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**7th ANNUAL RETREAT
OF THE SPECIAL ENVOYS AND MEDIATORS
ON THE PROMOTION OF PEACE, SECURITY AND STABILITY**
26–27 October 2016
Sharm el Sheikh, Arab Republic of Egypt

HL/Retreat/Decl. (VII)

SHARM EL SHEIKH DECLARATION ON

SILENCING THE GUNS – MEDIATION PRACTICES AND CONTEMPORARY WARS

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SILENCING THE GUNS —
MEDIATION PRACTICES AND CONTEMPORARY WARS

1. The Seventh Annual High-Level Retreat of Special Envoys and Mediators on the promotion of peace, security and stability in Africa was convened from 26 to 27 October 2016 in Sharm el Sheikh, Arab Republic of Egypt, on the theme, “Silencing the Guns –Mediation Practices and Contemporary Wars.” This Retreat was organized by the African Union (AU) Commission and hosted by the Government of the Arab Republic of Egypt. The Cairo Center for Conflict Resolution and Peacekeeping in Africa (CCCPA) and the African Centre for the Constructive Resolution of Disputes (ACCORD) provided technical support for the Retreat.

2. The African Union Commissioner for Peace and Security, Amb. Smaïl Chergui, welcomed participants on behalf of the AU. Representing H.E. President Abdel Fattah el-Sisi, President of the Arab Republic of Egypt, the Honourable Sameh Shoukry, Minister of Foreign Affairs of the Arab Republic of Egypt, provided the keynote address of the Retreat, focusing on a detailed assessment of peace and security in Africa, and providing guidance on the deliberations to take place during the Retreat. The opening ceremony also featured statements by the United Nations Under Secretary and Special Representative of the UN Secretary-General for West Africa and the Sahel, Dr. Mohamed Ibn Chambas, and the Deputy Secretary-General of the League of Arab States (LAS), Mr. Ahmed Bin Hilli. The Retreat brought together former African Heads of State, Senior Representatives of the AU Commission and its Special Envoys and Representatives, as well as Members of the Panel of the Wise. Moreover, the Retreat was attended by several Special Representatives of the UN Secretary General who follow country situations in Africa and in the Middle East, as well as senior representatives of the Regional Economic Communities (RECs) and Special Envoys of the League of Arab States, the European Union (EU), l'Organisation Internationale de la Francophonie (OIF) and bilateral partners. Also in attendance were leaders of civil society organisations, think tanks and academia.

3. Held within the context of the on-going implementation of Agenda 2063, this Retreat constituted an additional step to give practical expression to the 50th Anniversary Solemn Declaration, adopted by the AU Assembly of Heads of State and Government, in Addis Ababa, Ethiopia, on 25 May 2013, in which African leaders pledged not to bequeath the burden of conflicts to the next generation of Africans and thereby undertaking to end all wars in Africa by 2020. Furthermore, the Sharm el Sheikh Retreat aimed at taking forward the vision of “Silencing the Guns in Africa by 2020”, clearly detailed in the African Peace and Security Architecture (APSA) Roadmap 2016-2020, and further advance the development of a collective mediation community. Furthermore, the African Union has declared 2016 Year for Human Rights with particular emphasis on women’s rights.

4. During the two-day Retreat, deliberations focused on a wide-ranging number of issues, namely, mediating for peace in today's world; the changing patterns of violence and the changing domain of mediation; and the emerging challenges for mediation. More notably, this year's Retreat also featured discussions on the experiences and lessons from mediation processes in the Middle East, including Syria and Yemen, highlighting the similarities and contrasts to the African experiences. Participants acknowledged the rich and varied experience of Africa in peacemaking and mediation. Among others, this was reviewed in the Declarations of the 4th Retreat “The AU 2013 Golden Jubilee Retreat. 50 Years of Peace-Making in Africa: A Critical Retrospective of OAU/AU Peace-Making”, held on 29-30 October 2013 in Abidjan, Cote d’Ivoire, and the 6th Retreat “Silencing the Guns – Terrorism, Mediation and Armed Groups”, held on 21-22 October 2015 in Windhoek, Namibia, respectively. In this respect, conflict mediation is guided by normative principles such as the principle of non-indifference, respect of human rights, international humanitarian law (IHL), accountability, justice, rejection of unconstitutional change of government, national ownership, gender-sensitivity and women’s participation– as stipulated in the 2000 Lomé Declaration on the Framework for an OAU Response to Unconstitutional Changes of Government and the 2007 African Charter on Election, Democracy and Governance.

5. Participants acknowledged that the nature of armed conflict and violence that African mediators are facing continues to evolve, evidencing significant changes during the last decade. While the 1970s and 1980s had been dominated by liberation struggles against settler minority regimes and state-to-state conflicts, and the 1990s by the so-called “new wars” with increasing activity of non-state actors over ethnic identities and/or (mineral) resources, current patterns of violence on the African continent are increasingly characterized by the involvement of a variety of non-state armed actors such as criminal gangs, violent extremists and terrorists, vigilante groups often operating across national boundaries; the association amongst armed groups with transnational networks; the rise of terrorism and extremist religious ideologies and violent identity-based factionalisms. Also, some of the violent actors seem to take on different roles (illegal trader, political “rebel”, religious extremist etc.), often depending on their economic needs and circumstances. Furthermore, violence targeting civilians continues unabated, especially affecting women and children. Lastly, there are many low-level, routinized and localized conflicts (often associated with cattle rustling or xenophobia) that are not addressed or prioritized by any meaningful mediation efforts.

6. Participants highlighted the importance of concerted efforts at conflict prevention, preventive diplomacy and mediation. While highlighting the limits inherent in these types of processes, the Retreat called for partners to actively pursue the conduct of horizon scanning exercises which strengthen early warning mechanisms and more structured early responses. First and foremost, violent conflict is a rupture that indicates the failure of national cohesion and the mechanisms for conflict prevention and dispute resolution. As contemporary conflict dynamics are

becoming more fluid, volatile and dynamic, it is more challenging for mediators to identify legitimate actors for peace negotiations. In addition, participants acknowledged the dilemmas posed by mediation attempts in conflicts which are not yet “ripe for resolution”. In situations where parties are bent on pursuing their objectives through military/violent means, other kinds of interventions would seem more appropriate. At times, military intervention or other forms of peace enforcement may be the ultimate answer to on-going violent conflict. In addition, approaches to promote ripening should be considered. The use of sanctions and other means of persuasion were discussed with a view to increasing the leverage of mediators and the effectiveness of the mediation process.

7. Participants furthermore argued that, in order to overcome the current tendency for unsustainable settlements made between belligerent parties which simply address the symptoms of conflict, mediation must operate in a continuum which includes efforts at stopping the violence, building trust and confidence, identifying, recognising and addressing the root causes of conflicts. In this sense, it is upon mediators to keep such a strategic vision. Participants noted that although there is an inherent tension between the need to stop the violence, and the need to address long-term structural causes and aggravating factors, including the key dimensions of justice and accountability, mediators must continuously strive to keep these issues present in the negotiation and the post-agreement phases. In the same vein, as was the case during the 6th High Level Retreat held in Windhoek in 2015, participants in Sharm el Sheikh emphasised the importance of understanding the combination of structural causes and aggravating factors underlying current manifestations of violence. Socio-economic, political and identity-driven marginalisation; unequal distribution of resources; deprivation and poverty; corruption; illiteracy; poor governance and institutional weaknesses, including in the law and order sector; the existence of long stretches of porous, largely ill-monitored and poorly-controlled borders, among others, were considered as key underlying factors. Aggravating factors include high rates of unemployment among the youth and the general population, rendering them vulnerable to the manipulative messages of extremist and/ or political actors and their promises of quick gain; organised crime and the proliferation of arms; and the effects of a mobilising ideology, which at times places religion at its centre.

8. Furthermore, Participants noted how, in the current fast paced environment, mediators are often deployed in a rushed manner, with hardly any time to prepare the mediation interventions, both from an operational, inter-institutional coordination, as well as strategic dimensions. In these cases, mediation runs the risk of bearing only short-term gains and treating conflict situations as zero sum encounters, where compromise may be imposed on parties which are not committed to implementation. As a result, current efforts at strengthening the support and capacity of mediators were highlighted, including the mainstreaming of mediation capacities within the AU Commission at large by creating ad hoc Mediation Task Forces that draw on expertise from different Commission Departments.

9. Furthermore, the inherent challenges of application notwithstanding, participants concurred on the importance of key normative principles to which mediators, particularly those representing international and regional organisations, must abide to: inclusivity of all key stakeholders relevant to the peace process, including civil society, respect for human rights, including the right of international humanitarian agencies to gain access to people in need); accountability, justice and the fight against impunity; gender sensitivity; legitimacy, representation and participation of women in particular. Participants also argued that mediators in Africa should pay close attention to the 2000 Lomé Declaration and the 2007 African Charter on Democracy, Elections and Governance, the AU has gone further in generating new norms, including the rejection of unconstitutional changes of government (UCG).

10. Participants gave considerable emphasis and urgency to the need to involve women and the youth in mediation more systematically and meaningfully. The launch of the Network of Reporters on Women, Peace and Security on 20 October 2016 in Addis Ababa, Ethiopia, as well as the forthcoming meeting of “The African Women Mediation Summit: Women at the Peace Table and in the Field”, under the aegis of the Pan-African Network of the Wise (PanWise) from 12-14 December 2016 in Constantine, Algeria, are important steps in this direction.

11. The Retreat highlighted the need to pay particular attention to the protection of children in armed conflicts, and develop methodologies for accounting for and redressing the impact of conflicts on children. It also stressed the participation of women according to UNSC 1325. The AU’s first report on the Implementation of the Women, Peace and Security Agenda in Africa, launched in July 2016 in Kigali, Rwanda, during the AU Assembly, is a testimony of the Union’s commitments to move from rhetoric to action.

12. Participants furthermore agreed that African-led conflict resolution efforts need to be closely coordinated and harmonized with international efforts, mainly by the RECs, the United Nations, the European Union and other partners – not only during mediation, but also during the implementation of conflict resolution agreements. With regard to mediation, the coordination meeting that was held on 25 October 2016 between the Secretary-General of the League of Arab States, the African Union Special Envoy on Libya and United Nations Special Envoy on Libya, and its final statement, represents a step forward in this direction.

13. With regard to addressing the structural root causes of violent conflict, the recent contributions by the African Development Bank (AfDB) and the High-Level Panel on State Fragility (2014) are seen as viable platforms for combining the long-term efforts of the African Union, the African Development Bank, the UN Economic Commission on Africa (UNECA), development agencies such as the United Nations Development Programme (UNDP) and Africa’s international partners, including the International Bank for Reconstruction and Development.

14. The Retreat made the following recommendations:

- a. Addressing the scourge of violent conflict, including terrorism and violent extremism, as well as other emerging forms of violence is not a short-term exercise, but – as highlighted in the Windhoek Declaration of the 6th African Union High Level Retreat – it is a long-term commitment requiring firm political will, mobilisation of considerable resources, close collaboration and carefully conducted and shared analysis among all stakeholders.
- b. Capacity building for mediation in Africa is paramount and should be addressed systematically. In addition, technical support, experts and sufficient resources should be provided to the mediator.
- c. Closing the gap between continental, national and local mediation needs to be systematically addressed and best practice generated, in particular in complex cross-border situations and the establishment of national infrastructures for peace, with a view to realign the focus and work with national actors in strengthening their capacities in conflict prevention, dialogue, facilitation and mediation.
- d. The African Union should play a leading role in coordinating and harmonizing mediation efforts and approaches especially in contexts where the mandates of mediation actors and international partners are overlapping. In this respect the experience with AU-led International Contact Groups needs to be systematically analysed and lessons learnt generated.
- e. In light of the ambivalent role often played by the media, the participants highlighted the need to harness and use the media and information technology in strengthening mediation practices.
- f. The African Union is requested to ensure that the deliberations and recommendations of the 7th Annual Retreat be disseminated with the Regional Economic Communities (RECs), the Regional Mechanisms (RMs) and relevant partners.

15. Participants to the Retreat commended the African Union for the successful conduct of the 7th Retreat of Special Envoys and Mediators, emphasising its value as a unique opportunity for candid inter-institutional dialogue and reflection on the most pressing issues and themes in conflict prevention and peacemaking. By bringing together AU mediators and special representatives with their counterparts from the UN, the RECs, the EU, bilateral donors, and experts, Participants noted that this Retreat has played, since its inception in 2010, a vital role in encouraging exchange of experiences, lessons and best practices. Moreover, participants noted the progressive and robust approach with which the African Union has prevented and mediated the most recent electoral related disputes and violence. In addition, the African Union will strengthen efforts to improve the role of governance in preventing conflicts, restructuring its response on unconstitutional changes of government and strengthening the link between peace, justice and reconciliation. The Retreat discussed ways and means to further strengthening the partnership between the AU on the one hand, and the AfDB, UNECA, and other developmental agencies to help in

transforming countries in post conflict and in overcoming the reality of poverty, unemployment and inequality in Africa.

16. Participants further emphasized the need to go beyond signing the agreements, and called for strong political will to support the implementation of the agreements.

17. Participants called on the African Union to develop an environmental diplomacy policy, and to enhance its conflict prevention and resolution mechanisms by developing an institutional framework or process that can address natural resources, establishing relevant tools and guides based on best practices on mediating different types of resource-based conflicts (i.e. extractive resources, land, water, forests, etc). In this regard, participants requested the African Union to work closely with the United Nations Environment Programme (UNEP), as well other relevant partners, to provide capacity building forum on integrating and mainstreaming natural resources dimensions into mediation processes and peace building. Also, participants highlighted the fundamental need to secure resource-rich areas in fragile countries early on, to strengthen peace-keeping mandates in this regard.

18. Participants also commended the African Union for the forward-looking approaches to mediation and called for the finalization of the African Union counter-terrorism policy, which began taking shape following the 6th African Union High Level Retreat in Windhoek in 2015. They have included recommendations on mainstreaming UNSC Resolution 1325 and promoting the role of women in peacemaking; the need to fully operationalise and mainstream the current African Union structural conflict prevention framework and to strengthen its plan of action while ensuring of more cooperative, complementary and harmonized approaches and strategies. In addition, it was emphasized that the Annual African Union High Level Retreats have also promoted alternative perspectives on conflict resolution and peacemaking, with a particular attention to second and third track mediation efforts by involving a large number of sub-national actors, from grassroots community-based organisations to religious and traditional authorities.

19. Participants expressed their sincere gratitude to the people and Government of the Arab Republic of Egypt for their warm welcome and hospitality as well as for the excellent facilities provided towards the successful organisation of the Retreat.