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Convenience or complementarity: the African Union's partnership with the United Nations in Sudan and South Sudan

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ABSTRACT

Over the past 20 years, the United Nations (UN) and the African Union (AU) have developed a unique partnership rooted in complementarity, respect and African ownership. To reaffirm this partnership, the United Nations Secretary-General and Chairperson of the African Union (UN) Commission signed a Joint UN-AU framework for Enhanced Partnership in Peace and Security in 2017. Nevertheless, despite previous lessons learned, gaps in collaboration and strategic thinking, and oversight exist on the ground between the AU and the UN. Drawing on the case(s) of Sudan and South Sudan to further understand the AU's partnership with the UN through the lens of complementarity and convenience, the paper arrives at a novel conceptualisation of the AU and UN partnership through their political missions. The paper finds that the AU-UN framework is sporadically implemented, and the AU's role in the partnership on the ground is one of convenience, whereas, in contrast, the UN's role is one of complementarity aimed at achieving legitimacy. The paper concludes that both organisations in-country were constrained by the lack of collaboration and synergy, which led to a misalignment of joint priorities, impacting the effectiveness of the partnership.

Introduction

By the early 1990s, the United Nations (UN) was Africa's central peace and security actor and the leading organisation with peacekeeping operations (PKO) capacities. By the end of the early 2000s, PKOs had become increasingly unsustainable for the UN. The nature of conflicts was shifting from interstate wars to intrastate conflicts by the late 1990s, and traditional PKO, which the UN deployed to monitor ceasefires and protect civilians, was becoming ill-fit for emergent security challenges that the continent faced (De Coning, Gelot, and Karlsrud 2016). Moreover, the failure of the United Nations Operation in Somalia (UNOSOM I and II), a humanitarian intervention led by the US in 1993, the UN's failings in averting the Rwandan genocide and the tragedy in Srebrenica spurred criticism of the relevance of traditional UN PKOs. The failures of timely and adequate interventions raised scepticism (Tieku and Tanzeel 2014) and damaged the credibility of the UN peacekeeping ambitions in Africa (Lakin 2019).

Managing these new conflicts required a more 'proactive and strategic use of force, rather than the static, defensive, and tactical posture of traditional peacekeeping'

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(Stewart and Andersen 2018) – which was then beyond the scope of the UN doctrines. The UN ordered reports and inquiries into these gaps and, recognising these shortcomings, eventually addressed them by enhancing its peace and security cooperation with the AU (among other initiatives), notably through Peace Support Operation (PSO) (De Coning 2017). Meanwhile, the systematic flare-up of violence and failure to intervene early in Rwanda, and conflicts in Liberia and Sierra Leone, amongst others, created impetus from African leaders to reform the Organisation of African Unity into the African Union (AU) and build the African Peace and Security Architecture (APSA) and develop the African Standby Force concept. It also permitted the AU to develop its institutional capacities and enhance its capabilities to deploy PSO beyond the UN's traditional role in PKO, allowing it to take matters into its own hands (Akuffo 2010). Over time, the UN gradually developed a more proactive strategy of sharing responsibilities, such as taking over missions led by regional organisations (Bellamy and Williams 2005) or jointly deploying alongside these missions (Yamashita 2012).

Since then, the AU has launched eleven PSOs demonstrating both the AU's will and ability to deal with peace and security issues on the continent. In 2017, the corporation would be enhanced when the UN-AU agreed on a framework to support a deeper partnership between the two institutions, furthering their partnerships and guiding how the two organisations would cooperate.

While previous research has explored this partnership within a peacekeeping framework, this paper explores the partnership between the AU-UN from within a political mission context. It argues that the partnership is based on convenience for the AU. However, for the UN, it hinges on its relevance as a legitimate actor. It approaches this partnership from a position of complementarity as an actor operating on peace and security matters across the continent.

The paper is structured as follows; section one briefly provides an overview of the UN-AU partnership, touches on some of the challenges experienced by both entities in a peacekeeping context and explores contextual gaps. It then provides an overview of the paper's research design, case study selection and research methods deployed to collect first-hand data from key respondents and officials from both institutions. Section two examines scholarship on the concept of convenience and complementarity, exploring how the AU and UN may adopt these positions and what it might mean for observations in the two selected cases. Section three draws on the case of Sudan, outlining the history of the AU and the UN mission in the country. It then explores how the AU and UNITAMS may or may not work through partnerships to deliver on critical tasks in the country (such as UNSC Resolution 2524). The section then moves to explore the partnership between AU and UNMISS, briefly exploring their history in South Sudan and some of the practicalities of this partnership – specifically through chapter five of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). Section four examines the role of leadership, arguing that the missions often did not deploy an integrated approach, which impacted the partnership's effectiveness. The final section provides concluding thoughts.

The United Nations and African Union framework

Over the past 20 years, the UN and the AU have developed a unique partnership rooted in the principles of complementarity, respect and African ownership, which has become a

cornerstone of multilateralism in African peace and security issues. In 2006, the UN and AU made a declaration for enhancing UN-AU cooperation (Framework for the Ten-Year Capacity Building Programme for the African Union). This was followed in 2017 with the AU and UN agreement that recognised the need for the two institutions to work together and support Africa's peace and security challenges (African Union, 2017a). While the two institutions have done well to move towards an operating agreement, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) was an example where the two entities entered into an agreement to tackle a humanitarian crisis jointly but produced mixed results (Gambari 2018). While challenges between the UN and AU emerged due to competing notions, divergent views and backgrounds. The entities may have seen cooperation as key to their interest, but legitimacy and authority did not align with their notion of validity. This created circumstances under which intense competition took place, diminishing any opportunities for the organisations to benefit from an exchange (Akuffo 2010). Despite the practical challenges, the once-promising model of UNAMID was viewed as one that failed. Nevertheless, while the partnership created an opportunity and environment where the two institutions showed promising potential, the result was an environment where friction manifested itself during the mission's lifespan. In many ways, delegitimising the mission was seen as a way for the AU and the UN to adopt better lessons and learn from some of the challenges during the hybrid mission.

Despite a pool of work on UNAMID and the failings of the partnership between the two institutions, scholarly work has focused on the partnership between the two entities from a peacekeeping or, more specifically, within a UN PKO context. Thus, little is known about whether the two institutions have been able to work towards resolving previous challenges (within a peacekeeping context) and how they operate jointly (within a political mission's context) – where both have had history. This paper explores how the AU-UN partnership jointly and individually supports political processes (such as fragile transitional agreements and state capacity-building processes).

Research design

The paper draws on two research methods. First, the paper's analytical lens is based on understanding relational and contextualised agency, where structures and agency are continuously reproduced over time. This allows the paper to draw on theoretically informed empirical analysis to further understand how the two institutions and their partnership have either evolved or stagnated in Sudan as part of a UN political mission and an AU support office. In South Sudan, it examines the partnership through the lens of a UN PKO where the AU operates a support office with a political mandate. Thus, the paper assesses how the AU-UN partnership in a new and evolving political context shaped under specific conditions and constraints produces different outcomes.

Consequently, the paper arrives at a novel conceptualisation of the AU-UN partnership through political processes (fragile transitional agreements and state capacity-building processes). Second, the paper draws on qualitative interviews with several senior AU and UN experts in and outside the two case studies – including interviews with civil society organisations and advisors. The data collection process was partly conducted remotely due to the COVID-19 pandemic but sometimes involved face-to-face interviews

with senior officials based in Ethiopia and Kenya. The study deployed a series of semi-structured key informant interviews with participants and relied on an existing network of officials from the two organisations. Other interviews were conducted through a snowballing process which assisted the author in collecting more data from experts in the field. Respondent's contributions have been anonymised to ensure security and encourage an open dialogue. The interviews were conducted from the second quarter of 2021 to the end of the quarter one of 2022. Therefore, through coding interviews, discussions, and additional in-depth notes, an analysis of the nuances of the data is provided. Finally, the paper draws on AU reports, official documents, and Peace and Security Council reports to ascertain where the AU officially stood versus the outcomes of the suggested policies.

Case selection

The paper examines whether the new mandates of the two institutions in Sudan and South Sudan, which are focused on political directives – not peacekeeping – are being achieved. As a result, the analysis draws on the case study of the United Nations Integrated Transition Assistance Mission in Sudan (UNITAMS)¹ a political mission and the United Nations Mission in South Sudan, a UN PKO mission established on 8 July 2011 by UNSC Resolution 1996 (United Nations 2011), but where the AU plays a political role as part of the transitional agreement in place. The paper draws on the AU's partnership with the UN in Sudan and South Sudan for two reasons. First, the case of Sudan provides an opportunity to explore whether a newly formed UN political mission – a former AU mission transitioned into a UN mission (the African Union-United Nations Hybrid Operation in Darfur) – has been able to advance the partnership model agreed upon by the two institutions, especially given that both missions are politically designed to support the state, their respective fragile transitional period and the development of the state's capacity and institutions. In the case of Sudan, the UN and AU missions have evolved from focusing on a peacekeeping operation to being a political mission or a support office. Second, the case of South Sudan is selected given both institutions' roles in the current political process (fragile transitional agreement and state capacity-building processes). In the case of South Sudan, the AU operates within a political and technical context alongside a UN PKO; thus, it is also essential to understand how this partnership has either evolved or deviated.

Complementarity and convenience

For scholars of International Relations theory, multi-actor environments allow for efficiency in cooperation and complementarity (Welz 2016). If well-coordinated, it can increase the likelihood of inter-organisational encounters, which can also increase inefficiency (Wallensteen and Anders 2015). Others have posited that inter-organisation environments witness increased replications or incoherent strategies that often do not align with organisations and their agendas (Brosig 2020). While rivalries can develop, a partnership of complementarity can alter to one where partner organisations strive at all costs to preserve their autonomy (Brosig and Dimpho 2014). Some scholars view partnership through 'legitimacy brokers' or legitimacy as a core function of global and

regional peacekeeping cooperation (Biermann 2017) and that these partnerships allow for the combined legitimacy of all actors in a partnership (Coleman 2007). However, a focus on brokers could harm the notion or aspect of legitimacy. Others posit that the increased number of African troops being deployed to PKO could impact actors seen as legitimate due to a lack of resources and the capacities of African troops, especially when faced with intense situations (Albrecht and Signe 2020). Others posit that inter-organisational partnerships can lead to rivalries over political leadership and weak accountability due to opaque decision-making (Weiss and Welz 2014), especially during a heightened crisis (Tardy 2014). This is especially so during periods when global and regional actors promote competing notions of legitimacy (Williams 2013).

On the other hand, recognising the value of resource combinations with complementary partners is a challenge organisation's face when attempting to better exploit their resource bases through inter-organisational relationships (Dyer and Singh 1998). As a result, some have come to argue that resource dependency theory explains inter-organisational relations (Biermann and Harsch 2017; Harsch 2015). However, it is unclear whether the resources relations theory between inter-organisational holds because it ignores the development of African agency and the increased willingness and desire of states within these institutions to deal with peace and security challenges in increasing numbers and with limited resources.

Resource dependency theory has been used to explain how organisations depend on their partners' resources. It notes that to fulfil their mandates, almost all organisations depend on their partners' material and immaterial resources (Benson 1975; Levine and White 1961; Pfeffer and Salancik 1978). This suggests that resources are the central mechanism for deepening partnerships between entities. Nevertheless, the resource dependency literature fails to examine the longitude of this dependency (effect) where institutions work in the same state over decades – through evolving circumstances and crises – which are not binary but multifaced in existence. For example, the theory overlooks how resource dependency works when an international organisation works inside a state with a broader political agenda during a transitional period, where past experiences and failures have existed but where the institution has switched focus. Little is known about whether resources dependency theory holds when two institutions move away from a large-scale PKO and focus on political missions or assistance via political support offices during instability and amid sporadic outbreaks of conflict. It raises the question of why an institution with resources joins a partnership with a frailer institution to achieve forms of legitimacy or complementarity in the eyes of the population it serves.

Next, I evaluate theories of complementarity and convenience and seek to explore whether the frameworks are relevant to the AU-UN partnership in Sudan and South Sudan.

Recent research on complementarity within a peacekeeping context examined the success of complementarity (De Coning 2017), linked to the UN Security Council Chapter VIII of the UN Charter and informal principles of cooperation like subsidiarity and complementarity and found a positive corporation between the AU and UN. The concept of complementarity was frequently invoked to describe the advantages of combining resources in particular ways, but this assumption was not always a given (Adegbesan 2009; Stieglitz and Heine 2007). For this to work, scholars argued that tasks must be appointed, and a clear division of labour must be identified and followed through. While

the common position assumes that partnerships can create synergy and opportunities to learn from a partner endowed with similar resources (Lane, Koka, and Pathak 2006), identifying complementary resources involves more than a simple similarity comparison of the partners' resource profiles. Alliances are critical for identifying what is and are not complementary because the assumption of rewards from economic benefits is not always a given. In addition, the success of partnerships is not linear, and it does not hinge on legitimacy only or a checklist of ticked boxes that will guarantee cooperation (Williams 2013). Neither can it rely on shared and fixed understandings of roles and responsibilities, or it will fail, but it must continually evolve. To achieve complementarity, institutions must continue to align their priorities and mandates with one another, ensuring that synergy is adopted politically and in practice. This requires the institutions deploying political missions from their inception to continually align through their mandates. Institutions focused on political mandates almost certainly need to adopt a focused and holistic approach that continuously consults and evolves with the circumstance on the ground. Williams (2013) notes that these partnerships cannot be built or seen as a linear model. Thus, close complementarity with friendlier cooperation will not necessarily eliminate imbalances between AU-UN partnerships (Murithi 2008; Tieku and Tanzeel 2014).

Consequently, the matter of convenience and complementarity is crucial since it not only shapes our understanding of why organisations may choose to partner but also moves beyond the theoretical perspective that argues that an organisation must be seen as a legitimate organisation in the country and across a region where that organisation may choose to deploy a mission. However, complementarity has also been subject to evolving interpretations that often compete and change depending on the dynamics at play (Douhan 2016). Thus, given the challenges that the UN faced in the early 1990s and 2000s when it came to evolving conflict on the continent, the institution gradually decided to take on a complementarity and proactive stance of sharing responsibilities by playing a more supportive role (Yamashita 2012) and in some instances, it takes over a mission led by regional organisations or jointly deployed to achieve its end goal of demonstrating its value, therefore, adopting a position of complementarity. This suggests that the UN may see its role as one of complementarity where it tries to support the efforts of regional organisations like the AU in Somalia through the United Nations Support Office in Somalia (UNSOS), designed to provide critical support to the African Union Mission in Somalia. Nevertheless, the UNSOS role is constructed around the peacekeeping context, like much of the observations made in the literature on the partnership between the AU and the UN. And is not focused on circumstances where the state is in transition or the mission is politically focused, such as in the case of Sudan. Thus, the partnership between the AU and UN in both Sudan and South Sudan for the UN may be viewed as more than just legitimacy but could reveal a partnership designed to complement to gain legitimacy or convenience to achieve strategic goals and credibility and to reach one's own long-term goals that can often be linked to broader international agenda.

While recent research finds that the AU-UN partnership has also led to some friction (Wiuff Moe and Geis 2020), others argue that this has enabled the AU to develop a relationship that allows it to project itself as a legitimate actor on an equal footing to the UN (Douhan 2016; Graham and Tania 2006). Although the AU has strived to

redefine its relationship with the UN, additional friction has arisen since it speaks to regional audiences with distinct and evolving convictions and historical narratives. Thus, while the AU's relation is often framed as supportive and one of complementarity (resources-based and legitimacy bases), it may be one of convenience designed to ensure the partnership supports its own goals. However, as mentioned earlier, complementarity can be explained as opportunities for organisations to acquire different assets, capacities, objectives, and skills. When combined, it may lead to a desired optimal outcome. In contrast, the concept of convenience in this partnership may be about enhancing legitimacy with partner organisations and developing partnerships between the organisations to gain national, regional and/or international level recognition.

Consequently, it is posited that in the context of a political mission and an ongoing UN PKO where the AU, through its support office, provides political support, the AU-UN partnership can be viewed as a model where a strategic partnership of convenience for one actor (AU-UN) and/or complementarity for the other (UN-AU) emerges. The paper draws on the following working definition. Convenience is where institutions move into partnership(s) to gain support, broadly share selective resources, and burden share, thus, making accessibility useful for the institution's goals while reducing the overall resources and effort required. Complementarity is where institutions move into partnership(s) designed to increase their appeal and demonstrate their ability and legitimacy to support their relevance and contribution. I expect that the AU-UN partnership in both cases will be based on resource dependency, thus convenience for the AU. In contrast, the UN's partnership is based on ensuring its relevance as an actor whose legitimacy has faded over the decades in part due to the perception of previous UN PKOs across the continent, leading to a focus on complementarity.

Sudan

With 1.6 million internally displaced persons (IDPs) as early as 2006, a deep humanitarian crisis occurred in Darfur, and the AU started discussing how to tackle these challenges in Sudan (UNSC 2004). For the AU, a key point of entry was in 2005 and during the lead-up to the signing of the Comprehensive Peace Agreement (CPA) that brought an end to the bitter and brutal twenty-one-year war between the Sudanese government dominated by the National Congress Party (NCP), and the southern-based rebels, the Sudan People's Liberation Movement/Army (SPLM/A) (Tchie and Ali 2021). This would later lead to a government of National Unity of Sudan being sworn in on 22 September 2005. In 2007, to address the conflict between the Government of Sudan and rebel groups and deal with the protection of civilian challenges – which fringed on a genocide – the African Union Peace and Security Council (AU PSC) and the UNSC deployed the UNAMID to succeed the African Union Mission in Sudan (AMIS). UNAMID was authorised with over 20,000 forces and 6500 police units designed to curb violence (Mamiya and Hansen 2020). However, in 2018, the UN started winding down UNAMID against diverted international support and pressure from the Sudanese regime led by Omar Al-Bashir.

In 2018, widespread protests rocked Sudan, and demonstrators were angry about the sharp rise in bread prices after the government partially lifted economic subsidies for wheat and fuel – as it could no longer afford to pay the subsidies because of its tight budget dominated by the security sector (Tchie and Ali 2021). Under Bashir, the regime

had focused on funding patronage networks and cushioning against austerity (*Al Jazeera* 2019a). However, it failed to invest in a sustainable fiscal strategy for the country, with strong economic plans to respond to the sharp inflation. Protests quickly took on a broader political dimension against al-Bashir and the National Congress Party, demanding Bashir's resignation (*Al Jazeera* 2019b). On 1 January 2019, a broad coalition of opposition groups against the regime, such as political parties, professional associations, civil society organisations, and armed movements called the Forces for Freedom and Change (FFC) formed a coalition (*Radio Dabanga* 2019) and signed the Declaration of Freedom and Change.

With mediation support from the AU and neighbouring states (Ethiopia), the main parties would agree to form the Transitional Government of Sudan. Eventually, the revolution, the ousting of Bashir and internal and international challenges pressured UNAMID to close its operations in Sudan, with the government of Sudan stating it could handle security in Darfur and the broader Sudan (United Nations 2021a). In December 2020, UNAMID closed and was succeeded by UNITAMS. The UNSC had concluded that UNAMID – based on joint UN-AU recommendations – would form a UN mission to succeed the UNAMID.² The operationalisation of the UNITAMS focused exclusively on the government's relationship with the UN, with the government communicating its desire of what the mission's mandate and activities should focus on.

UNITAMS was set up to respond to both new and long-standing issues in Sudan; the political transition process began with the December 2018 revolution and the legacy of armed conflicts, particularly in Sudan's marginalised regions in the West, South and East. Its 2020 mandate specified four strategic priorities, (i) Assisting the political transition, (ii) supporting the peace process and implementing future peace agreements, (iii) assisting peacebuilding, civilian protection and the rule of law, and (iv) supporting the mobilisation of aid. The position adopted by Sudan and some UNSC members complicated the transition from one mission to another, with a messy and rushed handover, later leading to rebel groups ransacking several sites (*Radio Dabanga Sudan* 2021; *United Kingdom Government* 2020). The UNITAMS was to be a transition assistance mission (a political mission), covering the whole of Sudan – though the focus is on Darfur and the two areas – and to be managed only by the UN instead of a joint UN-AU partnership (United Nations 2021b). Despite the exclusion of the AU at the start of UNITAMS engagement with Sudan's officials and the post-transitional agreement, the UNSC Resolution 2524, paragraph 13, makes evident that there is to be a role for the AU, reverberating UN planning documents which underline the importance of the political partnership between the two organisations (United Nations 2022).

Fast forward to the start of 2021, and the two organisations, since the closing of UNAMID, barely drew on the 2017 joint UN-AU framework until October 2021, when a coup took place in Sudan, ushering the military into power again. In March 2022, the UN-AU and the Intergovernmental Authority on Development (IGAD) started to explore what could be done collectively. What would materialise out of heated diplomatic and public comments were several meetings as part of an indirect round of Sudanese-Sudanese talks and the formation of a trilateral agreement between UNITAMS, AU and IGAD (*Radio Dabanga Sudan* 2022). Before the trilateral agreement, UNITAMS and the AU did not fully utilise joint public communication statements, meetings, or strategy sessions, nor utilise the 2017 framework – until early March 2022.³ Since then, more strategic

meetings have brought UNITAMS and other stakeholders together to discuss support for Sudan. UNITAMS' approach seemed to have indirectly anchored the mission into a fixed position but left more established UN agencies already in Sudan to 'go at it alone' due to delays in its formation, a lack of direction from the mission and their established presence in the country.⁴ Respondents say the mission did not 'include or see the AUs and IGAD as part of its comparative support to draw on.'⁵ This position may have contributed to the deterioration of a weak partnership between the AU and the UN in Sudan. One respondent noted that the AU's at the time also pivoted away from Sudan once the transitional agreement was in place and the new mission was up and running. For another respondent, the AU felt that the UN mission failed to recognise the AU as a 'key continental actor' with in-depth experience and understanding of Sudan.

While the partnership between UNITAMS, AU and IGAD had to be formulated – outside the existing 2017 framework – on the ground as per the trilateral agreement (Sudan Tribune 2022), due to the political turmoil in Sudan,⁶ on the surface, the rapid closure of UNAMID and the closing of political space for the AU meant UNITAMS could monopolise the political space on the ground and plug in where the AU had withdrawn. The AU, in part, had not taken steps to realign itself to support UNITAMS' mandate or work with the mission. On the ground, it did not appear to work towards aspects of the 2017 joint UN-AU framework before the signing of the trilateral agreement in Sudan (UN-AU Joint Framework 2017). Coupled with this was that the AU PSC and AUC seemed to lose momentum in their support of Sudan and, in many ways, were overtaken by international interest in Sudan from Permanent Members of the UNSC (Forti 2021). This meant that while there were milestones to work towards in theory, the two entities worked in a highly fragmented space with no synergy between themselves or their efforts.⁷

Adding to this lack of synergy, there was also a divide between the AU PSC and UNITAMS, where the prior statement on 27 January 2022 supported elections but also seemed to favour those in Sudan responsible for the October 2021 coup (African Union 2022). This can be viewed as a missed opportunity for the AU and UNITAMS to work 'smartly on the ground with each other'.⁸ Another challenge which could have contributed to this fragmented partnership in Sudan is the AU internal reform process (African Union 2017b), which would have meant under previous periods that the AU leadership would have been 'focused and ready to engage and productively work with the UN because the relationship was personal.'⁹ As one respondent noted, the 'AU leadership previously would lead strategically', and the two organisations would diplomatically 'twist arms and manage to get a peace agreement in place, which was not perfect, but things got done'.¹⁰ Instead, communication breakdown between the AU and UN and a lack of inclusivity resulted in a lack of information sharing, dialogue and strategic prioritisation between the two organisations, which would have allowed the two organisations to plug in and sequence with one another.¹¹ The following subsection explores the AU-UN partnership in South Sudan.

South Sudan

In 1983, Sudan underwent its second conflict; the conflict was essentially a breakdown of the 1972 Addis Ababa agreement, which led to the formation of the Sudan People's Liberation Movement/Army (SPLM/A) and the government of Sudan. In 1993, IGAD began

work to resolve the conflict and bring the key actors together, supported by the UN. On 20 July 2002, the SPLA and the Government of Sudan signed the Machakos Protocol, reaching a specific agreement on a broad framework, including governance principles, structures of government, right to self-determination, the transitional process, and state and religion and steps towards a ceasefire. This would lead to IGAD-led talks and an agreement on wealth sharing on 7 January 2004 and power sharing on 26 May 2004. On 24 March 2005, United Nations Mission in Sudan (UNMIS) was created to support the CPA's implementation and contribute to international efforts to protect and promote human rights in Sudan. The mission comprised 10,000 military personnel, a civilian component, and 715 civilian police personnel (UNSC 2006). On 28 April 2005, the AMIS force in Darfur was increased by the AU PSC to an authorised strength of 6171 military personnel and 1560 civilian police (African Union 2005). The UNSC also requested the UNSG to jointly work with the AU on a plan and timetable to transition from AMIS to a UN PKO in Darfur. Following the CPA stipulation in January 2011, South Sudanese went to the polls with 98.83 per cent of the electorate voting for independence through a peaceful and credible referendum in which the support from the UN employed technical and logistical assistance to the CPA parties. Later that year, the UNSC established the UNMISS for one year under resolution 1996 (2011) (UNSC 2011). It mandated UNMISS to consolidate peace and security, help establish the conditions for development, and strengthen South Sudan's government's capacity to govern effectively and democratically. This would later change due to the outbreak of conflict in December 2013, where the UNSC authorised UNMISS 'to use all necessary means necessary' to protect civilians, to create conditions suitable for the delivery of humanitarian assistance, and to support the implementation of the Revitalised Agreement and expressed its intention to consider 'all appropriate measures' against those who take actions that undermine peace, security, and stability in South Sudan.

On 21 December 2017, a cessation of hostilities agreement was in place between the conflicting parties, which essentially held. By 23 December 2017, President Kiir and rebel leader Riek Machar directed their armed forces to cease any aggression that might hamper the agreement's implementation (Sudan Tribune 2019); however, fighting continued in parts of the country. In 2018, many actors party to the conflict came together to sign the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) – while others refused to sign the agreement. R-ARCSS provided a framework for addressing the legacy of conflict-related human rights and international humanitarian law violations in South Sudan.¹² The agreement ensured critical political actors were mapped alongside their political backgrounds with clear demarcations of assignments, roles and responsibilities and parallel to each actor's political preference (SPLM-IG, SPLM-IO, SSOA etc.), ushering in the Revitalised Transitional Government of National Unity (R-TGoNU) (Tchie 2019).

R-ARCSS provided the AU with one prominent role tied to Chapter Five – transitional justice (R-ARCSS, 2018). Some argue this was done to draw from the continent's knowledge of past transitional justice experiences (Owiso 2019). The Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (5.3.1) states that the AU is responsible for establishing a hybrid court for South Sudan to 'investigate and where necessary prosecute individuals bearing responsibility for violations of international law and/or applicable South Sudanese law, committed from 15 December

2013 through the end of the Transitional Period' (Akoi 2021). The agreement further elaborates on the different mechanisms and functions of the court and states the AU Commission's tasks include deciding the court's composition, funding and jurisprudence.¹³ The agreement stipulates that the court will remain independent from South Sudan's judiciary. In addition, the AUC shall provide guidelines on privileges and immunities of Court personnel or any other matters. In many ways, the agreement and design of the court provided the AU with a more prominent role – legal, political and moral obligations to complement the process – than that of the R-TGoNU (Sooka et al. 2006).

While R-ARCSS (C5) stipulations remained relatively the same, UNMISS is listed with the AU and IGAD as an assisting partner to support transitional justice, political process and the hybrid court. This was followed by a decision from AU PSC urging cooperation with UNMISS and for the mission to support an African mediation role focused on resolving the South Sudanese conflict, which is in harmony with 'African solutions to African problems'. Under R-ARCSS, the AU formally requested the UN to provide technical assistance to set up a hybrid tribunal as part of its obligations to support transitional justice. The subsequent Council resolution noted this request and asked the UNSG to make technical assistance available to the AU and the R-TGoNU. The UNSC, noticing this shift in actors' violence from national to local, authorised UNMISS to monitor and investigate serious human rights violations and support the AU Commission of Inquiry into South Sudan. One critical aspect impacting UNMISS' overall support to the AU and the R-TGoNU is that the UNMISS is only a witness to the agreement and is neither a guarantor nor a direct signatory to the R-ARCSS (Day et al. 2019), meaning its overall support and function are restricted to providing technical assistance to the political and transitional justice chapter of the R-ARCSS, if and when required by the AU and the R-TGoNU.

Chapter five of the R-ARCSS fell on the lap of the AU since the AU PSC mandated the Commission of Inquiry on South Sudan (AUCISS) 'to investigate the human rights violations and other abuses committed during the armed conflict in South Sudan'. The inquiry also proposed measures to 'ensure accountability, reconciliation and healing among all South Sudanese communities'(AU PSC 2018).¹⁴ The AUCISS generated the impetus for the inclusion of transitional justice¹⁵ but also established that the conflict merely unearthed deep divisions and persisting resentment within the South Sudanese society (Tchie 2021). As part of the support towards Chapter Five of the ARCSS, the UNSC mandated UNMISS to assist the R-ARCSS, including support to transitional justice processes. The UNSC tasked UNMISS with supporting AU and IGAD in the implementation and public dissemination of the R-ARCSS. To some extent, the AU's principles of subsidiarity meant that the AU had taken a back foot, allowing IGAD to lead and support the state (International Crisis Group 2019). Nevertheless, it can also be argued that it allowed the AU to deflect to IGAD, paving the way for IGAD to lead the peace process and fill a vacuum (Day et al. 2019).

The AU's efforts in South Sudan, in conjunction with UNMISS, signal the AU's close commitment not just when managing disputes but to tackling their root causes in the search for sustainable peace. According to one respondent, the AU is willing to engage with the UN and has a good relationship. However, there have been restrictions in this partnership which stem from changes in resources within the liaison office in South Sudan. 'In 2010, the office had twelve people (down to two-three people in 2022) in 2010 in-country, and the international community were less-strict on how resources

were to be used'. Adding to these challenges is the changing nature of crisis across the continent, which has meant the AU is overstretched and focused on other crises like Mali and now the 2023 crisis in Sudan. International partners had also switched their focus to other regions of the continent – when the focus was primarily on trying to stop a surge in violence, humanitarian disaster¹⁶ and man-made famine (Tchie 2017).

According to an AU respondent, the AU-UN partnership aims to 'help by coordinating with UNMISS' and by the support it gives to UNMISS' mandate. The AU-UN partnership also involved creating space for UNMISS with members of the R-TGoNU. This comprises 'the SRSG coming to the AU's ambassador to see what support and pressure the AU can help apply on other conflict parties'. This is the 'leverage that the AU gives to the UNMISS.' The symbiotic partnership is viewed as the AU providing political and diplomatic support for entry points linked to what the mandate requires UNMISS to do. A senior UN official remarked that the relationship between UNMISS and the AU is 'very effective because the AU can open doors to Juba and the field.' Within South Sudan, the AU-UN partnership is also political (diplomatic) but designed to support UNMISS' engagement with key stakeholders in South Sudan.

By contrast, the UNMISS approach emphasises conflict prevention and is oriented toward mitigating conflicts through the leverage of the AU. As Berdal and Shearer (2021) reveal, UNMISS, from its inception, had constraints that impacted its mission performance (Berdal and Shearer 2021). For example, UNMISS has always struggled with a 'lack of mobility assets and surge capacity'; and was designed to support the consolidation of peace and support capacity-building, not to operate in a full-fledged civil war. This meant the mission would always need more resources and these capacity gaps, which all impact its effectiveness if measured from a traditional PKO framework. Recent literature from Day (2022) argues that the overriding focus of the UNMISS was on building state institutions, but this approach contributed to the start of the civil war (2013- present). For Day (2022), the design of the programmes from the CPA failed to recognise the complexity of challenges and the root causes of political conflict. It often pushed forward with a peacebuilding agenda that utilised the very actors causing harm (Day 2022). While the mission has adapted and taken a strategic ad hoc approach to the crisis on the ground, the mission focus has been on supporting internal political processes, nudging conflict actors in South Sudan to resolve differences, and urging the parties to map out the following steps and meet deadlines (Berdal and Shearer 2021).

While the AU does not necessarily have the workforce of UNMISS on the ground (i.e. the number of personnel and capacity), it appears to have diplomatic, coordination, mediation, and comparative advantages to its efforts. The AU and UN have mutually reinforced capabilities that should complement their activities in South Sudan (De Coning, Tchie, and Grand 2022), but this is not always aligned with the overall strategy or priorities of both organisations. Despite the AU's limited resources, it can be viewed in South Sudan as a semi-functioning central figurehead using silent diplomatic and mediation efforts to support UNMISS' work and broader mandate. Outside of physical resources, the AU works well in some respects to support its tasks and the general mandate of UNMISS. UNMISS' interaction with the AU revolves around parties seeking the UN's assistance. Without UNMISS having a direct role within the R-ARCSS, the UNSC can only encourage – in an ad hoc manner – UNMISS to continue to provide technical support to the AU as it did in 2018. Ultimately, this means that the AU-UN partnership

is held to ransom by R-TGoNU and the AU's capacity as a participant in the agreement responsible for transitional justice is limited, impacting its partnership with the UN.

Headship in UNITAMS and UNMISS

The UNITAMS' has been playing a role in ensuring that it includes all actors at the strategic and political levels through comprehensive consultations to avoid constantly pivoting its objectives and approach (UNITAMS 2022). However, UNITAMS leadership could have been more effective and taken a strategic and diplomatic approach if the mission 'took an integrated approach by being more inclusive with key partners like the AU.' The mission's approach made it challenging for some stakeholders to know how to support and stand behind UNITAMS. While it has been suggested that the 'leadership of UNITAMS' regularly reached out to the AU liaison office through officials on the ground'. Since 'the AU had not stepped up',¹⁷ (in terms of its overall engagement in Sudan) it allowed UNITAMS to play a more constructive role in Sudan, which aligned with its mandate. Nevertheless, at the local level, the diverted attention before the trilateral agreement meant that both organisations needed to be in sync to deal comprehensively with many of Sudan's challenges.

The challenges between the AU and UNITAMS demonstrate an unwillingness from both organisations to listen, compromise and work with each other, effectively plugging in and supporting a unified approach to Sudan. This creates further complications, impacting steps towards an integrated approach and long-term relationship building, taking resources away from Sudan's peace process. Respondents indicated that UNITAMS' leadership appeared publicly engaged with trials Sudan grappled with. Furthermore, while the AU creates and opens doors for the situation on the ground, the two organisations need to strategically explore and state what they want to focus on and where their comparative advantages are long-term beyond the current trilateral agreement. This requires strategic re-evaluation from AU and UNTIAMS about each organisation's role and sequencing responses – from mediation-conflict management – to support Sudan's political transition and processes towards democracy. Furthermore, while there has been some alignment, the lack of an integrated approach by the AU and UNITAMS will only add further confusion in the future,¹⁸ this is because the current trilateral agreement exists 'largely because both organisations at the time did not approach one another to coordinate their efforts.'¹⁹ One way to strengthen the partnership is to incorporate AU's past mediation experience across the continent towards Sudan.²⁰ Despite the above limitations, UNITAMS has adjusted well to the ground condition and supported Sudan's peace process. However, there is a need for the mission to prioritise and sequence its approach, potentially through the Peacemaking, Peacebuilding, and Stabilisation Programme (SPPSP) as a basis for programmatic collaboration²¹ – to help the mission operationalise its mandate – and allow the AU to support its efforts.²² While the 25 October 2021 coup and subsequent 2023 crisis have created limited support for the programme, the programme provides a stepping stone for better synergy.

In the past, UNMISS struggled and occasionally fell short due to operational and institutional challenges that hindered it from operating efficiently. This hinders other institutions such as the Joint Monitoring and Evaluation Commission (JMEC), UNMISS, IGAD,

the Ceasefire and Transitional Security Arrangement Monitoring Mechanism (CTSAMM) and the Regional Protection Force (RPF) from operating at full capacity. Under SRSG David Shearer, the mission assumed a new approach reinforcing its engagement and refocused its efforts on local aspects of the peace process.²³ As one respondent commented, 'If the AU and UNMISS send a weak person that does not understand the context, political system, the history and the government in position, then the effectiveness of the political engagement and mission becomes weak and so does the partnership backing this effort.' Another respondent added, 'The first head of the AU liaison mission a decade ago had an intelligence background and was from the military. He was a quiet man working hard in the background. However, he was not the right person to lead the AU's effort with the leadership of the country'. This meant the mission struggled to make the necessary gains required. However, the current 'leader is strong, knows what freedom fighting is, understands the context and knows a few of the SPLA officials' as they went to university together in Tanzania. This has allowed the AU's engagement to pay off.

This suggests that the relationship between AU-UNMISS is somewhat 'ad hoc or reverse in support for UNMISS'. This may be because, for several years, UNMISS focused on the Protection of Civilians (PoC), combined with the prominent role of IGAD (with the AU in the background) in the peace process. While UNMISS is not mentioned as a political actor with tasks in implementing the peace process, it is mentioned concerning the role of the UN's Special Envoy to the Horn of Africa.

Conclusion

While much has been written and said in the past decade among scholars and practitioners about the relationship between the AU and UN, which has sometimes been characterised by conflict, mistrust, and tension, often hindering the good functioning and conduct of effective peace operations, the article builds on existing literature on challenges facing AU-UN cooperation in the field of peace and security studies by explicitly examining the case(s) of Sudan and South Sudan. It moves away from previous research frameworks that focus on the partnership between the two institutions from a peacekeeping context to one that focuses on how the AU-UN partnership operates during a political process (fragile transitional agreement and state capacity-building processes) – which exemplifies some of the positive and negative aspects of the AU-UN relationship.

The paper has demonstrated that the AU-UN framework on partnership has the best intentions to support the Resolution of Africa's peace and security challenges, deal with the continent's challenges and lead to suboptimal implementation. However, the framework is only occasionally implemented strategically or in collaboration between the AU and UN missions. The analysis finds that the partnership in its current form is a partnership of convenience and, to some limited extent, resource dependency for the AU. A positionality of convenience was observed, where the odds are not in one's favour, but the incentive out beat the institution's strategic priorities. For the UN, the findings suggest that the partnership was based on complementarity. However, this was only thought of at some levels of the political mission or seen as contributing strategically to long-term stability. Collaboration, synergy, and early warning were missing in Sudan and South Sudan, and the AU-UN partnership was reactive when challenges arose. Finally, the analysis finds that a lack of joint priorities impacts the partnership's

effectiveness and support to the host state. Therefore, the AU-UN partnership requires realignment, where the two organisations develop formal mechanisms, innovative structures and robust strategies in-country to tackle existing and emerging challenges before a crisis occurs.

Notes

1. UNITAMS is a political mission established on 3 June 2020 by UN Security Council (UNSC) resolution 2524 (United Nations Digital Library 2020).
2. The request from the Transitional Government of Sudan (TGS) to terminate the UNAMID mandate (as of 31 December 2020).
3. UNITAMS, AU and IGAD Interview numbers #001, 002, 007 and 008.
4. UNITAMS, AU and IGAD Interview numbers #008 and 005.
5. UNITAMS, AU and IGAD Interview number #001.
6. UNITAMS, AU and IGAD Interview number #002.
7. AU, UNITAMS, AU and IGAD Interview number #006.
8. UNITAMS, AU and IGAD Interview number #001.
9. UNITAMS, AU and IGAD Interview numbers #001, 002 and 009.
10. UNITAMS, AU and IGAD Interview number #002.
11. UNITAMS, AU and IGAD Interview number #010.
12. The 2018 R-ARCSS reflects the provisions of the 2015 Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS), except for minor adjustments on the timelines set out for establishing the three mechanisms.
13. Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) (12 September 2018). <https://docs.pca-cpa.org/2016/02/South-Sudan-Peace-Agreement-September-2018.pdf>.
14. African Union, Final Report of the African Union Commission of Inquiry on South Sudan, 15 October 2014.
15. AUCISS, Final Report, Chapter V, Conclusion: Findings and Recommendations, p. 275–304.
16. UNMISS Interview #005.
17. UNITAMS, AU and IGAD Interview number #002; 003.
18. UNITAMS, AU and IGAD Interview number #003.
19. UNITAMS, AU and IGAD Interview number #004.
20. UNITAMS, AU and IGAD Interview number #001.
21. The SPSP is structured around four Strategic Pillars: Political transition, Peace process implementation, Peacebuilding Rule of Law and Protection of civilians, and Development Assistance Coordination.
22. One official pointed out, "the first draft read like a big shopping list – it was incoherent, and we had to work with them to get it where it needed to be.
23. UNMISS Interview #008.

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