

Summary Paper

Consultations on a Political Process for Sudan

*An inclusive intra-Sudanese process on the way forward
for democracy and peace*



UNITAMS

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The United Nations Integrated Transition Assistance Mission in Sudan

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Summary Paper

Consultations on a Political Process for Sudan: An inclusive intra-Sudanese process on the way forward for democracy and peace

1. Foreword by the Special Representative of the Secretary-General for Sudan

In 2019, the victory of the Sudanese revolution and its slogans of freedom, peace and justice provided a unique and inspiring example for the world over. It was the unprecedented courage of the Sudanese youth, women and men in their continuous struggle to liberate from dictatorship, which opened the door to a new future in Sudan, in which the problems of the past would be addressed, and the Sudanese state would be rebuilt on the foundations of civility and democracy that its people aspire to. The United Nations was committed from the first moment to go hand in hand with the people of Sudan on this journey, and to provide all possible support and assistance in the journey of democratization, reform and reconstruction that the Sudanese people aspire to in the transitional period that followed the victory of the revolution.

Accordingly, on 3 June 2020, and in response to the direct request of the civilian-led transitional Government of Sudan, the United Nations Security Council adopted resolution 2524 (2020), established the UN Integrated Transition Assistance Mission in Sudan (UNITAMS), a special political mission to provide support to Sudan during its political transition to democratic rule.

The military coup of 25 October 2021 constituted a significant setback in realizing the goals to be achieved during the transitional period in Sudan. However, we remain hopeful that the Sudanese people will be able to restore the path of transition towards civil and democratic transformation, benefiting from the experiences of the past and focusing on the promises of the future.

On 8 January 2022, following the resignation of Prime Minister Hamdok after various unsuccessful domestic initiatives to restore the constitutional order, UNITAMS launched a political process that started with initial consultations with a wide range of Sudanese stakeholders to address the current political impasse and develop a path towards democracy and peace. The report that we present today represents a summary of the opinions and areas of convergence and divergence heard by the mission during 110 consultation meetings with over 800 participants – one third of them women – from various parts of Sudan, as well as those contained in over 80 written submissions. This report will help in formulating and designing the next stage of the process in order to break the current political impasse. Such an outcome can only be Sudanese-made and Sudanese-owned in order to succeed.

Although this report may disappoint those who expected a solution from the UN, the objective of this process remains to support a Sudanese solution towards emerging from the current political crisis towards realizing the goals of their revolution. However, a prominent outcome of the report is that despite variances in opinions, there were several areas of consensus. Most consultees identified similar points of concern emerging from the recent past. We identified areas of consensus and divergences between the different interlocutors we have consulted. These reflect the views of Sudanese participants. The UN has no position on these views and opinions, but they will assist through the next stages of the political process.

The United Nations remains committed to supporting a civilian-led democratic government as the ultimate objective of the transitional period in Sudan, as per its mandate. We are likewise guided by the principles of the Organization, including respect for human rights and the centrality of women and youth participation in a political process.

In “Our Common Agenda” Report of September 2021, Secretary-General António Guterres affirmed the unequivocal commitment of the United Nations “to promote respect for democracy and human rights, and to enhance democratic governance and the rule of law by strengthening transparent and accountable governance and independent judicial institutions.” This puts the aspirations that the Sudanese people wish to achieve at the heart of the future global agenda. I assure the Sudanese that they will not walk alone. We will be working side-by-side with our international and regional partners - particularly the African Union and IGAD - in the coming phase, to push the political process forward with the participation of all Sudanese actors in order to restore the path of civil and democratic transformation in Sudan. Satisfying the aspirations of Sudan’s people and realizing the slogans of their 2019 revolution are our ultimate objectives.

2. Introduction

By its resolution 2524 (2020), the United Nations Security Council established the United Nations Integrated Transition Assistance Mission in Sudan (UNITAMS) mandating the Mission to, among other things, assist in the political transition, progress toward democratic governance, in the protection and promotion of human rights and in the achievement of sustainable peace.

In line with his good offices mandate, on 8 January 2022, the Special Representative of the Secretary-General (SRSG), Volker Perthes, announced consultations among a wide range of Sudanese stakeholders, to collect their views on options for overcoming the current political crisis in Sudan following the military coup of 25 October 2021.

The Methodology of the Consultations: In its initial five weeks, UNITAMS bilaterally consulted with a wide range of Sudanese stakeholders: government, military, political parties, armed movements, civil society, women's groups, resistance committees, youth, Sufi leaders, business community, nomads, diaspora and other state and non-state actors. Representation of women in delegations was strongly encouraged. In addition, UNITAMS convened meetings with over 100 women's rights advocates. During our consultations, UNITAMS held over 110 meetings, attended by 800 people – one third of them women. UNITAMS has also analyzed over 80 written proposals.

UNITAMS met with stakeholders in Khartoum, El Fasher and Kadugli, and is grateful to those who travelled from across Sudan to meet with us in Khartoum from Atbara (River Nile State), Damazin (Blue Nile), Dongola (Northern state), El Fasher, Niyala, El Geneina, Zelengi, El Dein (Darfur), Gadaref, Kassala, Madani (Gazira), Port Sudan (Red Sea State), Kadugli and Dellinj (South Kordofan), Sennar, White Nile, El Obeid (North Kordofan) and Afula (West Kordofan). In future processes, these and other interested stakeholders will have further opportunity to elaborate, clarify or present their positions on the key issues.

Each consultation meeting was structured around a common set of questions, and notes were taken. The same set of questions was posed to all actors during each of the meetings. The questions were formulated on the basis of topics mentioned in initiatives received from Sudanese stakeholders in the weeks leading up to the commencement of the consultations, an indication of what, in their view, were some of the most pressing issues facing Sudan.

This document does not purport to have gathered the opinions of the whole Sudanese population; this consultation exercise was not designed to canvass a statistically representative sample of Sudanese opinion. UNITAMS acknowledges that the stakeholders we consulted represent Sudanese who participate in organized entities – such as through civil society, political parties or their professional associations. The size of the meetings ranged from small civil society or party representations to much larger groups with broader representation, and we also consulted individuals. That said, we worked to ensure that the main components of society were included.

The consultation exercise was not structured like an opinion poll, so we do not ascribe numerical values or percentages to the views presented. Our aim was to gather the broadest sense of views, to reflect the rich diversity of opinions shared as part of this consultation process. The mission also reviewed various initiatives which have been published or directly sent to UNITAMS over the last two months. The over-riding motivation for the Mission was to conduct an inclusive and

time-bound consultation, reflecting the Sudanese calls for swift resolution to the current political crisis. We are grateful to all of those who shared their views.

Structure of the Summary Paper: The present summary highlights the key concerns of the stakeholders that emerged during the consultations and provides a basis for further reflection on the needs of the process going forward. The summary presented here reflects views shared both in meetings and in the written submissions. The analysis reflects solely the views of Sudanese participants as shared with UNITAMS and does not represent the views of the United Nations.

UNITAMS undertook not to attribute any comments to any one individual or group, and in this summary, we have not sought to attribute views even at the component level.

For each thematic section, UNITAMS has made introductory observations, to explain the rationale for the questions, and UNITAMS' appreciation of the applicable context. Information from the responses to the consultation questions and written inputs are collated here to identify areas of consensus, partial consensus and divergence as well as options, when shared by Sudanese participants. In each section, the boxed text indicates where there was overwhelming consensus on the issue described.

This outcome information, as communicated to UNITAMS by Sudanese stakeholders, is presented below and is divided into 14 main topics.

While it is acknowledged that the consultations could not reach everyone, this paper illustrates that there is a range of views on the different issues that will need to be addressed. We are also confident that it will serve to deepen understanding of a complex and dynamic situation in Sudan and will help to inform further deliberations and key choices about the design of the political process going forward, including in identifying the key critical issues that must be urgently addressed in order to move Sudan's transition forward.

We welcome the written submissions shared with us, which broadened the perspectives that we were able to incorporate in our analysis as presented in this summary paper. We continue to incorporate other views shared with us and analyze the materials we have received and will continue to receive.

3. Immediate priorities and de-escalation measures

Background

The military coup of 25 October 2021 derailed Sudan's democratic trajectory and left the transition in a state of uncertainty. The authorities' response to the continuing protests has left many casualties and injuries and created a highly polarized political situation in Sudan, which is exacerbated by the deepening economic crisis affecting millions of Sudanese women and men. UNITAMS probed the participants on possible measures to de-escalate the current situation and build confidence among the various components.

Outcome of consultation

An overwhelming number of participants underscored the urgency of stopping the killings and violence in the context of the ongoing anti-military protests. Lifting the state of emergency and respecting the right to free expression and peaceful assembly were emphasized as requirements for creating a conducive environment for a political process. Ending arbitrary arrests and detention, releasing those arbitrarily detained, including political detainees, as well as holding thorough and independent investigations into incidents of violence, including rape, were also highlighted as immediate priorities. The importance of ensuring accountability at all levels and ending impunity, including at senior leadership level, were raised as key concerns.

Many of the participants stressed the importance of immediately lifting the state of emergency and rescinding the extraordinary powers currently granted to security institutions. Incidents of rape, harassment and intimidation of women protestors were of particular concern. Many raised the need for swift handling of criminal cases arising from the protests. In addition, ending attacks on hospitals, clinics and medical professionals were seen by many participants as a necessary step towards building confidence. The increasingly negative political discourse and hate speech were also underlined by several participants as needing urgent attention.

Participants also expressed concern about the closing of bridges, cutting of the internet and other modes of communication, and restrictions on the press. On the handling of the protests, many participants stressed the duty of the police to protect peaceful protestors. Some suggested that the protestors needed to avoid provocation of the police. Others suggested the urgency of opening a direct dialogue between the military and the street as a first step to resolve the political crisis.

Some felt that urgent efforts should be devoted to building national consensus as a pre-condition for any transition to civilian-led governance arrangements.

On the economy, the adverse impact of closures on businesses and the overall economy was highlighted. Some respondents suggested that economic conditions may have been worsened by deliberate market interventions. Many considered that concrete action, such as improving access to daily necessities like bread, electricity, and fuel could de-escalate tensions on the street. Some suggested that the economic hardship has been compounded by the suspension of international financial support and debt relief to Sudan following 25 October.

With respect to the role of the international community, many participants considered that a more robust and timely approach was needed, including through the United Nations Security

Council, in condemning the military coup and the ongoing violence, and in imposing targeted sanctions against individual leaders, where appropriate. At the same time, many respondents called for the immediate resumption of international development aid.

Reflecting concerns from across Sudan, many groups drew attention to the deteriorating security situation in Darfur as also requiring urgent attention. They emphasized the need for practical measures to address impunity for past crimes and aggressions perpetrated in Darfur.

4. Status of 2019 Constitutional Document

Background

Following the complete breakdown of the partnership between the military and the civilian components of the transitional government in the lead up to, and after 25 October, and the suspension of various clauses of the 2019 Constitutional Document¹ by the Chairperson of the Sovereign Council, many questioned the continued legitimacy of this Document as the foundational legal text for the transitional period.

UNITAMS explored the views of the participants and consulted their written initiatives in this regard. The participants were asked whether the 2019 Constitutional Document was a sufficient legal and political basis for achieving the transition, and if not, what additional or alternative arrangements and commitments were needed.

Outcome of consultation

With respect to the Constitutional Document, the overwhelming area of consensus that emerged was that changes were necessary. At the same time, views diverged greatly on the extent of these changes and the future relevance of the Document.

Many considered that the 25 October coup had effectively abrogated the 2019 Constitutional Document, and that this now necessitated revising, amending or even replacing the Document. Others considered that the Document had been adopted in a manner that was both exclusionary and hasty; with some adding that its primacy had been undermined by the adoption of the Juba Peace Agreement—since the JPA takes precedence over the Constitutional Document.

Moreover, some questioned the legitimacy of the Document on the grounds that it had (wrongly) conferred upon the military the power to govern.

For some, the repeated violation, and failure to adhere to its timelines (for example, on the formation of the Transitional Legislative Council (TLC), the transitional justice mechanisms, the Constitutional Court, and Commissions², among others) was depicted by the consultees as a weakness in the document. In this regard, the lack of effective oversight by international guarantors was also highlighted. On questions of substance, others pointed to the gaps in commitments to women's rights, and insufficient provision for sub-national governance and reform; here, it was pointed out that this had left the structures of the former regime of President al Bashir in place at the sub-national level.

While there was wide consensus on the need for change, the suggestions varied from detailed textual amendments to high-level concepts. These fell broadly into four categories: (1) revise the document with a view to reducing or removing the powers and role of the military in governance

¹ All references hereinafter to the Constitutional Document should be read as referring to the 2019 Document as amended by the incorporation of the Juba Peace Agreement of 2020.

² 'Commissions' in the document means the Independent Commissions stipulated in Article 39(3) and (4) of the Constitutional Document: specifically the Peace Commission; Borders Commission; Constitutional Drafting and Constitutional Conference Commission; Electoral Commission, Legal Reform Commission, Anti-Corruption and Public Funds Recovery Commission, Human Rights Commission, Civil Service Reform Commission, Land Commission; Transitional Justice Commission; and Women and Gender Equality Commission.

and leading to a fully civilian-led government; (2) broaden the geographic inclusivity and civilian representation in the transitional institutions; (3) review the primacy of the Juba Peace Agreement over the 2019 Constitutional Document as stipulated in the 2020 amendment; (4) use the current Constitutional Document as a “reference” for developing a new transitional constitution; and (5) ensure that any future document clearly distributes the roles and powers between the different transitional governance structures.

Several options were suggested for replacing the 2019 Constitutional Document: (1) revert to earlier constitutions (1956, 1964 or 2005 minus clauses that empowered and entrenched the National Congress Party (NCP)) for the transitional period; (2) adopt a new interim constitution (to be drafted by resistance committees, civil society, political parties (except NCP), Sudanese Professional Associations and peace partners) for the remainder of the transitional period – some suggested that such a model would first require a new political declaration among civilian forces; or (3) replace with temporary constitutional decrees.

Finally, there were participants who preferred to retain the current Constitutional Document and implement it for the remainder of the transitional period as they considered that it already provides the necessary structures and roadmap for governing the transitional period. Some observed that the intrinsic link between the Constitutional Document and the Juba Peace Agreement would require a new peace agreement to be concluded in the event that the Constitutional Document were to be abrogated.

5. Civilian-military relationship

Background

The civilian-led uprising against the former regime was supported by the military, a factor that in April 2019 tipped the balance and led to the overthrow of the former President Al Bashir. Following this, a partnership between the military and civilians was crystallized in the political agreement of 17 July 2019 and translated into the Constitutional Document. This partnership opened the door to pursuing peace with Sudanese armed groups, which culminated in the signing of the Juba Peace Agreement of October 2020. However, over the course of the transition, the partnership proved difficult to maintain, as illustrated by the 25 October military takeover and the removal and the subsequent resignations of both Prime Minister Abdullah Hamdok and his cabinet.

In light of this, UNITAMS sought the participants' views on the future of the relationship among the components.

Outcome of consultation

A considerable number of consultees drew attention to the fact that Sudanese history since independence had been marked by long periods of military rule, interspersed with short periods of democratic governance and noted that this cycle had to be broken.

Participants differed on the future modality of civilian-military relations. A considerable proportion considered that the “partnership” as described above had effectively been broken. Others felt that the partnership remains the guarantor of the country’s stability.

A significant segment of participants called for a new transitional arrangement whereby the military would participate in a security and defense council whose membership would be drawn from the three components (military, civilian and peace partners). This council would oversee national security and military affairs, including protecting the sovereignty and borders of the state and implementing security arrangements under the Juba Peace Agreement. Those who advocated for this council, however, held different views as to the leadership of the council; while some called for a civilian chair, others suggested the military lead the council.

Some consultees expressed their preference for the continuation of the military’s dominant role in governance and public life until they can hand over to an elected civilian government. Others sought a return of the military to their traditional roles, taking no further part in political decision-making.

A considerable number of consultees shared the view that the inability and unwillingness of the civilian component to agree on implementing the important tasks of the transition (such as the formation of the TLC) challenged and led to the dissolution of the partnership. Reflecting upon this, some participants suggested that the political parties and the armed groups should not be included in future transitional arrangements and, rather, “revolutionary forces” should form the entire civilian component. Some stressed that the fixed distribution of roles in the civilian component (as stipulated in the Constitutional Document) precluded the introduction of alternative and emerging political and other civilian groups, such as resistance committees, other

political parties and voices from the periphery, from participating in transitional institutions. As such, some called for a broad popular front of revolutionary forces.

6. Sovereign Council

Background

The Sovereign Council was originally comprised of civilian and military representatives. With the inclusion of Juba Peace Agreement signatories in 2020, the Council came to embody the partnership between the three components of Sudanese transitional government: military, civilian and peace partners. Lack of adherence to the prescribed roles, duties and powers in line with the Constitutional Document, as well as the controversy surrounding the handover date of the chairmanship of the Sovereign Council from military to the civilians, eroded public trust and confidence in the partnership. The unilateral replacement of civilian members of the Sovereign Council following the 25 October military takeover and subsequent decrees moved the Council further from its original constitutional parameters.

In light of these developments, UNITAMS inquired about the continued relevance, future role and composition of the Sovereign Council.

Outcome of consultation

There was an overwhelming consensus that any future Sovereign Council should only supervise the tasks of the transitional period without direct interference in the work of the executive. There was also overwhelming consensus that the membership, size and role of the Sovereign Council as prescribed in the Constitutional Document should be reconsidered. The proposed amendments to the Sovereign Council fell into three main categories: size, structure, and powers.

With respect to the size, there was an overwhelming consensus on reducing the number of members from 14 to a smaller figure, varying from 3 to 8 members.

In relation to the structure, many advocated for a purely civilian membership while others called for continued civilian and military membership. It should be noted that those who used the term “fully civilian” often did not specify if this definition includes the signatories to the Juba Peace Agreement or not. At the same time, some suggested specific allocation of seats in the Sovereign Council to peace partners, with some underscoring the need for these representatives to be non-partisan civilians nominated by peace partners.

Many proposed expanding the membership of the Sovereign Council to include civil society members, resistance committees, women’s groups and youth while others recommended enhanced geographical representation from various regions – with some suggesting that representation from the seven main regions would be ideal (i.e., North, East, Central, Kordofan, Darfur, Blue Nile and White Nile). Suggestions were also made for creating a 3-person presidential council of credible and notable figures, such as judges, to oversee sovereign matters. Some were of the view that the Sovereign Council should be abolished, and all its executive powers assumed by the Prime Minister during the transition.

On the future powers of the Sovereign Council, UNITAMS recorded overwhelming support for revision of those powers, with the option of decreasing the Council’s powers receiving considerable support among the participants.

Other consultees advocated for an honorary Sovereign Council (or single-person presidency) with clearly specified and limited roles akin to that of a symbolic non-executive head of state. Some suggested following the 1964 model which provided for a 5-member Sovereign Council with monthly rotating chairmanship with full head of state functions.

7. Executive powers

Background

Over the two-year period, the government of Sudan made significant advances on the economic and financial front, securing Sudan's removal from the US list of state sponsors of terrorism, undertaking critical economic reforms to get to HIPC decision point, debt relief and unlocking eligibility for more than 2.1 billion US dollars in projects and budgetary support, all of which was suspended with the 25 October military takeover.

Despite important achievements in some areas, the overall executive (Sovereign Council and the Council of Ministers) fell short of delivering on key transitional tasks, such as the formation of the necessary independent Commissions and the Constitutional Court. This invariably undermined public confidence. Moreover, the under-representation of women and the appointment of partisan officials to cabinet positions, including following the signing of the Juba Peace Agreement in 2020, contributed to decreasing public confidence of the transitional cabinet.

UNITAMS asked all participants about the required structure for executive power for the completion of the transition.

Outcome of consultation

There was overwhelming support for a cabinet to be fully composed of civilian technocrats (i.e., subject matter experts with non-partisan views) with no affiliation with the NCP and with a minimum 40% representation of women. There was also overwhelming consensus on the completion of important tasks for the next cabinet that remained pending from the previous transitional government, including the appointment of independent Commissions, the appointment of members of the Constitutional Court and preparations for national processes, such as the conduct of the census and the elections.

With respect to the structure of the cabinet, most consultees envisaged a Prime Minister and a limited and fixed number of ministers. Some participants indicated that 10 ministers would be sufficient; other suggestions ranged up to 17 ministers. There was broad support for retaining and fulfilling the minimum 40% representation of women while some participants advocated for increasing the quota to a minimum of 50%. A further common suggestion was to include mechanisms for enhancing the geographical representativeness of the cabinet. While some advocated for retaining the reserved percentage for signatories to the Juba Peace Agreement, others suggested removing this requirement. In this regard, many emphasized that the technocratic requirement should apply also to those filling seats reserved for the signatories of the Juba Peace Agreement. In addition, many consultees underlined the imperative to remove all executive appointments made following the 25 October military takeover.

Many participants shared their strong views that existing political parties did not reflect the views of the wider society and acted only on narrow partisan interests. That led many to call for measures to ensure that nominations for the future cabinet would be drawn from a more inclusive pool, particularly the revolutionary forces.

While consultees largely did not specify a process for nomination to the cabinet, it was clear that many expected a future Prime Minister and cabinet to be individuals who could gain the

confidence of the resistance committees, military, political parties and peace partners. Others suggested that additional guarantees could be provided by the TLC's ratification of the nomination of cabinet appointees, including that of the Prime Minister.

Those who suggested a reduced role for the Sovereign Council envisaged vesting considerable executive powers in the Prime Minister (for example, serving as the supreme commander of the armed forces or appointing the supreme commander of the armed forces, appointing heads of Commissions, conducting and managing diplomatic relations and foreign affairs), and the cabinet, akin to those in a parliamentary system.

In terms of mechanisms for the appointment of the Prime Minister and the cabinet, suggestions included their appointment by the TLC; a possible President; a reformed Sovereign Council; or an independent committee. Others suggested that a future political agreement would be necessary to identify the Prime Minister. Others still suggested that the revolutionary forces could be entrusted to nominate an independent Prime Minister. A further suggestion was to restrict membership of the cabinet to those who are Sudanese by birth and do not hold any other citizenship. Views were also expressed in favor of removing the Partnership Council.

8. Legislative Council

Background

The failure to appoint a Transitional Legislative Council (TLC), as envisaged by the Constitutional Document, demonstrated the Sudanese transition partners' increasing difficulty in reaching an agreement amongst themselves. Being drawn from a wider segment of society and exercising essential functions for a democratic society, the TLC and its assumption of important legislative and oversight functions were intended to improve the legitimacy, effectiveness and transparency of the transitional governing bodies. The lack of a TLC also led to a situation in which Sudanese women and men were not able to see visible progress in important transitional steps. Instead, important tasks such as approving legislation and the national budget were made by the joint councils, intended to be temporary arrangement pending the establishment of the TLC, but which became the modus operandi in the absence of the TLC.

UNITAMS consultations engaged the participants on the steps required to establish the TLC, including the timing of the process of its formation, its composition and the quotas for its membership.

Outcome of consultation

There was overwhelming consensus on the urgent need for the creation of the TLC. This would initially be an appointed body (i.e., not elected), composed of civilians, with at least 40% women. The current allocation of seats would be revised in order to include the revolutionary forces. A recurring theme was the need to ensure that members of the TLC would be drawn from the grassroots ensuring a more inclusive representation across the different levels of the state, including all 189 localities. All respondents called for the Constitutional Document's exclusion of the NCP to be maintained.

While participants shared a clear presumption of a unicameral TLC, some suggested models for a bicameral legislature. In the latter category, some proposed one chamber be dedicated to either geographical representatives or revolutionary forces.

In terms of the size of the legislature, proposals ranged from 250 to 377 members with a preponderance of participants wishing to retain the figure of 300 as stipulated in the Constitutional Document.

A significant number of participants advocated for a TLC that reflects the diversity of Sudanese society and the revolutionary forces. Suggestions for groups to be represented included: resistance committees, political parties, a military component, religious leaders, native administration, trade unions, signatory and non-signatory groups to the Juba Peace Agreement, youth, families of martyrs, people with disabilities, professional associations, farmers and herders, Sufis, internally displaced people, civil society organizations, the diaspora and business owners.

While some configurations included women's groups as a stand-alone segment, most stressed that women's representation should be ensured through at least a minimum 40% quota, as per the Constitutional Document.

There was inconsistency in terms of recommended membership, with some who were suggested for inclusion being demanded by others as ineligible for nomination into the TLC. These included the native administration, the military and political parties.

Several respondents proposed functions and powers for the TLC, which included: legislation; oversight of the executive; appointment and/or ratification of appointment of independent Commission members as well as the High Judicial Council and the Constitutional Court; drafting a new interim constitutional document; and drafting the new electoral law.

However, some participants wished to do away with the TLC altogether, and considered that during the transitional period legislative functions could be exercised through other means, for example via executive decree.

9. Status of Juba Peace Agreement

Background

Achieving a just and comprehensive peace in Sudan was a priority for the transitional government and many armed movements. The signing of the Juba Peace Agreement on 3 October 2020 was lauded as a significant milestone in the Sudanese transition which provided a means for addressing the root causes of conflict in Sudan, to the degree that it was given precedence over the Constitutional Document. The absence of two major armed movements from the peace process and the slow pace of implementation, among others, adversely affected the effectiveness of the Agreement. There were also concerns that the Juba Peace Agreement pre-empted some issues that would generally have been considered under a national and inclusive constitutional review process such as wealth-sharing, power sharing and some governance matters.

UNITAMS canvassed views as to whether the Juba Peace Agreement remained a sufficient legal basis for the transition period. In addition, UNITAMS sought the participants' assessment of the future of the Juba Peace Agreement and the relationship of these peace partners with the transition.

Outcome of consultation

There was near unanimous agreement that the Juba Peace Agreement had not brought “total peace” to the country. Respondents felt that many of its key provisions, including the security arrangements, had not been implemented in a timely manner. Others raised the need to bring onboard non-signatory armed groups, SLM Abdul Wahid al-Nur and SPLM-N Abdelaziz al-Hilu. Comments were also made as to the need to improve general public awareness and comprehension of the Agreement across the affected areas.

Participants were divided on the degree to which the Juba Peace Agreement was still relevant with some arguing that it remained entirely relevant stressing that reaching the Agreement was a significant achievement following decades of fighting and had brought peace in some areas. While others indicated that a comprehensive review of the Juba Peace Agreement was necessary (for example, through a national peace conference), including whether the Juba Peace Agreement is being equitably implemented across the tracks.

Some participants assessed the Juba Peace Agreement primarily as a vehicle for the leaders of signatory movements to gain executive positions. Some went further and linked retention of these positions with support to the military in the post 25 October period. They noted that JPA signatories had retained these positions and other gains under the JPA as a trade-off for siding with the military in the context of the 25 October military takeover. A further shortcoming cited was that the negotiations were not inclusive of civilian forces and local stakeholders and lacked a popular support base. Some contended that the agreement fell short of women’s aspirations in terms of gender commitments across the tracks and expressed a particular concern that the views of women from conflict-affected areas of Darfur, Blue Nile, South Kordofan and the East were not sufficiently reflected in the Agreement.

There was significant discontent regarding the division of the Agreement into tracks, with some believing that some tracks were not needed (e.g., East, North, Central) because of lack of armed

conflict in these areas. Some participants felt that the Agreement should only apply to areas affected by armed conflict whereas others called for the review of imbalances between the tracks. The Eastern Track, in particular, garnered the strongest articulation for and against the implementation of the Track, with some pointing to various incidents of violence and community tensions in the East among the components following the signing of the Eastern Track. Some advocated for a conference on the East, to be convened by the TLC, in order to review and reach effective solutions.

Some participants called for the full implementation of Juba Peace Agreement with no changes and blamed the lack of financial resources for the slow pace of implementation. Some also highlighted the importance of robust international guarantors to ensure the signatories' compliance with their commitments under the Juba Peace Agreement.

Some consultees expressed the need to bring the implementation of the peace file fully under civilian control, either under the Prime Minister or the TLC as opposed to the military. Some advocated for a future legislature to ratify any peace agreement.

Finally, some expressed the view that, given the number of shortcomings, the Juba Peace Agreement should be done away with in its entirety and that a new framework for peace that involves the current non-signatories should be developed.

10. Security sector in future Sudan and security sector reform

Background

Sudan's recent history is replete with repeated cycles of military coups followed by interrupted returns to civilian rule. In the aftermath of the fall of the former regime and the December revolution, endeavors were made to regulate and reform the roles and responsibilities of the military in Sudanese public life. Following 25 October, public trust, respect and confidence in the military institutions have plummeted significantly, compounded by their subsequent actions, including the arrest and detention of civilian politicians, the use of excessive force against peaceful protestors and the reinstating of the powers of search and seizure by regular forces, including the General Intelligence Service. (GIS).

Both before and since the start of the transition, there has been a growing proliferation of militias, armed movements and irregular forces in Sudan. The commitments in the Constitutional Document and the Juba Peace Agreement to establishing the Joint Security-Keeping forces and assembling, demobilizing and integrating forces have not been honoured. In the absence of implementation of the Juba Peace Agreement's provisions on the Reform, Development, and Modernization of the Military Establishment and Other Security Services the security environment has continued to deteriorate.

In light of these challenges, UNITAMS asked all participants about the suitable contribution and role to be played by the army and other security agencies during Sudan's transition as well as their vision of the role of the security sector in the future of Sudan.

Outcome of consultation

There was an overwhelming consensus that all military and paramilitary forces in Sudan should be united under one national professional non-partisan army under one command and one doctrine. For many consultees, this included the Rapid Support Forces (RSF) and the Juba Peace Agreement signatories and non-signatories who should be subject to the same conditions of service.

Several consultees demanded that the role of the military be limited to security in the face of external threats, defense, maintenance of national unity and guarding the constitution. In addition, they considered that the military should retain its transitional tasks, including establishing Joint Security-Keeping Forces and integration and demobilization of armed signatory movements in accordance with the Juba Peace Agreement. The need for a review of laws that govern the tasks and jurisdiction of the security forces was also emphasized. Interlocutors also identified shortcomings of the police in providing security to communities and demanded that these be addressed. Other demands included removing the expanded powers of the GIS under the state of emergency and limiting their role to collecting, analyzing and submitting information to the relevant law enforcement agencies.

Many underlined their support for the army as an institution whose professionalism and commitment to the rule of law should be paramount. It was stressed that women should be represented in all levels of the military, security and police forces. Several consultees made the point that the salaries of all security forces should be at a sufficient level to avoid the temptation

of engaging in corrupt activity. Some consultees highlighted the negative impact of the presence of armed forces and the proliferation of small arms on civilians. Specifically, they noted the increasing threats to women, especially in Darfur.

Many advocated for civilian oversight of all uniformed forces with some calling for the civilian Prime Minister to be the supreme commander of the armed forces, while others advocated for the formation of a security and defense council or alternatively a supreme military council during the transitional period. Some groups stressed the importance of splitting the commands so that the police report to the Minister of Interior and the Armed Forces to the Minister of Defense.

Although several of the consultees stressed that the military should not be involved in politics, some nevertheless suggested that the military could continue to nominate the ministers of defense and interior. Many participants underscored that civilians should set and oversee the military budget. Others emphasized that the military should not be in control of commercial enterprises and should be prohibited from pursuing other income generating activities. Strong suggestions were made regarding the need to nationalize and place under the control of a civilian Minister of Finance those enterprises that are currently controlled by the military. Other participants stressed that this should be accompanied by increased international pressure for transparency and anti-money laundering. However, some consultees argued that the military could be allowed to retain control of companies engaged in military and security activities.

Consultees shared views for improving the inclusivity of the armed forces, including in terms of gender, ethnic and geographic representations as well as recruiting from a broader cross section of Sudanese society. It was stressed that women should be represented in all levels in the military, security and police forces; in addition, all forces should be trained in the protection of women. There was a consistent view that the Sudanese fighting abroad should be repatriated and included in the wider reform process of the armed forces.

While there was broad interest in the process of Security Sector Reform, only a few respondents made concrete suggestions as to who should drive such a process. Suggestions included the Legislative Council, the Prime Minister or the military and security institutions themselves in accordance with the law.

On timeframes for the integration process, opinions varied with some suggesting that this should be completed within 39 months while others considered that the process should finish before the end of transition period, or 1-2 years before elections. Some respondents stressed that no integration or reform process should not start until an elected government is in place.

Some participants highlighted the need for international actors to provide financial and technical support to ensure progress in the integration of the armed forces.

Finally, rather than emphasizing reform, some suggested that the forces should be left in their current formation, but the size and relative powers of the different forces should be rebalanced to ensure the primacy of the traditional military.

11. Women's rights and women's participation

Background

Sudanese women played a pivotal role in the December revolution. Women demanded that both the Constitutional Document and the Juba Peace Agreement recognize and enshrine clear stipulations to ensure and enhance women's meaningful participation at all levels of power and decision-making positions. This included the application of a minimum 40% quota of women in all transitional bodies. However, these guarantees proved insufficient, and the transitional government and its institutions failed to fulfil these commitments, demands including on representation of women in the government. Following 25 October, women were quick to mobilize and return to the streets and to demand that their revolutionary gains be safeguarded.

It is notable that a significant number of participants independently raised the imperative of preserving women's gains when discussing other subjects of the consultations. At the same time, UNITAMS sought specific views regarding the measures needed to ensure women's effective representation and the advancement of their rights in the transition.

Outcome of consultation

There was overwhelming recognition of the fundamental link between women's freedoms, rights, and participation, and a democratic Sudan. There was also a clear acknowledgment of the need to preserve and promote the effective representation and participation of women, acknowledging the low achievement of the minimum 40% during the transitional period. Many advocated for retaining the minimum 40% quota at all levels within all decision-making bodies and institutions, while some demanded an increase to a minimum 50-70%. There were, however, voices questioning the validity and viability of such targets.

Many respondents underscored the need for implementation and monitoring mechanisms in the achievement of gender equality. A common example shared was the failure to establish the Women and Gender Equality Commission that left the transitional government with no designated body to undertake such monitoring and advocate gender inclusion across all policy areas.

Many participants highlighted the lack of improved accountability during the transition for violence against women. Many raised the incidents of rape and other forms of sexual violence during recent protests, which some participants viewed as a pattern of targeting women since 25 October to inhibit their civic engagement.

Participants underscored the need for urgent protection measures as well as the need for longer-term cultural change, legal reform and measures to strengthen women's access to justice. Some advocated for the appointment of gender advisors and training on gender awareness among uniformed forces. The precarity of women's lives in conflict areas was underlined by many as an area of particular concern, with specific concerns raised about rape, sexual violence and lack of access to services and livelihoods particularly affecting IDPs and refugees.

The need for repealing and reforming discriminatory and exclusionary laws and practices in the areas of justice and criminal laws, education, economy and banking were raised by many. So was the need for ratification and implementation of pertinent international agreements on gender equality. Proposals for developing a gender-sensitive curriculum and improving women's educational opportunities were made.

Reflecting the concern around the economic situation, suggestions were also made that attention be paid to women's economic empowerment and the development of a gender-sensitive national budgeting process. Respondents shared that promoting women's education and economic opportunities would enable young Sudanese women to continue to participate in public life and safeguard their rights.

At the same time, some voiced concern with the ratification of the Convention on the Elimination of Discrimination and Violence Against Women under the transitional government perceiving it as an infringement of the values and traditions of the Sudanese society.

12. Transitional Justice and dealing with the past

Background

Justice was a slogan and a motivating call of the December revolution in 2018. Since then, the mechanisms and commitments for dealing with past crimes, as stipulated in the Juba Peace Agreement and the Constitutional Document have failed to materialize. Institutions such as the Special Court for Darfur, the Transitional Justice Commission and truth and reconciliation mechanisms were not initiated. The work of the Dismantling Committee raised tensions amongst the transition's components. Investigations into past crimes in Darfur and elsewhere, as well as into the dispersal of the 3 June 2019 sit-in, were not concluded. The individuals indicted by the International Criminal Court (ICC) have not been handed over to the Court. Following 25 October, the deaths and injuries of protestors and incidents of sexual violence has strengthened calls for justice and accountability. Without credible and holistic responses to historical and more recent violations, a damaging sense of impunity is likely to remain.

During our consultations, UNITAMS asked the participants for their views on ways for Sudan to deal with past human rights violations, their views on transitional justice and promoting national cohesion.

Outcome of consultation

There was overwhelming consensus throughout the consultations and in the written initiatives on the urgent need for accountability for past crimes in Sudan. Most participants emphasized the need for a renewed commitment to implementation of the promised mechanisms for transitional justice, beyond the regular justice sector. Respondents stressed that the transitional justice process must encompass all perpetrators, including at all levels of uniformed and non-uniformed personnel as well as militias and armed groups.

A large number of respondents highlighted the imperative of bringing Sudan into full compliance with its international legal obligations, including through the ratification of the Rome Statute, the handing over of indictees to the ICC and further cooperation with the ICC Prosecutor. Some consultees expressed the wish for faster action on the Sudanese file by the ICC.

Various groups underscored the importance of a comprehensive approach to transitional justice encompassing retributive as well as restorative methods. These ranged from the need for conducting credible investigations, holding local and international trials, to compensation, acknowledgment, confessions, apology, reparations and community-level truth and reconciliation mechanisms.

Many advocated for a victim-centered approach that draws from successful examples of transitional justice mechanisms and lessons from other countries, with some emphasizing the role of international judges and technical experts in providing support. The groups overwhelmingly suggested that deference and particular attention must be given to the views of martyrs' families in this regard.

Respondents also looked forward to reform of the wider judiciary as envisaged in the Constitutional Document, including the reform of the High Judicial Council. Many stressed that such reforms were crucial to ensuring that there could be no return to the culture of impunity.

Many respondents stressed that accountability should be ensured for crimes committed since independence, encompassing crimes throughout Sudan, with particular emphasis on Darfur, the Nuba Mountains, Blue Nile and the East. Specific incidents mentioned included the Darfur genocide, the killings during and following the revolution, in particular, the dispersal of the sit-in on 3 June 2019, and all crimes following the military takeover of 25 October. Incidents of violence against women were emphasized as an area in need of urgent attention.

Several consultees expressed their concern at the lack of effective and visible dismantling of the former regime and called for resuming the activities of the Committee for Dismantling of the 30 June 1989 Regime, Removal of Empowerment and Corruption and Recovery of Public Funds. Some underscored the importance of reforming the Committee in an expeditious manner. Others emphasized the importance of civil service reform and the establishment of a national human rights commission and full adherence to international human rights conventions.

13. Constitution-making process

Background

Throughout Sudanese history, constitutions have tended to be a byproduct of peace agreements between conflicting parties and Sudan has never had a permanent constitution. After the December revolution and the fall of the previous regime, there was a strong popular demand for a modern, inclusive permanent constitution made via a dedicated process. Prior to the military takeover, the transitional government had taken initial steps toward the constitution-making process as envisaged in the Constitutional Document, such as the preparation of the draft law and the consultations on it. The 25 October military coup effectively halted this process.

UNITAMS asked the participants regarding the timing and the process they envisaged for constitution-making.

Outcome of consultation

The participants differentiated between a transitional constitution for the interim period and a permanent constitution following the transition. A clear view was that a permanent constitution should be adopted following an inclusive and transparent constitution-making process.

Some participants explained that any permanent constitution would need to incorporate the decisions made in parallel processes (for example, the national governance conference) on the structure of the state, resource allocation between the center and periphery, and how Sudan is governed. They emphasized that the gains made on women's rights since the revolution should be preserved and built upon.

Participants generally considered that the drafting of a permanent constitution should be overseen by a constitutional commission, or similar body, in line with the Constitutional Document.

Many stressed the importance of public debate and engagement on the process. There was a significant convergence of views about the role of a constitutional conference to discuss and resolve issues. Others proposed a roundtable or national dialogue that leads to national consensus on key constitutional issues. Some stressed the imperative of engaging and involving citizens in all localities to ensure that the views of the grassroots are represented.

On the drafting of the constitution, proposals included establishing a technical drafting committee, or a constitutional assembly with three representatives from each state – with the outcome to be ratified by popular vote. Some advocated for a draft to be prepared by the government or political parties.

Many emphasized that the permanent constitution should be endorsed by the TLC or an elected parliament, while others suggested the conduct of a referendum to confirm and secure public legitimacy on the adopted text.

On timing, some favored immediately starting a constitution making process, while others stressed the importance of waiting until there was clarity on prerequisites, such as governance structures before commencing this process.

Participants acknowledged the need for a transitional constitution until a permanent constitution is in place. Some were content to rely on the Constitutional Document or an amended version thereof while others were in favor of a new transitional constitution or reverting to an amended version of a previous constitution, such as that of 1956 or 2005.

14. Elections

Background

The Constitutional Document envisaged that elections to mark the end of the transitional period would be held in late 2023/early 2024. Limited progress had been made towards the elections themselves – no new electoral commission had been appointed, and work had not commenced on a new electoral law. Similarly, key processes that are regarded as a pre-condition or basis for elections, such as the constitution-making processes, or the conduct of a national census had not been advanced. Following 25 October, various options for the timing of national elections have been proposed.

UNITAMS asked the participants about the sequencing of national elections in relation to the constitution-making process. In addition, consultations also covered the key steps and measures for Sudan to achieve credible democratic elections.

Outcome of consultation

Those who addressed the issue of elections expected them to be conducted under an improved electoral framework. A significant number of respondents looked forward to new electoral laws and new electoral management bodies, while some also called for international, regional and domestic observation of elections. In terms of timing and sequencing, many consultees stressed the need for a return to constitutional legitimacy and an improved security environment before elections could be contemplated. Similar concerns led a notable number of participants to caution against rushing to elections in the current political climate. Many participants singled out the return of refugees and internally displaced persons (IDPs) as a prerequisite for holding any elections.

Consultees shared different views on what form of government these first national elections should lead to, with some calling for parliamentary elections and others preferring a presidential election be held first.

While not many respondents went into detail about who should be permitted to run as candidates, some wished to retain the provisions of the Constitutional Document in relation to the eligibility of the former regime and office holders to participate in the transition. Respondents emphasized the need for open participation in the process (as voters and candidates), including by refugees and IDPs. Many respondents referred to the role of political parties in elections, with some expressing mistrust of existing political parties as adequate channels of representation. Others noted that some parties had received unfair electoral advantage in past elections. Others stressed the need for time for all armed groups to be transformed into civilian political parties.

The topic of specific electoral systems or electoral arrangements was discussed to a lesser extent. Much more common was for respondents to stress the need for electoral arrangements to support and implement the minimum 40% representation of women in all bodies.

Rather than emphasizing a date by which elections should be held, many respondents proposed key milestones to be met as pre-conditions before the conduct of national elections. These milestones include the conduct of a national census, civil service reform, security sector reform

and the return of IDPs and refugees. Participants also called for a revision of the legal architecture for the regulation of political parties, in addition to specific electoral tasks, such as delimitation of electoral districts and voter registration.

Some respondents were of the view that national elections should wait until a permanent constitution has been adopted. However, others suggested that the legitimacy of the constitution-making process would be enhanced if it were conducted after a national election.

Suggested specific timelines for national elections ranged from six months to four years, including the previously mooted date of July 2023, with strong support for a timeframe of two to three years. Others suggested that in the current climate the setting of a specific date could contribute to diffusing tensions, while a significant number of participants argued that setting an election date must wait until a more conducive environment is in place. An end to the state of emergency and improvement in civil and political rights and freedoms, such as the freedom of expression and assembly, the ending of arbitrary arrests and detention and favorable security conditions in Darfur and elsewhere were cited as essential for the conduct of elections.

Notable responses suggested that consideration should be given to holding sub-national elections first – either solely at the locality level, or at locality and state level – to enhance democratic legitimacy and inclusiveness of the transition. Other respondents cited the election of local bodies as a practical step in removing former regime elements from local power structures.

15. Transitional Period

Background

The Constitutional Document specified a transitional period that began with the signing of the Document in 2019 and was to end in 39 months. The duration of the transitional period restarted with the signing of the Juba Peace Agreement in October 2020 and, accordingly, extended until January 2024. The two foundational documents also stipulated the formation of several institutions, commissions and mechanisms during the transitional period, the implementation of many of which was already well behind schedule prior to 25 October. Since the dismissal of the transitional government, questions pertaining to the direction and duration of the transitional period and the pending tasks have remained unanswered.

In light of this, UNITAMS asked the participants for their views on what constitutes a realistic timeline for completing the transition and whether any adjustments should be made to the envisaged roadmap.

Outcome of consultation

There was overwhelming recognition that the coming period in Sudan must be of a transitional nature, involving interim arrangements and this period should be used to prepare for democratic elections that would mark the end of the transitional period. There was further consensus that the NCP must continue to be excluded from participating in this transition.

A spectrum of views was expressed about who should lead and participate in the transition; some favored a fully civilian process, often recommending a Prime Minister to be at the helm, while others stressed the importance of retaining a civilian-military partnership until elections.

Some took the view that independent non-partisan technocrats should lead the transition period, with the political parties excluded from playing a prominent role. Others emphasized the need for the armed signatory movements to the Juba Peace Agreement as well as that of traditional political parties to participate in the transitional period. Moreover, the importance of using the transitional period to prepare political forces for elections was stressed, both in terms of work to develop political parties and the transformation of armed signatory movements into political parties. Many respondents underlined the imperative of full, equal and meaningful participation of women in the transition.

Options were also put forward, including to convene a national dialogue or a roundtable process where Sudanese women and men will agree on a transitional “roadmap”, including its time period, sequencing, key milestones (for example, elections, constitutional process, formation of the TLC, etc.), tasks and composition. Others suggested that civic education efforts should be ramped up during the transition, preparing the Sudanese to participate in these deliberative processes and the subsequent elections.

Opinions on the duration of the transitional period varied from between one to six years, including retention of a 2023 conclusion, with a strong preference for two to three years. However, some emphasized that it would be premature to set a strict timeline for completing the tasks of the transition, arguing that the appropriate timeframe should instead be flexible,

depending on the tasks to be completed during the transitional period. Others were of the view that a specific timeframe was urgently needed.

Consultees identified a number of priority issues to be addressed during the transitional period with particular emphasis on improving the economic situation and addressing the security environment, including through the implementation of security sector reform. Many stressed the urgency of establishing transitional institutions, including the Commissions provided for in the Constitutional Document and the Juba Peace Agreement. In particular, several participants stressed the imperative of establishing the Women and Gender Equality Commission. Many also underlined the need for the resumption and reform of the work of the Dismantling Committee and ensuring the fulfilment of its mandate by the end of the transitional period. Many highlighted the importance of bringing in non-signatories to complete the peace process and addressing the situation of IDPs and refugees and making concrete progress towards elections. .

16. Role of international actors

Background

Responding to the call of freedom, peace and justice, Sudanese women and men in 2018 removed the former regime. In an effort to unite the civilian forces and bridge the gap with the military, the African Union and Ethiopia supported dialogue among the Sudanese to reach a political agreement and subsequently agreed to serve as a guarantor for the Constitutional Document. Reflecting the broader support of the international community to the Sudanese transition, the United Nations Security Council in its resolution 2524 (2020) established the United Nations Integrated Transition Assistance Mission in Sudan mandated to assist in the political transition, progress toward democratic governance, in the protection and promotion of human rights and achievement of sustainable peace. Other efforts by members of the international community, including member states and international finance institutions, working with the transitional government, led to easing of sanctions, removal of Sudan from the US list of state sponsors of terrorism and in late June 2021 Sudan became eligible for debt relief under the Heavily Indebted Poor Countries Initiative.

UNITAMS explored views of the participants regarding any new or additional guarantees needed to achieve a transition without interruption.

Outcome of consultation

There was consensus on a continuing role for the international community in support of Sudan's transition. This included expectations of effective international guarantees for any future political agreement and its implementation.

Despite critical voices on the role of the United Nations and other international and regional players, there were varied suggestions as to the possible providers and the extent of such guarantees. The African Union, the United Nations, the Troika, IGAD, the League of Arab States, the Friends of Sudan, Canada, Egypt, Saudi Arabia, United Arab Emirates were mentioned as possible guarantors of a future political agreement. In addition, some participants called for some type of international mediation and/or facilitation of the dialogue process. While the suggested mediator/facilitator varied, a significant proportion of the consultees stressed the importance of a Sudanese-owned and led process.

There was considerable divergence on the exact form that this involvement should take. Common responses included the resumption of international development assistance and access to further debt restructuring; technical and financial assistance for transitional political processes such as transitional justice mechanisms, the conduct of the census, the electoral and constitution-making processes, security sector reform and the implementation of the Juba Peace Agreement, particularly its security arrangements. In addition, some participants reiterated the importance of international oversight to ensure that transitional milestones are monitored and adhered to.

Some participants cautioned that the current international stance was not sufficient to resist the institutionalization of the military takeover. Others called for an enhanced role for the ICC and increased pressure from the international community to expedite the handover of ICC indictees.

Several calls were made for targeted international sanctions to be considered. Others advocated for more innovative international approaches that can lead to change in behavior and practices in line with international norms. Others called for improved monitoring of Sudanese international financial transactions with a view to increasing transparency in the exploitation of Sudan's natural resources.

17. Conclusion and next steps

The aim of these consultations was to hear from a wide spectrum of Sudanese stakeholders as to their vision on how best to address Sudan's current political crisis. This summary paper provides a snapshot of the thinking of Sudanese stakeholders; more importantly, it forms a tool for identifying the key issues and processes for the future stages in a political process to facilitate an end to the current crisis. Although the consultations were time-bound, reflecting the urgency of reaching a solution to the crisis, the responses elicited were exceedingly rich and reflected varying degrees of consensus and divergence on the key issues. Stakeholders identified areas requiring immediate attention, as well as those requiring longer-term solutions. Further opportunities for more intensive engagement and deliberation will follow in the next phases.

Approach to next phases: Drawing upon these consultations, UNITAMS proposes the following procedural approach to the next stage for Sudanese' consideration: (i) prioritization of critical steps; (ii) inclusivity and national ownership; (iii) comprehensive solutions; (iv) and effective facilitation and accompaniment.

Possible prioritization: While respondents raised a wide range of issues during the consultations, they also accepted that some prioritization would be required to allow Sudan's transition to progress to a civilian-led, democratic phase.

First, the questions and decisions pertaining to civilian-military relations in Sudan are paramount. While this will require dialogue over both the short and longer term, some decisions as they relate to the state's institutions need to be addressed in the short term. Secondly, Sudanese stakeholders need to reach consensus on an accepted transitional government that will assume responsibility for steering Sudan through the rest of the transition, and for addressing economic and other challenges. Third, a critical priority Sudanese identified is the need to agree on how to form the entity which will perform oversight and legislative functions and reflect greater inclusivity and diversity than what the executive institutions offer.

Fourth, proposals have been put forward for a new roadmap or agreement on the timing, sequencing and key milestones for the transition. The roadmap could also include a method for establishing a national or civil society monitoring mechanism which can serve as a national guarantor and help ensure inclusivity, oversight and accountability for those tasked with institutional responsibilities. In addition, the role of the international community in supporting Sudan through this process, be it in terms of mobilizing resources, provision of technical assistance and oversight mechanisms, can be clarified in the roadmap.

Reaching consensus on an acceptable government that commands legitimacy in the eyes of the Sudanese people, and that can deliver on the commitments and obligations of the transition will be paramount. This will entail identifying the structure of, and participation in, a transitional government. Among other things, it will also require the goals and constitutional basis for the transitional government, and the rest of the transition to be clarified. To ensure a conducive environment for engagement is created and sustained, the key actors will also need to take the necessary de-escalatory and other measures.

Inclusivity and national ownership: Sudanese women and men must lead and own the processes for determining the future of the transition and of their country. UNITAMS'

consultations attempted to ensure that a broad range of Sudanese voices inform further steps of the process. While the formats of engagement might change in the future, it will be necessary to ensure that the views and concerns of Sudanese continue to inform any deliberations on reshaping the transition and determining the future of Sudan. More fundamentally, the outcomes of this process should reflect an inclusive vision of Sudan in which no community feels excluded or marginalized.

Comprehensive Solutions: Many stakeholders emphasized the need to address fundamental challenges that have driven instability in Sudan in the past decades. Most of these issues require deeper deliberation, and many are of a constitutional nature. While clear priority may need to be given to the issues necessary for an accepted transitional order, these fundamental issues will also need credible processes through which the Sudanese people can effectively address them.

Effective Facilitation and Accompaniment: While affirming that Sudanese must own the process, many stakeholders recognize the positive contribution that principled, sensitive, and effective facilitation can make to the process. Any facilitation will continue to rely on the consent and cooperation of the parties. The facilitation will also need to be coherent and anchored in a deep understanding of the full complexity of the situation in Sudan. The facilitation should therefore draw on the range of national, regional, and international resources, support and guarantees, in line with democratic values and the aspirations of the Sudanese women and men.

Future discussions will also need to focus on the key issues and the most appropriate sequences, processes, and formats for engaging them. Specifically, the next stages should aim to catalyze the credible path of Sudan's transition and should enable Sudanese to address the country's more fundamental challenges and thereby reach durable solutions by the end of the transitional period.

Freedom, peace and justice: all participants repeated this call. The time is long overdue to fulfil these aspirations of the Sudanese women and men and their vision of a peaceful, democratic, and prosperous Sudan.