The movement reached a climax on 6 April, when demonstrators occupied the square in front of the military’s headquarters to demand that the army force the president out. Five days later, the military announced that the president had been overthrown” (BBC, 16-Aug-2019).

At the formative stages of the uprising, there were varied and divergent Sudanese opposition to al-Bashir. These fractured oppositions became unified under a coalition called the Forces of Freedom and Change (FFC) in January 2019 (Hassan and Kodouda, 2019). Some of the opposition parties that merged to form the unified FFC were unpopular and for this reason it was agreed that the SPA would continue to lead and be the face of the uprising (Hassan and Kodouda, 2019b). Invariably the SPA remained the backbone of the demonstration despite the formation of the FFC.

The FCC became a very power coalition tool for the coordination of the uprising against the government of al-Bashir. The FFC coordinated weekly schedules of demonstrations through the social media (Facebook, Twitter, WhatsApp) and also relied on orthodox flyers to spread information to those that may not have access to the social media. Citizens were advised to form neighbourhood committees to organise local demonstrations in all the rural and urban
communities of Sudan. These neighbourhood communities played the vital role of coordinating guerrilla-style protests in all the nukes and crannies thereby overwhelming security forces (Hassan and Kodouda, 2019b).

Women were very active in the Sudanese uprising. Accordingly, BBC stated that “women are at the forefront of the demonstrations” (BBC, 16-Aug-2019). The “proportion of women among the protesters has been put as high as 70% and they come from all ages and backgrounds” (BBC, 15-Apr-2019). The FFC called for the removal of the al-Bashir’s government; to be replaced by a transitional government that would put Sudan back on its feet (Copnall, 2019). Nonviolence was exclusively the recommended demonstration tactics of the FFC. Despite this nonviolent approach between 24th December 2018 and 11th April 2019 more than one hundred participants were killed by security operatives. In the spirit of trendy martyrdom common to demonstration cycles, the funeral and interment of any protester that died while demonstrating against the al-Bashir government spontaneously incited more courageous protests (Tarrow, 2011).

The African Peace and Security Architecture

The African Peace and Security Architecture (APSA) is a dynamic institution with interrelated mechanism setting in motion the maintenance of peace and security in all the countries of Africa using a multi-pronged approach. APSA is “the framework for promoting peace, security and stability in Africa.” (African Union, 2019) In Africa “a variety of institutions coordinated by the AU’s Peace and Security Council comprise the APSA” (Williams, 2011). This continental peace architecture provides an institutional framework for executing a comprehensive peace structure that encompasses conflict prevention, peacekeeping, peace-making, peace-building and post-conflict reconstruction (Zondi, 2017).

There are assorted principal institutions of the APSA with interlocking components and these include the Assembly of Heads of State and Government, Peace and Security Council, AU Commission, African Standby Force, Continental Early Warning System, Panel of the Wise, Military Staff Committee etc. “All these components aim to provide an all-encompassing set of instruments to address African security needs by African actors” (Keenan, 2004). The APSA revolves on the orbit of the Peace and Security Council (PSC). Invariably the PSC is the pinnacle, cornerstone or heart of the APSA.
The PSC is a fifteen-member elected forum, which coordinates operational and strategic decisions and when, where and how to control conflict and maintain peace and security in the African continent (Williams 2011). The PSC is a principal decision-making organ of the AU for conflict prevention, management, and resolution. It defines and directs AU conflict management agenda (Abiodun, 2019). The PSC was officially launched in May 2004 as “a collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa” (Williams, 2011).

Membership of the PSC is limited to fifteen member countries predicated on the regions of the African Union. It is such that ten countries are elected to serve for a term of two years, and an addition five countries are elected to serve for a period of three years. This two-year term and three-year term disparity is “to provide some stability and continuity to the Council’s leadership” (Zondi, 2017). Membership of the PSC is predicated on the principle of “equitable regional representation and rotation” whereby the north, west, central, east, and southern regions of Africa present candidates for election (Williams, 2011).

The PSC has the mandate to impose sanctions on member countries in cases of unconstitutional change of government and to authorize peace support mission. The decisions of the PSC are binding on AU members. The Peace and Security Council has the mandate to authorize military intervention in any African country that commit mass atrocity crimes such as genocide, war crimes and crimes against humanity. This mandate is hinged on the principle of non-indifference (AU-EU, 2013).

Article 7 of the PSC Protocol operationalizes the AU Constitutive Act's principle of non-indifference. This is in line with its mandate to anticipate and prevent disputes and conflicts. In line with Article 7 – the PSC is empowered to institute sanctions whenever an unconstitutional change of government takes place in a member state. As well as recommend military interventions in cases of crimes against humanity, genocide and war crimes. The PCS coordinates the dispatch of fact-finding missions, observer missions, peace envoys, good offices, mediators, technical support teams and armed forces for conflict prevention, management, and resolution in the African continent (Zondi, 2017; Abiodun, 2019).

The AU Assembly is indispensable in the African Peace and Security Architecture because the PCS must get approval from the AU Assembly before carrying out any forceful action or when action is required in a non-consenting African state. The AU Assembly is thus the final authority in the architecture (Abiodun, 2019). The AU Commission is also invaluable as it facilitates and monitors the AU’s progress in the all-encompassing goal of peace and security. For this reason, the AU carries out two strategic goals viz. “reducing conflicts and achieving security and stability as a prerequisite for development and integration (Williams, 2011).

Regional Economic Communities (RECs) of the African continent play a vital role in the APSA. The AU recognizes eight RECs for its peacekeeping and security mandate. They are: Intergovernmental Authority on Development (IGAD), Southern African Development Community (SADC), Economic Community of West African States (ECOWAS), East
African Community (EAC), Common Market for Eastern and Southern Africa (COMESA), the Arab Maghreb Union (AMU), Community of Sahel-Saharan States (CEN-SAD), and the Economic Community of Central African States (ECCAS) (Zondi, 2017; Abiodun, 2019).

The **African Standby Force** (ASF) is another crucial institution of the APSA. It is made up of five regional brigades. Each of the five brigades has about 4,300 troops and approximately 500 light vehicles to facilitate forceful intervention in a conflict situation. The regional brigades are drawn from ECOWAS, IGAD, SADC, ECASS and AMU (Zondi, 2017; Williams 2011).

The **Continental Early Warning System** (CEWS) is the prominent conflict preventive institution of the APSA charged with the responsibility of anticipating and preventing conflicts. The CEWS gathers and analysis vital information that will help the APSA forestall a looming conflict before it triggers. It serves as a booster to the conflict prevention mechanism of the AU. (Abiodun, 2019) The CEWS have “a central observation and monitoring centre (the situation room) in Addis Ababa to collect and analyse data, and the observation and monitoring units of the regional mechanisms that collect and process data and transmit it to the situation room” (Cernohous 2019).

**The Panel of the Wise** (PoW) is a consultative institution of the APSA with the mandate of providing opinion on issues that would facilitate the prevention, resolution and management of conflict in Africa. The Panel of the Wise was established in December 2007 and is composed of five appointed members with a three-year term in office. Potential members are nominated based on the pedigree of outstanding past contribution in the maintenance of peace and security. It is expected that members would use their wealth of experience, reputation and integrity to peacefully resolve conflicts. Representative of the PoW are nominated from the East, West, North, South and central regions of Africa (Ngandu, 2017; Williams 2011).

**Au Intervention in the 2019 Sudan Coup**

The African Union (AU) is a continental body comprising of the 55 member states which are countries of the African Continent. It is a geo-political organisation or entity that covers the totality of the African continent. The AU was launched on 9 July 2002 in Durban, South Africa at the first session of the Assembly of the AU where President Thabo Mbeki of South Africa presided as the first Chairperson. The AU is the successor of the Organisation of African Unity (OAU) which was established 25 May 1963(African Union, 2019).

As enshrined in Article 3 (f) of the Constitutive Act – a fundamental objective of the AU is to “promote peace, security, and stability on the continent” (African Union, 2019). On the mandate of Article 4(h) the AU is empowered to “intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity” (Vhumbunu, 2019). The AU has a zero tolerance to “unconstitutional changes of government” which in perspective entails the overthrow of a democratic government by its military etc. and the rebuttal of an incumbent government to surrender power to a victorious opposition party after a legitimate election (Williams, 2011; Herbst, Mills, 2003).
Negotiation continued after the suspension and the AU was very active in preventive diplomacy as well as negotiations to douse the escalation of the crisis. The marathon mediation initiatives of the AU facilitated the negotiations between the TMC and the FFC that culminated in a political agreement and the signing of the Constitutional Declaration on 17 July 2019. The successful mediation of the post-coup crisis necessitated the readmission of Sudan into the AU and the formation of a transitional government. (Vhumbunu, 2019) Abiy Ahmed, the Ethiopian Prime minister played a major role in facilitating the negotiations that paved way for the successful mediation. The role of IGAD is also worthy of commendation. Sequel to the political agreement a joint military and civilian sovereign council was established. There is shared leadership of the council which will govern Sudan for three years before election (Amao, 2019).

A major objective of the African Union as engrained in Article 3 of the Constitutive Act is to “promote democratic principles and institutions, popular participation and good governance.” Predicated on Article 7 of this Constitutive Act the PSC is mandated “to institute sanctions whenever an unconstitutional change of government takes place in a member state” (Cernohous and Zdenek, 2019).

On this premise the AU has intervened in Central African Republic, Togo, Mauritania, Guinea-Conakry, Niger, Madagascar, Côte d’Ivoire, Guinea-Bissau, Mali, Egypt, Kenya and very recently Sudan (Cernohous and Zdenek, 2019). For conflict resolution in specificity the AU had intervened in Sudan (South Sudan and Darfu), Somalia, Burundi and Comoros (Abiodun, 2019). The AU’s peace operations strategy followed two parallel but mutually interactive channels of small observer mission, to missions involving over seven thousand troops as was the case in Sudan (South Sudan and Darfu) and Somalia (Williams, 2011). Invariably the AU now has a policy of rejecting coups and it is commonplace for them to make public statements in support of democratic governance. The AU interventions for peace, security and stability take various shapes such as negotiation, mediation, facilitation, dispute resolution via exerting political pressure and other diplomatic efforts (Vhumbunu, 2019).

It is on this premise that the AU opposed the military takeover that preceded al-Bashir’s removal. On the premise of Article 4 of the AU’s Constitutive Act the coup was described as “unconstitutional change of government” and denounced by the AU. Consequently, the AU demanded that there should be a civilian-led consensual transition that would facilitate the handover of power to a democratic government within 15 days (Amao, 2019). The AU decided to extend the transition deadline from 15 days to three months when the military demonstrated commitment to the mediation. Eventually, the military could not meet the deadline and the AU took the bold step of suspending Sudan from the AU on 6 June 2019 especially because of the 3 June 2019 crackdown on protesting civilians. The condition for readmission was the establishment of a transparent civilian-led transition authority. Before this suspension, the AU visited Sudan to ascertain the situation of things and to consult with the major stakeholders (BBC 16-Aug-2019; Vhumbunu, 2019).

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The great achievement of successful mediation notwithstanding, the mediation suffered some setbacks. The first is the delay in reaching a compromise. The Khartoum massacre would have been averted if the AU had timorously mediated the crisis. At the formative stages the AU mediation team did not work in synergy with IGAD and Ethiopia because of coordination deficiencies. The strategy of political pressure and diplomatic overtures worked in Sudan because of mutual respect but the African Standby Force designed for peace enforcement and military dimension operations is grossly inadequate in manpower and firepower.

Conclusion
The prominent role played by the AU in the post-coup crisis in Sudan is highly commendable but the lessons drawn there from can enhance future operations. As a matter of fact, successful conflict resolution is a major accomplishment anywhere and anytime. The AU principle of non-indifference as enshrined in its Constitutive Act mandates the AU to intervene in the internal affairs of member states in cases of grave circumstances, namely war crimes, genocide, and crimes against humanity. Also the AU can intervene in cases of “unconstitutional changes of government” which include the overthrow of a democratic government by its military as well as the refusal of an incumbent government to hand-over power after losing a free and fair election. The interventions take different forms such as negotiations, mediation, exerting political pressure, sanctions, condemnation, diplomatic efforts, consultations, facilitating dispute resolution etc.

This innovation in no little way contributes to the maintenance of peace, security and stability by the African Peace and Security Architecture. It was the premise for the condemnation of the 2019 Sudan coup and the suspension of Sudan from the AU on 6 June 2019 after the TMC violently repressed protesters on 3 June 2019 leading to the death of 87 people and wounding of 168 people. However, the AU did not relent but continued to play a visible and impactful role in resolving the post-coup crisis in Sudan. The efforts eventually brought about the reconciliation of the belligerents namely the military under the umbrella of the Transitional Military Council (TMC) and civilians under the umbrella of the Forces of Freedom and Change (FFC). This was formalized with the signing of the Political Agreement as well as the Constitution Charter for the transition period which led to the amicable settlement of the crisis.

The study recommends that the military capacity of the African Standby Force should be invigorated with adequate manpower and firepower to effectively carry out peace enforcement operations. Also the AU should make timeously reaching a compromise a priority in negotiations. Finally, the AU should draw a template and procedure for interface with the regional organization of the state engulfed in conflict or crisis that the African Peace and Security Architecture is to mediate to avoid disjointed and uncoordinated mediation.
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