

AFRICAN UNION/UNITED NATION HYBRID OPERATION IN DARFUR



BY
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A THESIS PRESENTED IN PARTIAL COMPLETION OF THE REQUIREMENTS OF
The Certificate-of-Training in United Nations Peace Support Operations



Peace Operations Training Institute®

African Union/United Nation Hybrid operation in Darfur

A Thesis

by


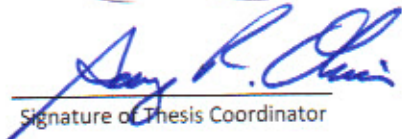
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Acronyms

AMIB	African Union Mission in Burundi
AMIS	African Union Mission in Sudan: Generic name for the mission, mission from its establishment in June 2004 to its first enhancement in October 2004
AMIS II	African Union Mission in Sudan II: mission from the first enhancement in October 2004 until the second enhancement effective from July 2005
AMIS II-E	African Union Mission in Sudan II-Enhanced: mission from July 2005 until its replacement by UNAMID in July 2007
CPA	Comprehensive Peace Agreement
DFL	Darfur Liberation Front
DPA	Darfur Peace Agreement
ECOMOG	Economic Community Cease-Fire Monitoring Group
ECOWAS	Economic Community of West African States
GoS	Government of Sudan
ICC	International Criminal Court
IDP	Internally Displaced Persons
JEM	Justice and Equality Movement
KFOR	Kosovo Force
MINUSTAH	Mission des Nations Unies pour la Stabilisation en Haiti
MONUC	Mission des Nations Unies en République démocratique du Congo
MONUSCO	Mission des Nations Unies pour la Stabilisation en République Démocratique du Congo
NATO	North Atlantic Treaty Organisation
NCP	National Congress Party
PSC	Peace and Security Council
SC	Security Council
SG	Secretary General
SLA/M	Sudan Liberation Army/Movement
SPLA	Sudan People's Liberation Army
UK	United Kingdom
UN	United Nations
UNAMID	African Union/United Nation Hybrid operation in Darfur
UNAMIS	United Nations Advanced Mission in the Sudan
UNMIK	Interim Administration Mission in Kosovo
UNMIS	United Nations Mission in Sudan
UNOSOM	United Nations Operation in Somalia
UNSC	United Nations Security Council
US	United States

Introduction

“If someone hasn't got wings and you say he has failed to fly - I don't think you can call that failure”¹.

Can we really talk about a failed peacekeeping mission in Darfur when we look closely at the context of this mission and only three years after the first peacekeepers of the United Nations were deployed?

Before starting the research for this thesis the words I had in mind about Darfur were: genocide, refugees, war, International Criminal Court and Umar Hassan Ahmad al-Bashir and “blue helmets”.

The objective of the research conducted was then to get a better understanding of the situation on the ground:

- Why is there a conflict in Darfur?
- Is there any link between the conflict in Darfur and the conflict in Southern Sudan?
- What is the role of the African Union in Darfur?
- In which conditions the UN peacekeeping mission is deployed?

What came out of several months of reading books and articles is a very complex conflict situation. The parties to the conflict are hardly clearly identifiable as the rebel groups keep splitting into sub groups, and the Janjaweed group, once supporting the government of Sudan now tends to fight against it. There are several reasons to the conflict but one of them is the feeling of the different communities that they were not getting an equal treatment from the government or the other communities.

Since 2002 and the rise of violence from localised conflicts into a civil war, several peace negotiations have taken place with the support of several countries, the African Union and the United Nations but for the last 8 years, every attempt has failed to establish a sustainable peace as each time at least one of the parties to the conflict would break the ceasefire within days after its signature. In this context the government of Sudan has not been really willing to welcome a second UN peacekeeping mission on its ground after the deployment of the United Nations Mission in Sudan (UNMIS) in Southern Sudan.

With no peace to keep and an unsupportive hosting government, it took 5 years to deploy the UN peacekeeping mission in this unstable region. Furthermore, the reticence of the government of Sudan to see UN peacekeepers lead to the creation of a new type of peacekeeping mission: a hybrid mission, under the command and control of both the African Union and United Nations.

This document therefore tries to understand and analyse the conflict in Darfur and the peacekeeping missions of the African Union and the United Nations.

The first part of the document studies the concepts of multidimensional, regional and hybrid peacekeeping. The second part is mapping of the conflict (short history of the conflict, presentation of the region and the parties to the conflict). Finally the last part presents the African Mission in Sudan and the African Union/United Nation Hybrid operation in Darfur.

¹ AU Darfur commander in Jonah Fisher's article: Darfur's doomed peacekeeping mission. BBC news 9 March 2006

Section 1: Regional and hybrid multidimensional peacekeeping operation in the context of Darfur

This section aims at presenting the concepts of regional, hybrid and multidimensional peacekeeping operations.

I. The complexity of multidimensional peacekeeping operations

A. Towards multidimensional operations

The task of peacekeeping operations is not to preserve a status quo anymore but to build “a firm and sustainable peace”². Nowadays peacekeeping missions are deployed in countries where the state fails in its essential obligations and the peacekeeping missions sometimes have to compensate this failure in trying to rebuild the state. These multidimensional peacekeeping operations involve political, military, humanitarian, electoral and human rights components. In his Supplement to an Agenda for Peace (1995), the United Nations Secretary General Boutros Boutros Ghali identified a number of functions established with this second generation of peacekeeping operations:

The negotiated settlements involved not only military arrangements but also a wide range of civilian matters. As a result, the United Nations found itself asked to undertake an unprecedented variety of functions: the supervision of cease-fires, the regrouping and demobilization of forces, their reintegration into civilian life and the destruction of their weapons; the design and implementation of de-mining programmes; the return of refugees and displaced persons; the provision of humanitarian assistance; the supervision of existing administrative structures; the establishment of new police forces; the verification of respect for human rights; the design and supervision of constitutional, judicial and electoral reforms; the observation, supervision and even organization and conduct of elections; and the coordination of support for economic rehabilitation and reconstruction³.

This new complexity of missions had of course consequences on their organisation and was sometimes responsible of their failure. As explained by Eric Berman and Katie Sams⁴: “Too much was expected of the United Nations in the aftermath of the Cold War, and it proved unable to meet those expectations”. The former United Nations Secretary-General Kofi Annan also noted⁵, “the United Nations’ peacekeeping mechanism for a time became the international community’s emergency services, fire brigade, gendarmerie and military deterrent, even in instances where there was no peace to be kept”. The failed mission which had the most impact was the mission in Somalia (UNOSOM). Many countries after this mission refused or were extremely reluctant to engage in new operations.

² Berman Eric G., Sams Katie E., *Peacekeeping in Africa: Capabilities and Culpabilities*, United Nations Institute for Disarmament research, 2000, p.31

³ UN Doc A/50/60 – S/1995/1 Supplement to an Agenda for Peace: Position Paper of the secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations, 3 January 1995, para.21.

⁴ Berman Eric G., Sams Katie E., *Peacekeeping in Africa: Capabilities and Culpabilities*, United Nations Institute for Disarmament research, 2000, p.32

⁵ UN Doc. A/51/950, “Renewing the United Nations: a Programme for Reform”, report of the Secretary-General, 14 July 1997, para.14.

B. The key elements for a successful peacekeeping operation

The evolution of peacekeeping operations has been the subject of several books and articles and this paragraph will not develop on it in details⁶. However, in order to later analyse UNAMID's operation, it is important to establish the main elements of a successful peacekeeping operation. There is no magic formula as each situation is different and the existence of these elements is not a guarantee of success. But their absence more systematically results in failures.

With the first peacekeeping mission in 1956, three basic principles have been established. They are inter-related and mutually reinforcing:

- **Consent of the parties:** all parties to the conflict must consent to the peacekeeping operation
- **Impartiality:** the United Nations must remain impartial and not favour any party
- **Minimum use of force:** peacekeepers should not use force except in self-defence and defence of the mandate

With the end of the Cold War, the United Nations started to intervene in new contexts (non international conflicts) and in different ways (peacekeeping, peace-building and peace-enforcement). As analysed in the Brahimi report⁷, the three principles of consent, impartiality and minimum use of force "should remain the bedrock principles of peacekeeping operations"⁸. However in the context of non international armed conflict, the consent of the parties might be more evanescent, limited to certain areas or activities or even withdrawn. To overturn these eventualities, The Brahimi report insists on the necessity of having strong mandate, rules of engagement and a sufficient number of competent personnel supported by adequate logistics:

Once deployed, United Nations peacekeepers must be able to carry out their mandate professionally and successfully. This means that United Nations military units must be capable of defending themselves, other mission components and the mission's mandate. Rules of engagement should not limit contingents to stroke-for-stroke responses but should allow ripostes sufficient to silence a source of deadly fire that is directed at United Nations troops or at the people they are charged to protect and, in particularly dangerous situations, should not force United Nations contingents to cede the initiative to their attackers.⁹

Another element of the Brahimi report came as a lesson learnt from peacekeeping operations that had failed in the mid 90s (Rwanda, Somalia). The report reaffirms the difference between impartiality: adherence to the principles of the UN Charter, and "neutrality": equal treatment of all parties in all cases and for all times:

⁶ For more details on the evolution of peacekeeping operations, see Diehl F. Paul, *Peace Operations*, (Polity, Cambridge, 2008)197p.

⁷ A/55/305, S/2000/809, 21 August 2000, Report of the Panel on United Nations Peace Operations

⁸ Ibid. para.48

⁹ Ibid. para.48

The Security Council has since established, in its resolution 1296 (2000), that the targeting of civilians in armed conflict and the denial of humanitarian access to civilian populations afflicted by war may themselves constitute threats to international peace and security and thus be triggers for Security Council action. If a United Nations peace operation is already on the ground, carrying out those actions may become its responsibility, and it should be prepared.¹⁰

Today, in the context of multidimensional peace operations, several authors have determined other important rules that they consider important. Lise Majoré Howard for example defined three main criteria:

- the situational difficulty which includes the consent of the parties to the UN operation, the appropriate time to adopt a resolution, the existence of a peace agreement, the support of regional powers, the quality of infrastructures in the country prior to the operation's deployment...
- the Security Council interest
- the organisational learning: are the United Nations able to learn from their actions during and after each operation¹¹.

The "United Nations Peacekeeping Operations, *Principles and Guidelines*", published in 2008¹² included new elements that are part of the recent tendency of insisting on the sustainability of peace and humanitarian operations. The syndrome of "we are working for them" is now replaced by "we are working with them" along with the "Do No Harm" principle¹³:

- Legitimacy: a peacekeeping operation established by a mandate emanating from the UN Security Council and directed by the UN Secretary General. The legitimacy is reinforced by the conduct of the peacekeepers, the respect shown to the local people, customs, institutions and laws.
- Credibility: it is the belief of the international and local communities of the mission's ability to achieve its mandate.
- Promotion of national and local ownership: it helps to ensure the sustainability of national capacity once the peacekeeping operation has been withdrawn. The promotion of national and local ownership necessitate a strong understanding of the national political and socio-economic contexts

While for a time the United Nations launched missions without the consent of the parties to the conflict (UNOSOM II being the first of them) they nowadays avoid to do so as these operations resulted in major failures. They now only intervene when the main parties to the conflict consent to the presence of

¹⁰ Ibid. para.50

¹¹ For more information, see Morjé Howard Lise, *UN Peacekeeping in Civil Wars* (Cambridge University Press, 2008) p.15

¹² Peacekeeping Best Practices Section, Division of Evaluation and Training, DPKO reviewed in 2010

http://www.peacekeepingbestpractices.unlb.org/Pbbs/Library/Capstone_Doctrine_ENG.pdf

¹³ Ibid. p.36-40

peacekeepers and their troops are not under high risk of casualties. Indeed the host country is responsible for the security of the peacekeeping operation personnel and without its consent, the security of peacekeepers is not guaranteed. This necessity of having the consent of the parties to the conflict may result in long delays between the start of the hostilities and the actual deployment of a peace operation. It was the case in July 2006 in Lebanon when the international community blamed the Security Council for not having intervened earlier. The most recent example is the conflict in Darfur where the Government of Sudan (GoS) refused the presence of an international peacekeeping force. In view of this refusal, the international community first obtained in 2004 that the African Union (AU) deploys a regional peacekeeping mission before reinforcing it in 2007 with a multidimensional and multinational operation.

II. Regional Peacekeeping Operation in Africa: The African Union

A. The Concept of regionalisation of peacekeeping operations

Regionalisation of peace operations refers to the idea that each region of the world “should be responsible for its own peacemaking and peacekeeping, with some financial and technical support from the West but few, if any, military or police contingents from outside the region”¹⁴.

Under Article 33(1) (Chapter VI) of the UN Charter, specifies that parties to a conflict should first seek to resolve their dispute through negotiation and/or “by resort to regional agencies or arrangements”. Possibilities and modalities of regional arrangements are defined in Chapter VIII, and more precisely in Article 52, of the same Charter. It states that regional organisations may engage in peace operations, provided that their activities respect the principles and purposes of the UN Charter. However, regional organisations may not engage in peace enforcement operations without authorisation of the Security Council (Article 53) which must be informed of all regional peacekeeping activities (Article 54).

There is no clear definition in the Charter of the term “Regional organisations”. In the report *An Agenda for Peace* (1992), Boutros Boutros-Ghali, specified that this lack of clear definition was made on purpose “thus allowing useful flexibility for undertakings by a group of States to deal with a matter appropriate for regional action which also could contribute to the maintenance of international peace and security”¹⁵.

Both former UN Secretary Generals, Kofi Annan and Boutros Boutros-Ghali, recognised the importance, and the limits of regionalisation. In a report on conflict issues in Africa¹⁶, Kofi Annan noted on one hand that the support from regional organisations was vital because the United Nations lacked “the capacity, resources and expertise” to address the problems of Africa. On the other hand, he acknowledged the “political, structural, financial or planning” difficulties of the continent.

¹⁴ Goulding Marrack, *Peacemonger* p.217

¹⁵ *An Agenda for Peace*, A/47/277 – S/724111, 17 June 1992

¹⁶ Annan Kofi ‘*The Causes of Conflict and Promotion of Durable Peace and Sustainable development in Africa*’ (April 1998) New York, report of the UN Secretary General

Regional organisations are more and more likely to be requested to take part in peace support operations and the African Union has an important role to play in this context as in 2010, 7 peacekeeping missions out of 16 are taking place on the African continent.

B. The Constitutive Act of the African Union and peacekeeping operations.

The African Union was officially launched on 9 July 2002 in Durban, South Africa, after the adoption of the Constitutive Act on 11 July 2000 in Lomé, Togo. It replaced the Organization of African Unity (OAU) which was considered inefficient. The African Union's headquarters is based in Addis Ababa, Ethiopia and its main organs linked to peacekeeping activities are:

- The Executive Council where the Foreign Ministries sit and which is accountable to the Assembly, the supreme organ of the AU
- The Assembly, composed of the heads of states and governments or their representatives, can give "directives to the Executive Council on the Management of conflicts, war and other emergency situations and the restoration of peace".
- The Peace and Security Council (PSC), composed of 15 members is mandated to conduct peacemaking, peacekeeping and peace building missions. The PSC was not listed in article 5 of the Constitutive Act in 2000 but was created under the provision of Article 5(2) of the Constitutive Act which authorises the Assembly and the Council to establish new organs as necessary to fulfil the objectives of the Union. It was formally launched in May 2004 in application of the 'Protocol Relating to the Establishment of the Peace and Security Council' adopted by the 1st Ordinary Session of the Assembly of the African Union on 9 July 2002 in Durban¹⁷. The Peace and Security Council has the mandate to promote security and initiate any peace operations or other responses to conflict situations. For this purpose, it analyses a potential or existing crisis situation and if necessary sends fact-finding missions to the trouble spots. The Council then takes the decision or makes recommendation to authorize an intervention of the African Union in internal crisis situations.
- The African Union commission on Peace and Security implements the decisions of the PSC while the Peace Operations Support Division oversees the logistical and operational issues for the deployment of the mission.

Article 3 and 4 of the Constitutive Act respectively define the objectives and principles of the Union. Article 3 presents the principal role of the African Union as being the maintenance of continental peace and security and reaffirms the principle of sovereignty, and independence of the member states.

Article 4 determines under which circumstances the African Union can intervene in a conflict. Article 4(h) of the Constitutive Act reserves the right to "intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide, and other crimes against humanity" while article 4(j) authorizes member states to request the intervention of the African Union to restore peace and security within their own territory. These articles make the African Union's

¹⁷ http://www.africa-union.org/root/au/organs/psc/Protocol_peace%20and%20security.pdf

Constitutive Act the first international treaty to recognise the right of an international organisation to intervene for human protection purposes. In February 2003, the African Union Heads of State and Government added an amendment to article 4(h) that extended the right to intervene to situations that “pose a serious threat to legitimate order to restore peace and stability in the Member State of the Union upon recommendation of the Peace and Security Council” but there is no definition of what a “serious threat to legitimate order” is. The intervention of the African Union under article 4(h) is decided by the Assembly upon recommendation of the Peace and Security Council. As well, to avoid the failure to act of the Organisation of African Unity; the principle of consensus has been replaced by the system of a two-third majority of the Assembly of the Union.

The first peacekeeping mission of the African Union was conducted in Burundi. Both AU’s interventions in Burundi and Darfur were conditional upon receiving the consent from the host governments and therefore did not use article 4 (h) of the Constitutive Act and its right to intervene. In order to have an element of comparison at the African Union level we will briefly present the conduct of the peacekeeping operation in Burundi before tackling the issue of the mission in Darfur.

C. The African Mission in Burundi (AMIB)

Burundi has been a country regularly at war since its independence in 1962 and the last cycle of violence erupted in 1993. The OAU/AU was involved in the peace talks since 1993 but no peacekeeping intervention was possible until 2003. In 2000 the Arusha Agreement was signed by 17 political parties but not by the main rebel groups. This agreement called for the intervention of the United Nations to maintain peace and security but this was refused by the UN Security Council because of the absence of a ceasefire between all the rebel groups and the transitional government. In the absence of a UN mission, an African Union mission was set in April 2003. The African Mission in Burundi (AMIB) was composed of 3335 troops plus military observers but had almost no civilian functions. Its role was to create stable conditions for the United Nations to intervene, protect returning politicians taking part in the post-conflict transitional government, supervising demobilisation, disarmament and reintegration (DDR).

A ceasefire was signed between the Burundi authorities and the rebel groups in November 2003 and in May 2004 the Security Council of the United Nations voted the resolution 1545 (2004) launching the United Nations Operation in Burundi (ONUB) comprising 5650 troops (AMIB forces plus Kenya, Nepal and Pakistan) and with an annual budget of USD 333.2 million.

The transition between both operations went well because, since the beginning of the AMIB operation, both the African Union and the United Nations worked closely and developed common understanding of the dynamics of the conflict in Burundi. Besides the AMIB deployment was based on an agreement that the United Nations would eventually assume responsibility for the mission. The operation was terminated in December 2006 after successful completion of the mandate and replaced by the United Nations Integrated Office in Burundi (BINUB) which coordinates international assistance.

Despite a positive final result and the stabilisation of a vast majority of the country which constitutes a useful albeit limited contribution, the AMIB intervention could have been better in several points. First in the absence of a ceasefire, the mission was considered by some people as almost impossible and despite the presence of the peacekeepers on the ground; the civilians in Burundi did not feel secure.

Indeed, AMIB had no explicit mandate to protect civilians and it's only several months after the beginning of the mission that Rules of Enforcement were adopted and allowed the peacekeepers to protect the civilian population "in imminent danger of serious injury or death"¹⁸. Then the peacekeepers had the possibility to intervene but only against acts of genocide or mass killings and only upon prior authorisation from military or civilian officers. With less than 3500 personnel and in the absence of a comprehensive ceasefire, AMIB was tasked to stop tens of thousands of combatants and had no financial resources to carry out its mandate. When the AMIB initial budget, based on UN standards, was presented to the UN Security Council, it was rejected because considered as too high and the African Union had to lower its expenses and personnel. The late contributions of the United States, United Kingdom and European Union amounting USD 10 millions (plus USD 12 millions in-kind contribution) were not sufficient to cover the USD 131 millions expenses although it was nearly a third of the expenses of the United Nations when they launched the ONUB mission. A last difficulty encountered by AMIB was the lack of supportive institutions as the Peace and Security Council and the Peace and Security Department of the African Union had just been created and were not able to organise the financing or deployment which had to be supported by South Africa.

III. Hybrid peacekeeping operations

There is no clear and common definition and understanding of the concept of "hybrid operation". Festus Aboagye had the following remark on the concept:

In the first place, not all operations undertaken by different organisations with a common objective in the same theatre can be classified as hybrid operations. Furthermore, the definition of a hybrid operation should not be based on a dictionary definition of the word, but on its diagnostic and experiential features. In reality, the lack of a common, acceptable definition and understanding of what a hybrid operation is could be partly responsible for the impasse over the hybrid operation in Darfur.¹⁹

The term "hybrid" had never been officially linked to peacekeeping operations prior to the deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) where both organisations joined their forces to conduct a peacekeeping mission. They merged their resources and expertise and share the cost of the implementation of the operation.

Prior to UNAMID the United Nations had worked in cooperation with regional organisations or multinational military forces. For example, the EU force, authorized by the UN Security Council, intervened in the Democratic Republic of the Congo along the UN mission (MONUC, renamed MONUSCO in July 2010)²⁰, the Economic Community Of West African States (ECOWAS) missions

¹⁸ Powel Kristina, 'The African Union's Emerging Peace and Security Regime / opportunities and challenges for delivering on the responsibility to protect' (May 2005), The North-South Institute, p.35

¹⁹ Abiagye Festus 'The hybrid operation for Darfur A critical review of the concept of the mechanism', ISS paper 149, August 2007

²⁰ Security Council resolution 1484 (30 May 2003) Interim Emergency Multinational Force (IMEF). Called operation Artemis. First autonomous EU military mission outside Europe

preceded UN missions in Liberia (ECOMOG deployment in 1990²¹) and Côte d'Ivoire²² and a multinational military force was deployed in 1994 in Haiti ahead of the MINUSTAH²³.

One of the most developed cooperation is the North Atlantic Treaty Organisation (NATO)/United Nations (UN) cooperation in the deployment of an international peace support operation in Kosovo. NATO first launched the Operation Allied Force (an air campaign) which lasted from 14 March 1999 until the signature of the Kosovo Peace accords on 3 June 1999. The military intervention was not authorised by the Security Council but two days after the start of the air campaign, it rejected by 12 votes to three Russia's proposed resolution to condemn the attack. The Security Council 1244 resolution of 10 June 1999 mandated a UN mission (UNMIK) supported by a NATO-led international military force (KFOR)²⁴. This resolution created an international protectorate in which the legislative, executive and judicial power was in the hand of the UN, supported by the European Union and the OSCE. The Yugoslav and Serbian governments had almost no role in this new entity²⁵.

Although the UN and NATO were working in narrow cooperation in the case of Kosovo, KFOR and UNMIK remained two separate entities. In the case of Darfur, AMIS became part of UNAMID, a single entity with two "acting" forces.

²¹ ECOMOG intervened in 1990 and its intervention was supported by the UN Security Council on 19 November 1992 with the resolution S/RES/788 (1992)

²² Deployment of ECOWAS peacekeeping force supported by the UNSC on 4 February 2003: S/RE/1464 (2003)

²³ Operation Uphold Democracy led by the United States took place from September 1994 to March 1995 and was authorized by the UNSC resolution S/RES/940 (1994) of 31 July 1994

²⁴ See UNSC resolution 1244, 10 June 1999 and its annex 2 paragraph 4.

²⁵ For more information, see Ray Murphy, UN Peacekeeping in Lebanon, Somalia and Kosovo.

Section 2: Mapping of the conflict in Darfur

The current conflict in Darfur is often described as having erupted in 2003 when the Justice and Equality Movement (JEM) and the Sudan Liberation Army/Movement (SLA/SLM) rebels attacked and took control of the capital, Al Fasher in central Darfur. However, the conflict in this region of Sudan is long lasting and rooted in ethnic and economic tensions and political discriminations.

I. Background

A. Brief description of Darfur

1. General information

The name of the region “Darfur” comes from the Fur sultanate which was the first Muslim state in Darfur. It emerged in the middle of the seventeenth century. Darfur means the homeland (dar) of the Fur community. The Fur sultanate consisted mostly of non-Arab farmers who kept out Arab nomad herders, the Baggara.

The region of Darfur is situated in the west of the Republic of Sudan, the biggest country in Africa. The northern part of the region is semi-arid while the south is green and gives possibilities of cultivation. The highest mount of the area is the mount Jebel Marra²⁶.



²⁶ Map available on <http://upload.wikimedia.org/wikipedia/commons/3/36/Darfur-Sudan.png>

Since 1994, the region of Darfur is divided into three administrative zones / federal states. The north includes Arabs and a majority of non-Arabs (mainly Zaghawa) semi-nomads, the centre is inhabited by a vast majority of non-Arab farmers such as the Fur and Masalit and the south is host of Arab speaking cattle nomads, the Baggara. There are many other tribes and communities living in Darfur but we will focus on the three main African tribes Masalit, Fur and Zaghawa.

Like many other countries in Africa, Sudan's boundaries were drawn by the colonialist empires. They therefore do not respect the ethnic boundaries and force communities that may have no common interest to live together.

Sudan has nearly 44 million inhabitants (6 millions live in Darfur). 52% are considered as being part of the black ethnic group and 39% as Arabs. The country is divided into 25 administrative entities among which three form the Darfur (Northern, Southern and Western Darfur). On the economic side, Agriculture employs 80% of the work force and contributes to a third of the GDP. Most of its economy relies on the production of oil that started in the late 90s. It represents 95% of the country's exports and 50 to 60% of the government's revenues²⁷. In 2006 and 2007 its GDP grew of more than 10% per year. However, outside the Capital Khartoum, some large areas of the country remain under developed with a lack of basic infrastructure and people relying on subsistence agriculture. In 2004, 40% of the population was living below the poverty line²⁸. Sudan faces economical sanctions from many countries and since 2003 from the UN Security Council which imposes restrictions on trade of weapons. This is in relation with the two internal conflicts between the central government and the south of the country and Darfur. However the country benefits from large incomes from its oil industry and the trade with China.

2. The International Criminal Court

Since 1993, the president of the country is Umar Hassan Ahmad al-Bashir²⁹. On 31 March 2005, based on the recommendation of an international commission of inquiry, the Security Council referred the situation in Darfur to the International Criminal Court (ICC) prosecutor for investigation and prosecution³⁰. Darfur was then the first situation referred by the Security Council to the ICC. On 4 March 2009, the ICC Pre-Trial Chamber I issued an arrest warrant for President al-Bashir for war crimes and crimes against humanity committed in Darfur but rejected the inclusion of genocide charges. On 3 February 2010, the ICC appeals chamber to reject the standard used to exclude genocide charges in the ICC's arrest warrant and the pre-trial chamber was asked to reassess the inclusion of genocide charges. However, the Sudanese government has rejected the authority of the ICC and so far refuses to cooperate with the court.

²⁷ This economic boom was however strongly affected by the 2008 economic crisis.

²⁸ information from the world factbook of the central intelligence agency: <https://www.cia.gov/library/publications/the-world-factbook/geos/su.html>

²⁹ Umar al-Bashir led the country since 1989 after conducting a military coup and appointed himself as President of the country in October 1993

³⁰ S/RES/1593 (2005)

3. The conflict between the central government and Southern Sudan

The conflict between north and south of Sudan erupted in 1955, one year before the independence of the country. Since then, the country has been at war for all but 11 years³¹. The conflict that ended on 9 January 2005 with the signature of the Comprehensive Peace Agreement (CPA) ended a 22 years long war that found its root causes in disputes over resources, the role of religion in the state and self-determination.

The CPA is a compilation of 8 protocols and agreements signed by the parties to the conflict between July 2002 and December 2004. Briefly, this agreement decided of the repartition of power, the autonomy of Southern Sudan, the withdrawal from the south on the governmental forces, national elections and a referendum on the independence of the south. The elections supposed to take place in 2008 were delayed until April 2010. The results of the elections comforted the leaders in their own regions but the organisations that monitored the elections denounced many irregularities in the process, mainly in favour of the National Congress Party (NCP). In a press release dated 10 May 2010, the Carter Center denounced the conduct of the elections:

“Sudan's vote tabulation process was highly chaotic, non-transparent, and vulnerable to electoral manipulation. As a result, the Center is concerned about the accuracy of the preliminary results announced by the National Elections Commission (NEC), as procedures and safeguards intended to ensure accuracy and transparency have not been systematically applied and in some areas have been routinely bypassed. The Center also noted serious concerns about election-related violence and intimidation in several states, especially Northern Bahr al Ghazal, Unity, and Western Equatoria”³².

These irregularities were also reported by the organisation Human Rights Watch in a 32 pages long report published in June 2010³³.

The situation, although not necessarily surprising, is worrying as the referendum on the independence of the south is planned to take place on 9 January 2011. The security situation has not improved, the demarcation of the North-South border needs to be clarified and solutions still need to be found to ensure the registration and the participation of thousands of Sudanese on foreign countries³⁴. If the referendum was to be reported or if troubles occurred during the referendum process, it is most likely that the south would unilaterally declare independence which could lead to a recrudescence of violence and tension and endanger the peace process.

The stability of the situation in the south is of utmost importance for Darfur. A new conflict between the North and the South would inevitably have an impact on the level of violence in Darfur.

³¹ UNMIS website: <http://unmis.unmissions.org/Default.aspx?tabid=515>

³² Carter Center Reports Widespread Irregularities in Sudan's Vote Tabulation and Strongly Urges Steps to Increase Transparency, 10 May 2010, <http://www.cartercenter.org/news/pr/sudan-051010.html>

³³ Democracy on Hold, 29 June 2010, Human Rights Watch, <http://www.hrw.org/en/reports/2010/06/29/democracy-hold>

³⁴ Carter Center Statement on Sudan Referendum: Strong Start to Registration But Urgent Action Needed to Ensure Broad Participation, 24 November 2010 <http://www.cartercenter.org/news/pr/sudan-112410.html>

B. Historical events explaining in part the conflict.

1. From the Fur Sultanate to Darfur, a region of Sudan

The sultanate of Darfur was ruled by the Keira dynasty from the seventeenth century until 1874 when the sultanate fell under the control of the Ottoman Empire. The brief period of Turco-Egyptian rule was marked by sporadic revolts by the Fur and the turbulent Baggara tribesmen to the south. In 1885 the sultanate was taken by the Mahdist forces who wanted to restore Islam in the region and fought against the Turco-Egyptian Empire. This lasted until 1898 when Ali Dinar, a Fur of the Keira dynasty restored the sultanate. This short period of 24 years is known as *umm kwakiyya* (years of misery, burning and banditry) leaving the region with famine, local conflicts and a very weak economy.

The downfall of the Fur sultanate came during the First World War. In 1916 the British killed Ali Dinar considering he had too close links with the Ottoman Empire. Darfur was then annexed to the Anglo-Egyptian condominium or Anglo-Egyptian Sudan (1898-1956). But Darfur revealed not being a region of great interest for the development of Sudan for it had no exploitable resources and was inhabited by cultivators and impoverished herdsmen. Darfur was then neglected, administered by a few British officers - who left the day-to-day governance to local chiefs.

Darfur had never been governed by the central government of Sudan and it did not change upon the independence of Sudan in 1956. The central government has continued to neglect the region of Darfur and the construction of roads, schools, industries and medical facilities remain far behind the rest of the country, especially the Nile region where the capital Khartoum is situated. When the British left the country in 1956, the only strong institution they left behind was the army, the Sudan Armed Forces (SAF). Over the early post-independence period, the army conducted several "coup d'état" against democratically elected but incompetent or corrupted political leaders. However the military powers put in place were often close to tyranny and military dictatorship³⁵.

2. The origins of the current conflict

It is difficult to determine the origins of the current conflict. There are not one but several causes. Disputes over pasture and discrimination from the government in Khartoum towards Darfurians seem to have played an important role in the beginning of the conflict and authors tend to agree on both these aspects.

Historically, ethnic tensions between farmers (non-Arabs or Africans: Masalit, Fur and Zaghawa tribes) and nomad herders (Arab or Baggara) have always been latent due to the disputes over pasture, agricultural land and water. But those were exacerbated starting in the late 70s due to the global, severe and repeated droughts that rarefied the resources in northern and central Darfur. Besides, the population of Darfur has more than doubled between 1973 and 2002³⁶ going from 3.6 to 6.5 million. Specifically, Arab tribes from neighbouring countries had crossed the border, looking for land: "the

³⁵ For further information on Darfur's history, see J. Flint, 'Darfur, a new history for a long war'.

³⁶ See Cockett Richard, Sudan, Darfur and the Failure of an African State p.172

strategy for livelihoods remained the same, based on small farmers and livestock³⁷ while more and more people were looking for land and livelihoods in Darfur.

Land and wells disputes were however not exceptional and used to be settled by conferences of the traditional leaders. But this mechanism began to breakdown because from the 70s onwards, the central government of Khartoum began a political reform that aimed mainly at destroying political opposition. The region was first divided into two separate provinces in 1974 before becoming three separate states in 2003, further separating weakening the tribes and ethnic groups. The traditional powers lost their authority and were replaced by government-appointed leaders.

The tensions increased even more when the president of Sudan Al’Bashir and his government decided in the late mid-90s to impose an Islamist ideology and Arabic culture to the entire country while the population claiming to have Arab origins represented a minority within the population of Darfur. They injected an ideological and racist dimension to the conflict in defining who was “Arab” and who was “Zuruq” (black). While conducting research on the conflict and its origins, Dr Richard Cockett was told by rebel groups that the main reason of the conflict was not the shortage of land or resources but a political war. He was told: “Arabization was the new policy that created this conflict (...) The Arabs had lived with us side-by-side for years... and then started attacking us. We had been surrounded by the Arab militias in our village (...) we decided to protect ourselves by any means”³⁸.

Between the late 80s and early 2000s the Arab population, Baggara, has been in conflict with each of the three non Arab ethnic groups: the Fur in Jebel Marra region in 1987-1989, the Masalit in the West of Darfur in the second half of the 90s and repeated clashes in North Darfur in the late 90s and early 2000s.

This increase of violence was supported by the introduction of automatic weapons, the GoS providing Arab tribes with weapons and the non-Arab tribes organising self-defence groups and gathering weapons from neighbouring countries. “By the 1990s Darfur was short of water but awash of guns”³⁹.

II. The conflict leading to the deployment of a peacekeeping force

While tensions had been rising since 1987, they became more important and when in 2001 and 2002, the Government of Sudan (GoS) backed attacks on non-Arab communities increased, especially around Jebel Marra and Dar Zaghawa.

A. 2002 – 2003, from local conflicts to civil war

It is difficult to establish a clear chronology of the escalation of violence and who from the rebels or the government started attacking the other party. Facing government policy, the tribes joined each other to attack the government bases. On 21 July 2001 a Fur/Zaghawa group met in Abu Gamra and agreed to fight against Arab Supremacist policies.

³⁷ Ibi. P.173

³⁸ Ibi. P.175

³⁹ Collins Robert O., ‘Disaster in Darfur’ (11 September 2004) University of California Santa Barbara, p.5

The first joint Zaghawa-Fur operation took place in the south of Jebel Marra in February 2002. In November 2002, the different rebel groups organised a meeting in Jebel Marra to determine the repartition of power among the three groups of Fur, Zaghawa and Masalit.

The starting point of the recent conflict is said to be the attack on 26 February 2003 of a police office in capital of Jabal Marra Province, Gulu⁴⁰, by a group of approximately 300 insurgents calling themselves the Darfur Liberation Front (DLF) which changed its name two weeks later into the Sudan Liberation Movement/Army (SLM/A). As an answer to this attack, the Government of Sudan (GoS) attacked the Fur, Masalit and Zaghawa populations.

After the first attack of a police office by Abdel Wahid SLA fighter in February 2003, violence between the rebel groups and the government escalated. The GoS first opened negotiations with the SLA forces as the number of governmental armed forces was insufficient and unprepared to intervene at the same time in Darfur and Southern Sudan. But the ceasefire collapsed no later than the 18 March when Arab militias linked to the government assassinated a Masalit leader, destroyed the Darfur town of Karnoi and the SLA forces started to fight back with success due to the incompetence of the Sudanese army. This was one of the first peace agreements of a, so far, “never ending” list of broken ceasefires.

On 25 April 2003 the SLA forces conducted an attack over El Fasher destroying helicopters, occupying army headquarters and capturing the air force Major General. In this attack, SLA was joined by the JEM.

On the government side, violence against civilians from the supported Janjaweed is reported back in October 2002. One year after the official beginning of the insurgency, over 30 000 people had died, one million of Darfuri were considered as Internally Displaced Persons (IDPs) while another 200 000 had crossed the Chad border to become refugees. In 2010 it is estimated that about 300 000 persons have died⁴¹ and 3 million have been forced into refugees and IDP camps⁴².

Box 1: Root causes of violence given by refugees in camps through the survey “Darfurian voices”.

Each interviewee was asked what he or she believed were the root causes of the conflict and was allowed to volunteer multiple responses. 87.5 % cited either President Omar Hassan Ahmad Al-Bashir, the National Congress Party [NCP], the government, or some combination of these, as the primary causes of the conflict. Also cited were the Janjaweed [54 %], Arabs [36 %], bandits [17 %], racism/discrimination [17 %], introduction of modern weapons [8 %], political marginalization [8 %], a culture of violence [7 %], economic marginalization [6 %], and rebel groups [4 %]. Only 2 % mentioned conflict between nomads and farmers, and less than 1 % mentioned desertification, resource scarcity, or drought. Respondents were asked to rank the three most important root causes of the conflict. As the most important root cause, 29 % named President Bashir, 21 % said the government, 14 % said Janjaweed, 12 % said Arabs, and 6 % said banditry.

⁴⁰ Jabal Marra is situated in the state of western Darfur

⁴¹ 80% of the 300 000 deaths are due to diseases, see Reuters article, 21 January 2010: Eighty percent of Darfur conflict deaths due to disease <http://www.reuters.com/article/idUSTRE60L00420100122>

⁴² See Internal Displacement Monitoring Centre web site: <http://www.internal-displacement.org/8025708F004CE90B/%28httpCountries%29/F3D3CAA7CBEBE276802570A7004B87E4?OpenDocument> and article: Sudan, durable solutions elusive as southern IDPs return and Darfur remains tense, 23 December 2010

This part presents the parties to the conflict when it started. But since 2003, the insurgent groups have split and created several subdivisions (up to thirty).

1. The insurgents

Fighting against the GoS or its allies started long before the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM) became official rebel groups. Most of their early commanders were first part of self defence or armed groups which emerged in the late 80s. In the mid 90s, non Arab villages were attacked and burnt by Arab groups supported by the government. In 1998 more than 100 000 Masalits had fled to Chad because of violence⁴³. By 1996 the Fur started thinking about the creation of an organised resistance. They quickly realised that the main problem did not come from the Arabs herders. There had always been conflict based on access to land and resources and they had been solved by groups leaders. The main problem came from the government and its policies favouring Arabs against the other groups. The Fur first established an alliance with the Zaghawa in April 2001 before being joined by the Masalit in November of the same year. But they decided not to declare themselves as a movement. As presented by Flint and de Waal: "Like the SPLA in its day, the SLA began its military activities before its political agenda was clarified"⁴⁴.

*The Sudan Liberation Movement/Army (SLM/A)*⁴⁵

The SLA was created more by necessity than ideology. The different groups had different views on what they wanted and how they wanted to achieve it. Besides all three groups were well established in their own areas of Darfur and by 2003 they all had their own armed groups, the Aqa'id for the Fur, the armed camps for the Zaghawa and the self defence groups for the Masalits and their own defence system. All three groups also wanted to have the leadership of the SLA and the discussion on the repartition of power where numerous with groups sometimes not trusting each others. "The SLA emerged into the political arena as a marriage of convenience rather than conviction – a coming together of tribally organized armed groups on the basis of what united them with very little discussion of what divided them. It was a receipt for disaster"⁴⁶.

The Fur part of the SLM that attacked the government soldiers in Jabal Marra was lead by Abdel-Wahid al-Nour. The Zaghawa part of the SLM, which can be found in North, South and Eastern Darfur, was led by Minni Minawi. The first Zhagawa/Fur attack took place on 25 February 2002 in the South of Jebel Mara. But already at that time, both groups did not agree on who to attack: the Arab groups according to the Fur while the Zaghawa wanted to attack police offices, representing the government.

These dissensions were very quickly an obstacle to the sustainability of the SLA and the movement split already a first time in 2004.

⁴³ Flint and De Waal, Darfur a new history of a long war, p.74

⁴⁴ Ibid. p.83

⁴⁵ Both names, Sudan Liberation Movement (SLM) and Sudan Liberation Army (SLA) are used

⁴⁶ Flint and De Waal, p.95

The Justice and Equality Movement (JEM)

The JEM is the second rebel movement. It has a smaller military branch than the SLA but it has a greater political maturity. It was officially announced within weeks after the SLA had attacked the GoS in February 2003. Like the SLA, its origins are back in the mid 90s. It was originally composed of Islamist Darfurian based in Khartoum (university students and politicians) deceived by the politic of the Sudanese government vis-à-vis the region of Darfur. Composed of a few hundreds of people, it created an assembly and a Congress whose president was Doctor Khalil Ibrahim, a highly educated person respected by tribal leasers.

The first attack of the JEM on the government factions was in March 2003 in North Darfur.

The JEM is probably at the origin of the “Black Book: Imbalance of Power and Wealth” (also called Black Book), an anonymous publication published in two parts in May 2000 and August 2002 and denouncing the discrimination conducted by the GoS towards Darfur and Sudan “black” people (as opposed to the Arab people).

The Sudan People’s Liberation Army (SPLA)

Based in South Sudan, the SPLA has been at war for years against the central Government of Sudan fighting for its independence. In the early hours of the conflict in Darfur, the SPLA provided the Darfur rebels with early support in the form of weapons and training.

Since the beginning of the conflict in 2002, the rebel groups have clashed several times and created new sub groups, especially during the peace negotiations. For example, in February 2010 a new movement emerged. The Liberation and Justice Movement created by Tijami Sese, an intellectual Darfurian. It includes former members of the SLA and JEM. In July 2010, this group was involved in peace negotiations with the GoS in Doha, Qatar. Julie Flint has described two of these groups⁴⁷.

Box 2: The Tripoli Group and the Gration Group

The ‘Tripoli Group’

Initially known as the ‘Tripoli Group’, but later, after a number of defections and permutations, as the Revolutionary Liberation Forces of Sudan, this made-in-Libya alliance was composed of Zaghawa, Masalit, and Arabs, but lacked a leader of genuine standing or popular appeal. Several of the signatories had feet in several camps. Most had no substantial following and little military strength. Two were reported to have received funds from the Sudanese Embassy in Tripoli. The group attempted to increase its credibility in September 2009 by announcing that a former Darfur governor, Tijani Sese, would lead it, but Sese categorically denied this. Its members were as follows:

SLA-Khamis Abdalla. The original vice-chairman of the SLA, Abdalla had been absent from Darfur for several years, moving between Asmara and Nairobi, and had seen his support even within his own Masalit tribe dwindle. Of little weight since the DPA, and with most of his people in Chad since the devastating offensives of 2003–04, he had become notorious for promising his support to all sides, even when they were in conflict with one another.

⁴⁷ Flint Julie, ‘Rhetoric and Reality: ‘The Failure to Resolve the Darfur Conflit’

SLA-General Line (or Mainstream). Headed by Heidar Adam, a Masalit formerly with Khamis Abdalla.

SLA-Field Leadership. Headed by Ali Mukhtar, a Masalit, also formerly with Khamis Abdalla. Mukhtar represented the SLA in the Ceasefire Commission before moving to SLA-Minawi, then SLA-Unity, and finally to Libya, where he worked as a trader before creating a 'movement' of his own.

SLA-Juba. Mohamed Saleh Harba, a member of the Kobe branch of the Zaghawa, led a breakaway movement from JEM in 2005, criticizing Khalil Ibrahim's 'dictatorial' style of leadership. After the DPA was signed, Mohamed Saleh went to Khartoum with Minni Minawi before joining the main SLA opposition to Abdul Wahid in the SPLA-supported SLA-Juba group. He split from SLA-Juba, but, confusingly, kept the name.

SLA-Unity. A mainly Zaghawa splinter of the original SLA-Unity, this grouping had almost no presence in Darfur and was led by relative unknowns from the diaspora. Its most vocal figure was former Minawi spokesperson Mahjoub Hussein.

Democratic Sudan Liberation Movement. Formed in August 2009 by former SLA-Minawi commander Ali Carabino.

United Revolutionary Forces Front (URFF). An Arab alliance, composed mainly of Abbala nomads, that emerged in 2007 led by Ibrahim Zubeidi, a graduate of Khartoum University. The URFF controlled no fixed areas, but, like Carabino's group, was reported to have a degree of armed strength that other components of the 'Tripoli Group' lacked.

The Gration group

Meeting with Gen. Gration for the first time in Addis Ababa in August 2009, leaders of several factions agreed on a 'road map' that they said would lead to a unity conference in Darfur within two months. The road map envisaged uniting dissidents from the original SLA before broadening out to embrace others, including splinter groups from JEM. Less than three months later, with the unity conference postponed indefinitely, Gration's SLA interlocutors were questioning his commitment to the process because of his silence over the recent arrest by JEM of the chief of staff of SLA-Abdul Wahid, Yousif Ahmad Yousif 'Karjakola'. Karjakola was seized while crossing the border from Chad, reportedly to rally support for the unity conference in Abdul Wahid's stronghold of Jebel Marra. The three SLA factions in the Gration group were as follows:

SLA-Juba. The original Juba faction led by Ahmad Abdul Shafi, the first close Fur associate of Abdul Wahid to challenge his leadership, but now contested himself—in part because of his long absence from Darfur in Southern Sudan; in part because of his weak performance since challenging Abdul Wahid.

SLA-Unity. The original SLA-Unity led by Abdalla Yahya, a young Zaghawa commander with a loyal but limited following in North Darfur. The third SLA faction was a group of North Darfur commanders led by Ismael Rifa Jara, a member of the Meidop tribe and former military leader of SLA-Unity. Rifa joined SLA Abdul Wahid in 2007, believing that the movement should be led by a Fur. He left early in 2009, alienated by Abdul Wahid's absence from the field and his failure to establish democratic structures and accountability. Also present at the Addis meeting was one non-SLA faction—the United Resistance Front (URF) of Bahr Abu Garda, deputy to Khalil Ibrahim in JEM until the two split in 2007 and subsequently named by the ICC in connection with the September 2007 attack on the AMIS peacekeepers in Haskanita. In October 2009 the URF joined a separate Egyptian initiative with members of the Tripoli Group and others who rejected Libya's insistence that a unity conference be held in the Libyan town of Kufra rather than Darfur. These included a

2. The Government of Sudan and its allies

The Government of Sudan (GoS)

One of the key elements of the “Black Book” in Sudan was to show how the political and economical power of Sudan had been since the independence in the hands of a small group of three tribes living along the Nile, north of Khartoum. The three tribes were respectively represented by the President Omar al Bashir, the vice-president Ali Osman Mohamed Taha and the Defence Minister Bakri Hassan Saleh. They are all members of the National Islamic Front (NIF), an Islamist political organisation founded in 1960 by Hassan al-Turabi, a religious leader who took part in the institutionalisation of sharia in the northern part of the country. The political party of the NIF is the National Congress Party (NCP).

The government has been weakened by the conflict with Southern Sudan and was forced, under the international community pressure, to accept a peace agreement that will eventually lead to the independence of Southern Sudan in 2011. When the rebel groups of Darfur started their attacks in Darfur, the government decided to violently counter-attack the insurrection not hesitating to target Darfur civilian population. As mentioned earlier in this paper, several government leaders, including its president Bashir are under arrest warrant of the ICC for being responsible of crimes against humanity in Darfur.

The Janjaweed

The Janjaweed are militias composed of armed people and supported by the government of Sudan. Janjaweed is the term given by non Arabs to those armed groups who come mostly but not exclusively from Arab tribes. However, many Arab tribes did not join the Janjaweed, especially the land-holding tribes which remained largely neutral in the conflict. The Janjaweed prefer calling themselves “horsemen” (fursan). They come originally from the Baggara cattle herders in central and south regions of Darfur and adjoining regions in Chad. The Arab Chadian migrated to Darfur and Sudan for religious, economic and political reasons⁴⁸. This immigration changed the demography of Darfur and the migrant which in some village represented a majority of the population wanted to access land, natural resources and political rights such as citizenship. The access to land and power came through the reform of the native administration system. For example, in 1995 the reform in West Darfur introduced 8 Arab amirs leaving only 5 non Arab amirs. Therefore a majority of chiefs were Arabs. Fearing for their land, the Masalit created the self defence units and prevented Arab herders from accessing their land. All peace talks between the different groups failed. In 1997, the reform in South Darfur gave right to own and to the Arabs. These reforms done with the support of the government pushed the non Arabs to believe that the government was pro-Arab.

Six groups of armed and pro-government people can be listed as being in a way or another linked to the Janjaweed:

- Peace forces (Quwat al Salaam)
- Nomad Protection Forces

⁴⁸ For more information on the reasons of migration, See De Waal, War in Darfur, p.115

- Um Bakla irregular forces
- Um Kwak attacker forces
- Popular Defense Forces (Difaa al Sha'abi)
- Popular Police Force (Shorta al Sha'abi)

The Janjaweed ideology is the Arab supremacy. They have been supported by the successive governments of Sudan because it is believed that maintaining Arab presence in Darfur would be the only way to keep Darfur in the Republic of Sudan. "At minimum the aim is to stabilize the Arab presence in Darfur; at maximum the objective is to change the demography of Darfur"⁴⁹. The Janjaweed were officially recognised by the government as an armed group in 1999 when they were provided with uniforms and integrated in the Popular Defence Forces. Janjaweed were paid by the government and provided with weapons and when they were talking about stop the war in Darfur, more money would come from Khartoum.

Violence between Janjaweed and non Arabs rebel group rose in the early 2000s when the government called upon the Janjaweed to stop the rebel movements. But the gradually government lost control over the Janjaweed who felt the government was not defending their interests.

"After the Darfur Peace Agreement of May 2006, many of (the Janjaweed) groups felt their interests had not been represented during the negotiations between the government and rebels. Increasingly autonomous from the government, many groups began to fight among themselves: others entered into negotiations with rebel groups, with some eventually joining the rebels"⁵⁰.

3. The neighbouring countries

The situation of Sudan is not facilitated by the environment in its surrounding countries as most of them are also politically instable or even at war. The entire region is destabilised⁵¹. The rebel groups of different countries have from time to times been called to intervene in the conflicts of their neighbouring countries in exchange of some political and economic support. The boundaries created by colonialism between the countries are porous and often meaningless for the ethnic groups that were divided by these artificial separations. It is the case of the Zaghawa in Chad and Darfur for example.

Countries like Eritrea and Ethiopia in the east of Sudan, the Democratic Republic of the Congo and Uganda in the south and Chad in the west of the country have all been at war in the past years and rebels and civilians have found refuge in the neighbouring countries. Gaddafi the Leader of Libya, in the north of Sudan has tried through a policy of arabization of the region to unify Darfur to Libya and invaded the region in the 70s with the support of the Arab tribes of the self-proclaimed "Islamic Pan African Legion".

⁴⁹ De Waal, War in Darfur, p.114

⁵⁰ Darfurian Voices, Documenting Darfurian Refugees' Views on Issues of Peace, Justice and Reconciliation, p.15

⁵¹ Tubiana, 'The Chad – Sudan Proxy War and the 'Darfurisation' of Chad: Myths and reality' (2008)

Chad

Chad and Sudan have been involved in each others “internal” conflicts since the creation in Darfur of the Muslim Chadian rebel group FROLINAT (Front de Libération du Tchad) in 1966.

The support of Chad along the years has moved forth and back from one party to the conflict to the other depending partly of the origins of the president of the country. In 1989-90 the Fur of Darfur region received arms from the Chadian president Hissène Habré to fight the “Mouvement Patriotique du Salut”, a Chadian Zaghawa rebel group formed by Idriss Déby with the support of Sudanese Zaghawa⁵².

In the 90s, the new Chadian President Idriss Déby, who had replaced Hissène Habré in December 1990 refused to support Darfur rebel groups as he was indebted with to the GoS (which supported him in accessing to power in Chad). But in 2000-2001 while the Arabs of Darfur multiplied attacks against Zaghawa in Darfur, the Zaghawa population in Chad started to provide Sudanese Zaghawa with informal support. In 2003, Idriss Déby was pressed by his own family to support the Zaghawa rebels, started more open support to Darfur rebels.

The diplomatic relations were broken in April 2006 when a Chadian rebel group based in Darfur crossed the border and attacked the capital of Chad N’Djamena.

III. Towards peacekeeping missions

A. The international community’s struggle to intervene.

Conflicts between the GoS and rebel groups had started in the 90s and serious violence and violations of international humanitarian law erupted in 2002 but Darfur went unnoticed by the international community. It was only in April 2003 that the first humanitarian mission was sent by USAID’s office of Foreign Disaster Assistance. It even took four years and a strong mobilisation of the international community to see the Security Council create the United Nations Mission in Darfur (UNAMID) in 2007. There are several reasons for this slowness:

- There was no peace to keep as there was no sustainable peace agreement
- China and Russia, permanent members of the Security Council were often against sanctioning Sudan
- The government of Sudan refused the intervention of a peacekeeping mission and even of humanitarian relief despite the increasing number of refugees and Internally Displaced Persons (IDPs). “At the start of 2003, just five foreign relief agencies were conducting routine operations in the region”⁵³.

But another reason why the international community was not inclined to intervene was that the Darfur conflict “arose” at the wrong time of Sudan’s history. Indeed at that time, the Government of Sudan was negotiating peace and the signature of the Comprehensive Peace Agreement with the SPLA over the conflict in South Sudan:

⁵² The Zaghawa group is spread over the two countries of Chad and Sudan.

⁵³ Flint and De Waal, ‘Darfur, a New History of a Long War’, p.168

This was the Holy Grail for the European, the British and the Americans. As its name suggests, the CPA was designed to be just that - 'comprehensive'. It was supposed to solve all of Sudan's problems, at least to the satisfaction of Western donors, at one stroke. It held out the prospects of an entire constitutional overhaul of the country, including general elections (eventually held in 2010).⁵⁴

The Americans especially were prompt to obtain the signature of the CPA by both parties. Stuck in Afghanistan and in Iraq respectively since 2001 and spring 2003, the Bush administration needed a foreign-policy success before the elections of November 2004⁵⁵. The reasons why the GoS was inclined to sign the CPA were that they had the guarantee of getting 50% of the benefits of the oil industry in the South (at least until 2011) but even more, it was eager to be withdrawn from the US list of terrorist states, be accepted back into the international community and have its economical sanctions lifted. During the negotiations, the GoS obtained several times the promise by the American negotiators that it would be the case if the CPA was signed⁵⁶.

When the attacks from the rebel groups started in April 2003 the Government of Sudan was surprised by the level of violence. It planned a strong counter-insurgency operation. As the Western countries were focussing on the CPA, they were "ready to accept a military solution [in Darfur], if it was a quick surgical approach"⁵⁷. But instead of stopping rebel movement, the GoS's intervention and use of Janjaweed worsened the situation and turned a conflict into a civil war. The surgical operation turned into mass killings and ethnic cleansing. A US diplomat quoted by Richard Cockett in his book said "We warned them [the Sudanese government]... and they messed it up"⁵⁸. The intervention in Darfur was in no way surgical and intended to stop the rebel groups. I rather was part of the "Arabization" campaign as the soldiers and Janjaweed were asked to attack and kill people who were not Arab.

Box 3: Description of GoS and Janjaweed attacks over Darfuri villages(Cockett)

"The relentless assaults on the Darfuri villages followed a regular pattern. First, during the night, the Antonovs swooped low over the *tukuls*, the traditional houses made of mud and reeds, and those 125lb bombs were rolled off the ramps at the back of the plane – about ten of them on one run. This started people running from the village. Next came the MI-4 (Hind) attack helicopters, flying low, strafing the people as they fled. And then, at first light, came the camel – or horse-mounted *Janjaweed*, the Arab militias, often joined by regular Sudanese soldiers. Often they would arrive in 'Technicals', the converted Toyota pick-up trucks that are the transport of choice for the swift desert movement. The *Janjaweed* would set fire to much of the village, shoot or rape anyone they could find and make off with what was left." p.186

"Soldiers were ordered to shoot people whether they were armed or not. We didn't leave anyone alive and we didn't take prisoners. When we attacked villages we were ordered to destroy everything that might aid survival and existence, even pots and pans. We were given instructions to poison the wells". p.187

⁵⁴ Cockett, 'Sudan, Darfur and the Failure of an African State' p.177

⁵⁵ The CPA was finally signed in January 2005

⁵⁶ See Cockett, p.178

⁵⁷ Ibid p.180

⁵⁸ Ibid p.180

Several ideas for international intervention were launched but never followed with effects partly because the US and Britain had no capacity to military intervene in Darfur due to their high implication in the Afghanistan and Iraq wars. However, from mid-2004 a full humanitarian operation was launched and by 2005 “mortality rates in Darfur came down to levels comparable to those before the war – levels ‘normal’ for a desperately poor and under-serviced region”⁵⁹.

The international civilian community’s interest for the conflict in Darfur really started in 2004 with Jewish and Christian groups calling for international intervention. On 14 July 2004 the Save Darfur Coalition was created in the United States and soon became one of the most influent lobby groups supported by several Hollywood actors and “made Sudan a public issue rather than a bureaucratic one”⁶⁰ and even push the US Congress and politics to define the situation in Darfur as genocide⁶¹. Throughout 2005, 2006 and 2007 alongside the call for intervention to stop the ‘genocide’, the Darfur lobby groups kept asserting that things were getting worse, pretending that the level of monthly death due to war, famine and diseases was considerably increasing. Despite being contradictory to UN figures, the pressure on western governments was getting stronger and stronger, calling for military intervention. But rather than improving the situation on the ground and getting things moving in a positive way at the international level such statements were making things more difficult:

International Agencies saw their work demonised in the Sudanese media and portrayed as part of a conspiracy against Sudan. Public rhetoric by western leaders and advocates confounded the problem said one ad worker. ‘What appeared to be strong and important statements in the US or UK had a negative impact in Sudan, where they fed into a very public paranoia that the West was only interested in Darfur to justify taking Sudan’s oil and stealing Muslim territory as they claimed had occurred in Iraq’.⁶²

The high expectations for what UN peacekeepers would do was frankly astonishing to those in the UN’s department of Peacekeeping Operations and others who had witnessed UN peacekeeping operations from Sierra Leone to Congo. Many believed the deployment was doomed to be, in the words of a UN official in Khartoum, ‘an announced disaster’. A mandate under Chapter VII of the UN Charter that allowed the troops to use force would mean little unless there was a plan for how that force could be used successfully, and there was not.⁶³

Despite the strong push from the civil community, efficient diplomatic intervention was blocked. Strong arms embargo and restriction on travel were discussed in 2006 and 2007 but no further step was taken: “The international community has substantially failed. There has been an unwillingness, when we get to

⁵⁹ Flint and de Waal, p.172

⁶⁰ Cockett, p.216

⁶¹ The term genocide was first used by Mukesh Kapila, the UN humanitarian coordinator in Sudan. However the US was the only country to use the word genocide and whether or not there has been a genocide in Darfur will be discussed and determined by the International Criminal Court if Sudanese leaders under arrest warrant ever get tried.

⁶² Flint and de Waal, p.188

⁶³ Ibid, p.196

the tough stuff, to do the things that would convince the [Sudanese] government and the rebel groups that things would end badly for them... We have gone to the brink so often, and then not done it"⁶⁴.

B. The Darfur Peace Agreement (DPA)

Under the pressure of the international community a peace agreement was finally signed in May 2006 between the GoS and part of the SLA branch under the lead of Mini Minawi. But the other rebel groups rejected the document and many were those who criticized the way the negotiations were conducted.

1. Difficult negotiations of the DPA...

Since the beginning of the conflict in early 2003, several ceasefires have been signed between the parties to the conflict but they have been systematically violated. The first country which tried to establish a ceasefire was the neighbouring Chad, worried by the high number of refugees crossing its borders. The president Idriss Déby mediated a 45-day ceasefire negotiation between the GoS and the SLM/A in the Chadian border town of Abéché in September 2003. As he criticized the attitude of the rebel groups, his credibility as being an independent mediator was damaged and the rebels asked for international presence for the future peace agreement discussions. With the assistance of the African Union, Chad mediated a Humanitarian Ceasefire Agreement on the conflict in Darfur in N'Djaména (Chad) on 8 April 2004 between the GoS and a joint SLM/A and JEM delegation. But once again, the issue was compromised as the GoS had objected to US, EU and UN participation and only accepted international observation for talks on humanitarian issues.

The Agreement on the Modalities for the Establishment of the Ceasefire Commission and Deployment of Observer, signed in May 2004 in Addis Ababa acknowledged the AU as the lead international body in Darfur. It was followed by the Protocol on the Security Situation in Darfur, the Protocol on the Improvement on the humanitarian Situation in Darfur and the Declaration of Principles for the Resolution on the Sudanese Conflict in Darfur, all signed in November 2004. The Comprehensive Peace Agreement (CPA) related to the conflict in South Sudan signed in January 2005 between the GoS and the Sudan People's Liberation Movement/Army (SPLM/A) had little impact on the AU-mediated process in Abuja.

The Abuja talks were complicated. Trust between and within parties was very low, and the GoS team was stronger, understood the process better and held most of the cards. The AU continued to deal with the SLM/A as one party; long after the split between Abdel Wahid and Minni Minnawi was public and only recognizing the two factions as separate negotiating parties in December 2005.

The Darfur Peace Agreement signed in May 2006 is the result of seven rounds of Peace Agreement. The last round of negotiations started in November 2005 with conflict parties unwilling to negotiate and standing firm on their positions and an international community financing the peace talks and running out of patience. The Head of the AU Mediation Team, Ambassador Sam Ibok, deplored the fact that:

“While we have been attempting to negotiate a peace agreement, the Parties have continued to fight it out on the ground in Darfur. This has got to stop. The Government and the Movements first signed a

⁶⁴ Cockett. p.228

Ceasefire Agreement almost two years ago, but they never stopped fighting; and today, the humanitarian agencies in Darfur are reaching fewer people than they did when that Ceasefire Agreement was signed. The humanitarian situation is catastrophic. This is completely unacceptable”⁶⁵.

On a visit to Abuja in early 2006 Jack Straw, the British Foreign Secretary, criticized the parties for having failed to meet the 31 December 2005 deadline set by the UN Security Council for a comprehensive peace agreement. In a speech entitled “Darfur at the Crossroads” he said: “the international community has poured a lot of money, time and effort into the talks” but “our patience is not unlimited. If the parties do not reach an agreement here soon, we, with the AU, will need to start looking at the alternatives”⁶⁶. In the early months of 2006, the deadline was postponed months after months with the international community threatening the parties with sanctions that were never followed by action and thus were ignored by the Sudanese parties to the point that a Senior Sudanese official said that “The United Nations Security Council has threatened us so many times, we no longer take it seriously”⁶⁷.

While the negotiations were not going anywhere, by mid-April 2006 the Chairperson of the African Union asked the mediators to accelerate the preparation of a peace agreement. Although even the best mediators considered the deadline of 30 April to be unrealistic, five days before this deadline the mediation team presented the Darfur Peace Agreement (DPA) to the parties on a take-it-or leave-it basis. The GoS and the rebel groups “had less than a week to read, comprehend, debate within their ranks and then endorse an 86-page English-language document aimed at achieving a ceasefire and addressing the causes of a civil war through a set of complicated security, political, economic and administrative arrangements”⁶⁸. The Sudanese parties criticized the fact that the text was in English and it was finally translated into Arabic on 28 April giving one day to study the text before accepting or rejecting it. The rebels asked for a delay of three weeks to study the document and propose negotiations but this request was rejected and only an extension of 4 days was given. During this period negotiations and pressures over the rebels were important. Finally on 5 May 2006 the GoS and the SLA branch of Mini Minawi signed the Peace Agreement but not the JEM and the SLA branch of Abdel Wahid.

After the signature of the DPA, the African Union set a deadline for Abdel Wahid SLA and JEM to sign the document. They first had to sign the DPA before the 15th of May. This deadline was extended until early July as Abdel Wahid was working on the parts of the document that gave him most concern. But the process ended in the beginning of June as even the most modest modifications brought by Abdel Wahid were rejected on the ground that the text could not be renegotiated.

⁶⁵ ‘African Union Presents Ceasefire Proposal to Sudan Government and Darfur Movements: AU Tells the Sudanese Parties in Abuja – Time is Up’, Abuja, 12 march 2006

⁶⁶ Laurie Nathan, ‘No Ownership, No Peace: The Darfur Peace Agreement’ (September 2006) Crisis States Working Papers Series No.2, Crisis state Research Centre

⁶⁷ Prendergast John, ‘A Dying Deal in Darfur’, (13 July 2006) Boston Globe,

⁶⁸ Laurie Nathan, ‘No Ownership, No Peace: The Darfur Peace Agreement’ (September 2006) Crisis States Working Papers Series No.2, p.5

2. ... Resulting in an unsatisfactory peace agreement

Due to the fact that only one rebel group out of the three major ones signed the agreement, the DPA is by no means a comprehensive agreement in the mould of South Sudan Agreement. On the contrary the DPA heightened the conflict and made its resolutions more difficult. One of the first consequences was a further split of the rebel groups. Indeed upon the signature of the agreement members of the SLA branch of Mini Minawi (SLA/MM) left his group while members of Wahid's branch and 4 JEM senior officials signed a declaration of support to the agreement.

The way the negotiations have been conducted can be criticized. First, if the peace process was blocked, it was because of the Sudanese parties. The government of Sudan had violated several times the previous ceasefire agreements and even modified the documents signed. As an example the Humanitarian Ceasefire Agreement signed on 8 April 2004 in N'Djamena mentioned that the government had to neutralize the militias (mainly the Janjaweed) but a hand written provision was added on the agreement after the signatures and called for the cantonment of rebels in parallel to the disarmament of militias. This provision was rejected in block by rebel groups and the African Union but the rebel groups were then suspicious on the real will of the GoS to reach a peace agreement. The Rebel groups also have their part of responsibility as they never managed to speak with one voice and their representatives were often absent from the discussions.

The Peace Agreement consists of three chapters respectively on power sharing, wealth sharing and security arrangements and the part most in favour of the rebels groups is the one on security arrangements. This is due to the fact that Mini Minawi who signed the peace agreement is mostly military oriented and focussed on this specific aspect of the DPA. The groups that did not sign the peace agreement criticised the unbalanced "power sharing" part of the document as they wanted to have more control over Darfur. However, unlike the SPLA in South Sudan, the Darfur rebel groups had not been fighting for over 20 years and did not control important areas or cities of Darfur.

Secondly, many voices were raised on the way the negotiations were conducted by the African Union and the international community. People criticised the absolute will of quickly having a final document a little more than a year after restarting peace talk. As Julie Flint noticed:

Defenders of the peace process that began in the Ethiopian capital, Addis Ababa, in mid-2004 before shifting to the Nigerian capital, Abuja, will argue that it lasted almost two years. However, if two years passed between the beginning of the negotiations and the signature of the peace agreement, the first four rounds of the seven-round talks were dominated by the Sudan government's egregious violations of ceasefire agreements and the international community's failure to take a single meaningful step to stop them⁶⁹. As an example, the peace talks to end the civil war in Mozambique in the early 90s took four years but the peace has lasted until today. The second critic that can be formulated towards the conduct of the negotiations is that there was actually almost no negotiations as the parties were presented with a document that could not be revised and had five days to accept it or reject it. As

⁶⁹ Flint Julie, "Without Foreign Chancelleries and Hollywood's Finest, Can Darfur Peace Deal Succeed?", Pambazuka News, no. 254, 11 May 2006

Abaker Mohamed Abuelbashar, head of Wealth Sharing Commission in Abuja peace talks between Sudanese government and Darfur rebel groups, representing SLA/AW, wrote:

Above all the Movement had been given an ultimatum of five days to sign the document or leave it, and this is clearly against the prevailing understanding of negotiation norms worldwide, which allow the parties to negotiate every issue and reach a compromise position where everybody can be a winner⁷⁰.

Even the members of the Mediation Team recognised that the rebels did not have time to read the Peace Agreement: “We believe that many of the suspicions about this Agreement are based on misunderstanding and the fact that many of you have not had time to study the text in detail, and understand what it provides”⁷¹.

As a consequence, violence resumed just after 5 May especially in camps of IDPs where people supporting the SLA/AW were not happy with the provisions of the text as they considered it would not secure their return to their home.

The benefits of this peace agreement stop here as its provisions have been violated soon after the signature. Since May 2006, several other peace talks have taken place between the government and the rebels.

The Minni Minawi part of the rebel group was even dismantled in December 2005 upon the signature of the Darfur Peace Agreement with the government of Sudan. The non signatory coalition, made of commanders from North Darfur who were united on the ground that they opposed the peace agreement and rejected Minawi’s authority was by the end of 2006 the strongest force on the ground. The group was known as the Group of 19 (G-19). But this group found little international recognition as the United Nations and the African Union persisted in focussing on Abdel Wahid and Minawi as rebel representatives while they did not control the field and had no popular support anymore.

⁷⁰ Abuelbashar Abaker Mohamed, ‘On the failure of Darfur peace talks in Abuja’ 25 august 2006, Sudan Tribune

⁷¹ Explaining the Darfur Peace Agreement - An open letter to those members of the movements who are still reluctant to sign from the African Union moderators’, May 2006,

Section 3: The slow set up of the hybrid peacekeeping operation

I. The African Union in its attempt to maintain peace and security in Darfur.

The African Union has been present since the beginning of the conflict in Darfur in 2003. It was first involved in the negotiation of a ceasefire between the different parties to the conflict. But very quickly the AU recognised the need to deploy regional personnel to monitor, verify investigate and report on the ceasefire agreement of 8 April 2004 (the N'Djamena Humanitarian Ceasefire Agreement).

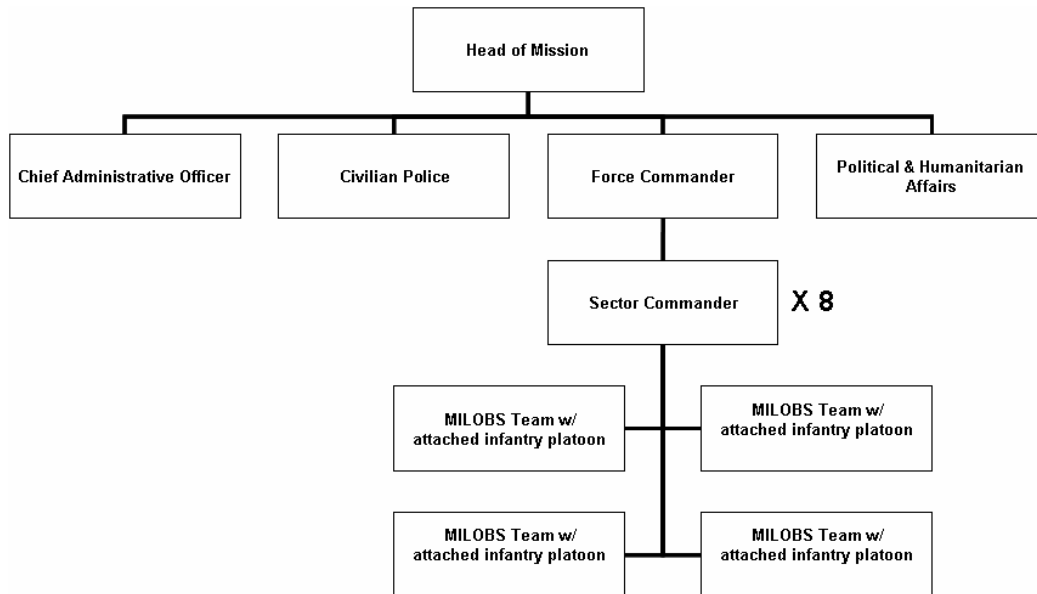
A. The African Mission in Sudan (AMIS)

1. The creation of AMIS

A mission of recognition was sent from 7 to 16 May of the same year and on 28 May 2004 a Ceasefire Commission composed of 465 people (among them 60 military observers and 300 military personnel). On 9 June 2004, the Commission, coordinated by the Darfur Integrated Task Force in Addis Ababa, settled its operational base in El Fasher.

Since AMIS did not have the resources to fulfil its tasks, the Peace and Security Council suggested through a report dated 20 October 2004 to expand the operation. The personnel would go from 465 people to 3320 including for the first time in a peacekeeping mission of the AU, a civilian police composed of 815 police. The Ceasefire Commission (AMIS) became the African Mission in Sudan II (AMIS II).

The new mission structure was as follow⁷²:



⁷² Ekengard, The African Union Mission in Sudan (AMIS), Experiences and Lessons Learned, p.20

The mandate of AMIS II was to:

- Assist parties to reach a political settlement
- Monitor and observe compliance with the Humanitarian Ceasefire Agreement of 8 April 2004
- Facilitate the delivery of humanitarian assistance
- Assist internally displaced people in the camps or for their repatriation
- Promote overall security.

These provisions were weaker than those originally formulated by the Peace and Security Council especially on the protection of civilians because the Sudanese government insisted that this aspect was its own responsibility. Therefore, AMIS was not responsible for the protection of civilian victims and IDPs. Besides the peace agreement signed on 8 April was fatally an inapplicable document for the sole reason that it had not map: "Professional military officers on both sides warned that a ceasefire agreement without maps was unworkable. How could the ceasefire be monitored if the belligerents' locations weren't known to the peacekeepers?"⁷³.

Similarly to the mission in Burundi, the African Union lacked funds and personnel and there was a systematic difference between the decision to deploy more soldiers and the actual deployment. As an example in July 2005, the number of soldiers in the field reached 3320 which corresponded to the decision taken in October 2004 while in April 2005 it was decided that the number of personnel should be of 7000.

Despite some improvements from AMIS to AMIS II, the Peace and Security Council of the AU led a joint mission with the UN from 10 to 22 March 2005 to evaluate the means to strengthen AMIS II. The report of the Chairperson recommended the "re-prioritization of certain operational tasks, including focusing on improved humanitarian access, confidence-building, and coordination with Sudanese police"⁷⁴. The mandate of AMIS II was not modified but enhanced with further deployment of forces including civilian police (1560). AMIS II was replaced by "AMIS II Enhanced" (AMIS II E). Hence in October 2005 the African mission was composed of 6170 military personnel and 1560 civilian police.

AMIS such as AMIB (African Mission in Burundi) was meant to be replaced by a stronger UN peacekeeping mission. But the Sudanese government has systematically rejected this possibility and even asked the AMIS to terminate its operations by 30 September 2006 arguing that the peacekeeping missions were against the principles of sovereignty and non intervention in the affairs of a state. The government used every argument possible, even saying that a UN intervention would be the first step of a re-colonisation of the country.

2. Analysis of AMIS's intervention

One of the main causes of problems faced by AMIS was the lack of planning: "AMIS was never planned, it just happened"⁷⁵. However, in the first few month of the mission, AMIS registered several success:

⁷³ Flint and de Waal, p.174

⁷⁴ Human Rights Watch, 'Imperatives for Immediate Change, The African Union Mission in Sudan' (January 2006) p.20

⁷⁵ Guicherd, Catherine (Rapporteur), "The AU in Sudan: Lessons for the African Standby Force". International Peace Academy, March 2007, p. 4

“We saw some good African Union commanders [who] really made a difference locally – when they organised patrols to go with women to collect firewood; when they would try to defuse conflicts between some rebel groups and some Arab militias, to organise a migration, for instance of cattle along certain roads”⁷⁶. But these successes were more the result of proactive leaders than the mandate of the mission and the means to achieve it.

There are several reasons explaining the difficulties encountered by the AMIS. Other than the very instable situation and unrealistic ceasefire agreement presented earlier and which by itself could conduct to the failure of any peacekeeping mission, we could classify the other reasons into three categories: the lack of support from the international community, the unsupportive attitude of the Sudanese Government and the African Union own mistakes.

The lack of support from the international community

Africa is the continent with the largest number of conflicts and after the failure of some United Nations (UN) operations, the western states have been reluctant to send their own soldiers on the ground or invest money in instable situations. Thus, the creation of an ambitious African Union ready, on the paper, to intervene on its own continent to solve its own conflicts was welcome by the international community. But the African Union is a young organization with a lack of experience and too little money to invest in peace support operations.

Like for the mission in Burundi, AMIS had to face the shortfall of funding. As a result, only 7,000 troops could be deployed while 44,000 would have been needed. The AU did not have the logistic to transport its soldiers to Darfur as it had not its own airplanes and had to rely on US and Greek airlifts. As well, this lack of money resulted in difficulties to settle the operation on the ground. As an example while 300 Rwandan soldiers were ready to be deployed, there were no housing solutions for them in Darfur. There was a shortfall of fuel because only a few trucks could reach Darfur. In 2007 while the civilian was being deployed, it had only 4 vehicles for 250 police⁷⁷.

The unsupportive and biased attitude of the Sudanese government

The Government of Sudan was very habile when it accepted the intervention of the African Union in Darfur. First it authorized the intervention of AMIS with a very limited mandate sticking to traditional peacekeeping articulated around the principles of consent, impartiality and neutrality; which meant that the AMIS had absolutely no power to intervene if the situation on the ground was worsening. The peacekeepers could only defend themselves and could not do anything to prevent attacks of civilians. Secondly, there were neither Rules of Engagement (RoE) nor Status of Force Agreement (SOFA). As a result, when the United States wanted to transport the Rwandan soldiers to Darfur, their cargo planes were denied the right to land in Sudan by the Sudanese government.

⁷⁶ Fabrice Weissman from Médecins Sans Frontières, Flint and de Waal, p.176

⁷⁷ Kreps Sarah E., “The United Nations-African Union Mission in Darfur: Implications and prospects for success”, (2007) 16.4 African Security Review p.69

Finally, as one of the most powerful members of the African Union, the GoS had a strong impact on the decisions taken by the different organs. Sudan was a member of the Peace and Security Council mandated to undertake peace support operations. It played an important role in the negotiation of the terms of AMIS and drafting of the provisions of the resolution authorising the deployment of the force. The government also had to approve the reports of the AU regarding Darfur, especially if they contained information on violations of the ceasefire. The fact that the GoS was considered as being responsible of the protection of the civilian population, including IDPs and war affected communities meant that war victims were under the protection of the own hangman. It was acknowledged that the GoS was the author of war crimes and crimes against humanity “no less serious and heinous than genocide” according to the Report of the International Commission of Inquiry on Darfur. This implication of the GoS into AMIS resulted in the loss of confidence of insurgent movements, IDPs and war-affected communities and led to the deadly attack of AMIS base by the SLA/M on 30th September 2007 resulting in 10 AMIS soldiers killed and 7 wounded⁷⁸.

The mistakes of the African Union

As mentioned earlier, the African Union was a young organization and it had only conducted one peacekeeping operation prior to getting involved in the Darfur conflict. But it seems that it did not learn the lessons from its mission in Burundi and the previous mission of the OAU in Chad.

A first element is that the United Nations would have never sent any peacekeepers with such a weak ceasefire agreement: no map, two ceasefire agreement documents (one signed on 8 April and one with an extra sentence added upon request of the GoS).

It was the first time a civilian police was deployed in a mission of the African Union and this intervention was not prepared enough. The AU lacked precedents on recruiting criteria, training and operational plan. The civilian policemen came from several countries and could hardly understand each other due to language barrier. They also benefited only of a four days training during which they were not presented the local laws and human rights issues.

There were also some internal useless challenges. As an example Nigeria, which was the lead nation in this operation, asked Rwanda to delay the deployment of its soldiers as it wanted to be the first nation deployed? Like every other jobs and tasks, success and failure of peacekeeping missions also depend of the competencies of its personnel. As we mentioned above, the early hours of AMIS were somewhat successful because the first force commander, General Festus Okwonko of Nigeria push to the limits the AMIS mandate. But it is also the reason why he was backed up after he breached the protocol in warning that the GoS was planning an offensive.

The lack of planning had several negative consequences affecting the conduct of the mission.

⁷⁸ Abdelbagi Jibril, ‘Past and Future of UNAMID: Tragic Failure or Glorious Success?’ p.12

Box 4: Guicherd, Catherine (Rapporteur), 'The AU in Sudan: Lessons for the African Standby Force', p.4-5

- Lack of clarity about the division of labor between different components, e.g., the police and military observers, or Civil-Military Coordination (CIMIC) and Humanitarian and Human Rights Officers; insufficient mutual information; and a lack of mechanisms to achieve coherence;
- Lack of agreement on mission structures at field level;
- Particular difficulties affecting the police component (Civilian police or CIVPOL); CIVPOL was a late addition to the mission (October 2004), had difficulty establishing its role in a pre-existing structure, and suffered from a lack of logistic support;
- Deployments being driven by logistics, rather than by mission objectives, e.g., CIVPOL was unable to co-locate with camps of Internally Displaced Persons (IDPs), as originally foreseen, as there was no accommodation or protection available; deployment of CIVPOL was determined by availability of support from the military component, rather than by their Concept of Operations (CONOPs);
- Insufficient guidance from the top, which left much space for the blossoming of personal and national rivalries, to the detriment of overall aims;
- The inadequacy of the mandate and the tools to fulfil it (logistics, communication and information systems, intelligence), due to the lack of a proper pre-deployment assessment—many difficulties involved in the rapid transition from an observer to a PSO mission (lack of preparedness, lack of acceptance of some local communities);
- Gaps in the Status of Mission Agreement (SOMA), which did not cover the CIVPOL, and delays in signing the Status of Forces Agreement (SOFA), resulting in peacekeepers being deployed without proper legal cover;
- More broadly, the inability to anticipate some of the difficulties later created by the GoS, which limited the capacity of the mission to carry out its mandate, e.g., the ability of the police to monitor and verify, or to carry out training activities of the GoS police;
- The absence of benchmarks, with the consequence that commanders and mission leaders have been unable to know whether they had reached their goals;
- Lack of clarity on the role of international partners and what they could contribute to the mission financially, in-kind and via technical assistance; and this further prevented AMIS at the strategic level to communicate a clear message to field actors on this role, leading to a degree of mistrust that durably hampered cooperation.

In limiting itself to its mandate, AMIS could not intervene in any human rights or criminal violation but through writing reports. AMIS lost its image of impartiality and became the target of more and more attacks. By the time their mandate ended on 31 December 2007, more than 40 AU peacekeepers had been killed.

II. UNAMID

A. The deployment of UNAMID

1. Towards the adoption of Resolution 1769 (2007)

Because of the logistical and financial difficulties of AMIS to fulfil its mandate, the African Union and the United Nations had been talking about the possibility of replacing AMIS by a UN led mission since the end of 2005. But with no strong peace agreement and the refusal from the GoS to have a UN peacekeeping mission in Darfur, the UN Security Council was limited in its possibilities of intervention. However it had been following the conflict in Darfur since its beginning in 2003 and voted resolutions to support the African Union when it was possible to do so. But the Government of Sudan benefited from the support of China and Russia, both having right to veto the resolutions and which refused at the beginning to condemn the GoS and impose sanctions. This is partly due to the fact that China had economic agreement with Sudan and economic sanctions over Sudan would handicap China.

The Security Council was not only concerned by the conflict in Darfur. It was also worried by the situation in Southern Sudan and on 11 June 2004, through the resolution 1547, the Security Council created the United Nations Advanced Mission in the Sudan (UNAMIS). This mission had the mandate to facilitate the contact between the parties to the conflict in Southern Sudan. A first step towards Darfur was taken on 30 July 2004 when the Security Council voted the resolution 1556⁷⁹. There was no mention of the intervention of peacekeeping forces but:

- paragraph 1 asked for the “resumption of political talks” between the GoS, JEM and SLA
- paragraph 5 asked rebel groups to respect the ceasefire and end violence
- paragraphs 7 and 8 prohibited the trade of arms and related equipment “to entities and individuals, including the Janjaweed operating in Darfur”
- Paragraph 14 asked the UN Secretary General and the GoS to investigate on violations of human rights and international humanitarian law in Darfur

On 18 September 2004, the Security Council voted resolution S/RES/ 1564 that considered sanctioning the government of Khartoum if it failed to “comply fully with resolution 1556 (2004)”⁸⁰. Algeria, China, Pakistan and Russia abstained during the vote. In application of article 41 of the UN Charter the Security Council decided to impose sanctions to Sudan, specifically on its oil sector and the travels of the GoS’s members.

But the deterioration of the situation in Darfur prompted the international community to take action. On 31 January 2005, the UN Secretary General presented a report to the Security Council (S/2005/57) in which he recommended the creation of a multidimensional operation with military observers and the adequate number of civilians among which civil policemen. The Security Council then voted a new resolution (1590)⁸¹ creating the United Nations Mission in Sudan (UNMIS) under chapter VII to support

⁷⁹ S/RES/1556 (2004)

⁸⁰ S/RES/ 1564 para.14

⁸¹ S/RES/1590 (2005)

the Comprehensive Peace Agreement between the north and the south of Sudan. UNMIS replaced UNAMIS but also had the task to foster peace in Darfur and had a 30 days time to evaluate how it could assist AMIS.

It took more than 30 days to come up with a concrete resolution describing how UNMIS would support AMIS. In the mean time the Darfur Peace Agreement was signed in May 2006 and, intended to end the conflict, it called for several actions to be taken towards a sustainable peace, including the disarmament of the Janjaweed militias under the control of the African Union. But there was no mention of the United Nations taking over peacekeeping responsibilities. The UN were only asked to support the parties in creating a commission to help refugees and IDPs return to their homes. But on 31 August 2006 the resolution 1706⁸² stated that UNMIS shall deploy to Darfur to support the Darfur Peace Agreement⁸³. The GoS strongly opposed the resolution 1706 (2006) and the three parties had to go through another round of negotiations while extending AMIS's mandate for three months.

The AU and UN finally succeeded in obtaining the agreement in principle with the GoS to establish a hybrid peacekeeping mission⁸⁴. On 16 November 2006 a first step towards the deployment of a UN peacekeeping mission was taken in a meeting in Addis Ababa between the parties to the conflict and the UN Secretary General Kofi Annan. The Sudanese officials agreed in principle to a deployment in three phases:

- a light support package to AMIS with technical support and minimal personnel increase
- a heavy support package with several hundred U.N. military, police and civilian personnel
- a hybrid AU-U.N. force with a joint command and control structure, increased troop levels and stronger logistical support.

The agreement was officially accepted by the president Bashir on 27 December 2006 and the deployment of the light support package started the day after but the deployment of the heavy support package was more complicated as the GoS delayed its agreement on the details of the deployment. The first personnel of the heavy support package could only be deployed on 24 November 2007, that is to say 4 months after the Security Council voted the resolution for the deployment of the hybrid force. "135 of the 335 personnel of the multi-role engineer and well-drilling company from China arrived in Nyala" while the heavy support package force should be "of 2,250 military personnel, 301 police advisers, 3 formed police units and 1,136 civilian personnel"⁸⁵.

The Security Council adopted the resolution 1769 (2007) on 31 July 2007 creating the African Union - United Nations Hybrid Operation in Darfur (UNAMID), first mission in which two organisations have a joint command . The AU mission was officially transformed into a Hybrid AU/UN mission on 31

⁸² S/RES/1706

⁸³ UNMIS would then have been the largest mission deployed in UN's history with 30000 military and civilian personnel

⁸⁴ The fact that China became less supportive of the GoS in its refusal of a UN operation might explain in part this evolution of GoS attitude. China's position can be explained by its desire to appear more pro human rights two years prior the Olympics Games that took place in Beijing.

⁸⁵ Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur, 24 December 2007, S/2007/759

December 2007 when the soldiers replaced their green helmets into blue ones and the authority was transferred from AMIS to UNAMID.

2. The mandate of UNAMID

As well as its unique creation as a hybrid operation, UNAMID's mandate has some particularities compared to other peacekeeping missions' mandates. First it stipulates that UNAMID should be essentially composed of African troops: "the Hybrid operation should have a predominantly African character and the troops should, as far as possible be sourced from African countries"⁸⁶. Secondly the mandate establishes for the first time a time line for the deployment of the operation (paragraph 5 of the mandate). As of 31 July 2007, UNAMID had 30 days to conclude a status-of-forces agreement with the GoS and then four months (no later than 31 December 2007) to settle the mission with management and operational command in place and be ready to achieve "full operational capability and force strength as soon as possible"⁸⁷. The intention to avoid long delays in the deployment of the mission on the ground was valuable although too ambitious and created high expectations among Darfur civilians and the international community. In practice, the delays were impossible to respect, partly due to the GoS's attitude as we will see later.

The operation was deployed under Chapter VII of the UN Charter, theoretically allowing a strong peace operation with the possibility to enforce peace. The mandate of UNAMID is wide, creating a multidimensional operation. The mandate of UNAMID was directly taken from the Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur of 24 December 2007, paragraphs 53 – 55⁸⁸. UNAMID is tasked to "take necessary action" in order to:

- Protect civilians under threat of attack.
- Support the implementation of the Darfur Peace Agreement (DPA).
- Ensure effective access for humanitarian workers to those in need.
- Ensure the peace process is as inclusive as possible.
- Promote a secure environment so that economic development can take place and internally displaced persons (IDPs) and refugees can return to their homes.

This last function, protection of civilians, is however limited as it should be done "without prejudice to the responsibility of the Government of Sudan"⁸⁹. This means that the GoS has the primary responsibility of the protection of the civilians and UNAMID can only enforce its duty without prejudice to the GoS.

⁸⁶ UN Doc S/RES/1769 (2007)

⁸⁷ Ibid. para. 5 c)

⁸⁸ See Annex 1

⁸⁹ Ibid.

3. Composition and Structure of UNAMID

The concept of hybridity did not simplify the planning process of the mission as it took place both in Addis Ababa and New York (where the African Union and the United Nations have their headquarters). As set in Resolution 1769, the operation had to have a majority of African personnel and it is reflected in the command structure. All the leadership positions are held by Africans, as of December 2010 the Joint AU-UN Special Representative is Mr. Ibrahim Gambari from Nigeria. The mission's headquarters is in El Fasher, the capital of North Darfur. It has sector headquarters in El Fasher, El Geneina, and Nyala. UNAMID inherited most of the equipment from AMIS.

As mentioned previously, the deployment of the heavy support package was delayed by nearly 11 months which inevitably resulted in the delay of the deployment of the hybrid force. As of 31 October 2010, the personnel deployed was composed of:

- 17,050 troops
- 264 military observers
- 4,747 police officers
- 1,121 international civilian personnel
- 2,658 local civilian staff
- 468 United Nations Volunteers

Among the troops and police personnel deployed, less than 4% are women.

The personnel authorised according to the resolution was:

- 19,555 military personnel
- 6,432 police (3,772 police personnel and 19 formed units comprising up to 140 personnel each)
- a significant civilian component⁹⁰

While the number of personnel deployed on the ground is reaching the number of authorised personnel, this process has been very slow. One year after the vote of resolution 1769, only 58% of the authorised personnel were deployed.

Another element that should be noted is the nationality of the personnel deployed. Due to the requirement of the Government of Sudan, the majority of personnel deployed has to be African. It is the case since over 80% of personnel are from African countries. Besides, more than 10% are from Bangladesh or Pakistan and 0.1% are from Europe (no contribution from the United States). To compare with, UNIFL (United Nations Interim Force in Lebanon) had 11,989 personnel deployed in November 2010 among which over 40% were from European countries and less than 8% from African countries. The differences between African and European troop contributing countries are that European countries are better equipped, better trained and more easily deployed and sustained without external support.

⁹⁰ All figures come from the Monthly Summary of Contributors of Military and Police Personnel on DPKO website: <http://www.un.org/en/peacekeeping/contributors/>

Indeed, except South Africa, almost all the African countries contributing to UNAMID are developing countries which are therefore highly dependent on external support.

UNAMID is a multidimensional peacekeeping mission and therefore covers a wide range of activities other than maintaining peace and security:

- *Civil affairs*⁹¹ (civilian component of UNAMID) with three roles: cross-mission representation (Monitoring and facilitation of the peace process at the local level, Confidence-building, Conflict management and Support to reconciliation and the resolution of conflicts and Support to the restoration, Strengthening and extension of state authority and Transitional Governance institutions).
- *Human rights*⁹² monitoring, investigation, reporting, advocacy and protection, capacity and institution- building activities.
- *Gender Advisory Unit* working on the issues related to women, peace and security in policies, planning, procedures and reporting. The work of is unit is both toward the Sudanese and Darfuri people and the UNAMID personnel. It's mission is to "Promote gender equality by mainstreaming in all the UNAMID operations, protect women and girls from violence and support and actively engage the economic, social and political empowerment of women in Darfur"⁹³.
- *Disarmament, Demobilisation and Reintegration (DDR)*⁹⁴: the Darfur DDR programme is composed of UNAMID, UNICEF and UNDP which provide technical assistance to the Darfur Security Arrangements Implementation Commission (DSAIC) and the North Sudan DDR Commission (NSDDR). Its target groups are: Children associated with the armed movements, former combatants of the armed movements, disabled combatants and indirectly, women and communities associated with the armed movements.
- *HIV/AIDS*⁹⁵ section, like the Gender Advisory Unit targets the civilian population, the Sudanese armed groups (both governmental forces and rebels) and the UN staff through counselling, training, awareness raising ...
- *Political Affairs Division*⁹⁶ has the lead role in the implementation of the peace agreements. It also monitors and reports on the security situation.

B. Analysis of UNAMID's deployment

Three years after the beginning of UNAMID's deployment the comments are quite negative. Some people already talk about failure. We won't go that far but will try to analyse why UNAMID is for the moment unable to achieve its mandate.

⁹¹ See UNAMID website: <http://unamid.unmissions.org/Default.aspx?tabid=4548>

⁹² See UNAMID website: <http://unamid.unmissions.org/Default.aspx?tabid=2491>

⁹³ See UNAMID website: <http://unamid.unmissions.org/Default.aspx?tabid=4527>

⁹⁴ See UNAMID website: <http://unamid.unmissions.org/Default.aspx?tabid=2484>

⁹⁵ See UNAMID website: <http://unamid.unmissions.org/Default.aspx?tabid=2490>

⁹⁶ See UNAMID website: <http://unamid.unmissions.org/Default.aspx?tabid=2492>

1. No peace to keep

The Security Council took five years to finally take the decision to deploy a peacekeeping force in Darfur. As we already saw one of the main reasons for such a delay was that there was no peace or ceasefire agreement between the parties to the conflict. The international community pushed for the adoption of the Darfur Peace Agreement in May 2006 and took it as a starting point for a UN armed intervention. But just like any other attempt to reach peace through negotiations since 2002, this agreement collapsed within days. This resulted in a peacekeeping mission being deployed in a region where there was no peace to keep.

Since 2008's deployment of UNAMID each party to the conflict, including the GoS regularly declare unilateral cessations of hostilities or peace agreements which are never followed by effects as diplomatically denounced by the UN Secretary General:

I welcomed President Al-Bashir's unilateral declaration on 12 November of a cessation of hostilities. However, I am greatly disappointed that military activity by the Government continues. The reports of violence, clashes and aerial bombardments since the unilateral ceasefire declaration of 12 November are of serious concern⁹⁷.

Since the signing of the Framework Agreement of 23 February, JEM and the Government have made no further progress towards a ceasefire implementation protocol or a final agreement⁹⁸.

The absence of positive outcomes from all the successive peace talks quickly resulted in the rise of critics from the international community which, after pushing for the deployment of the force, had very high expectations of UNAMID.

One year after the beginning of the deployment of UNAMID forces, the UN Secretary General presented the difficulties encountered on the ground and the absence of sustainable peace⁹⁹.

Almost one year after the transfer of authority from AMIS to UNAMID, the AU-United Nations Operation continues to face enormous challenges. Violence and displacement continue, humanitarian operations are at risk, clashes between the parties occur with regrettable regularity and the parties have not yet reached a negotiated peace agreement.(...)

I cannot overemphasize the need for the parties to demonstrate their commitment to a peaceful settlement of the Darfur conflict by undertaking concrete actions to reduce violence and ease human suffering. Ultimately, peace cannot be imposed. Both the Government of the Sudan and the armed rebel movements must come to the realization that violence will not achieve the objectives they seek and that the crisis in Darfur can be

⁹⁷ Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur, 12 December 2008, S/2008/781, para.58

⁹⁸ Report of the Secretary-General on the African Union – United Nations Hybrid Operation in Darfur (14 July 2010) UN Doc S/2010/382 par.27

⁹⁹ Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur, 12 December 2008, S/2008/781, para. 54 and 63

resolved only through political negotiations and a comprehensive and inclusive peace agreement.

2. Protection of UNAMID personnel and material, humanitarian workers and civilians challenged by ongoing violence

“On 8 July 2008, unidentified militia attacked a UNAMID police and military patrol in North Darfur. This was the deadliest attack on UNAMID, killing seven peacekeepers and wounding over 20”¹⁰⁰. Although the conflict of 2002-2003 has turned into violent clashes between different parties and resulted in less casualties and displacement of civilians, the monthly reports of the Secretary General to the Security Council can only state the ongoing violence and report on the new attacks and casualties registered. The report of 9 May 2008¹⁰¹ is one clear example of the impossibility to keep an un-existing peace. Violence continue on all fronts: against peacekeepers, civilians and humanitarian workers but also between the government and rebel groups, between rebel groups, between the government and the Janjaweed, between Chadian rebel groups based in Darfur and the Chadian army. More and more Acts of banditry, carjacking of humanitarian organizations and fighting over livestock are also registered, described in 2010 by the Secretary General as “a common means of survival among both groups and a trigger of conflict”¹⁰².

In 2010, UNAMID specifically registered an increasing number of local conflicts: “Local conflicts have been exacerbated in recent years by environmental degradation, demographic growth and the weakening of traditional conflict-resolution mechanisms. In addition, the conflicts have become increasingly lethal owing to the proliferation of weapons among communities in Darfur”¹⁰³. From January to May 2010 local conflicts have resulted in over 500 casualties while 134 were recorded for the whole 2009. UNAMID tries to help solve and reduce the number of these conflicts but the Secretary General explained that more than the work of UNAMID, the government of Sudan had “to address the problems of scarcity and marginalization”¹⁰⁴.

As a result of the violence the humanitarian situation in Darfur can only remain very worrying. In July 2010, a quarter of the Darfur population (2 million people) was displaced and relied on humanitarian support to survive. The World Food Programme was supporting 3 million people throughout Darfur while a remaining 250 000 were out of reach due to insecurity. Droughts, very difficult access to some areas and the expulsion in March 2009 of some humanitarian organizations result in very poor level of hygiene and sanitation.

As of December 2010, 75 UNAMID personnel had been killed among which 48 troops and 14 civilians¹⁰⁵.

¹⁰⁰ Darfur Consortium, ‘Putting People First: The Protection Challenge Facing UNAMID in Darfur’, 28 July 2008

¹⁰¹ S/2008/304

¹⁰² S/2010/382, Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur, 14 July 2010, para. 17

¹⁰³ Ibid. para.15

¹⁰⁴ Ibid. para.16

¹⁰⁵ UNAMID website: <http://www.un.org/en/peacekeeping/missions/unamid/facts.shtml>

Box 5: Report of the SG on the deployment of UNAMID (9 May 2008) para.3 to 12

3. Tension continued on the Chad-Sudan border where fierce fighting erupted during the night of 31 March (...)

4. Clashes on the Chad-Sudan border continued on 12 April when the Justice and Equality Movement (JEM) attacked a Sudanese armed forces post at Kush Kush (15 km north-west of Seleia). (...)

5. Also on 12 April, forces of the Sudan Liberation Movement/Army (SLM/A)- Abdul Wahid conducted an armed attack against the Sudanese armed forces (...) reportedly killing 17 Sudanese Government police officers. (...)

3. Difficulties encountered in the deployment of the forces

Logistical difficulties

As mentioned earlier, one of the reasons of AMIS's failure was the lack of logistical support. The same reason explains in part the actual situation of UNAMID. Since the beginning of the deployment, if the troops were ready to deploy, the material was missing or unable to be used because of the lack of logistical support to transport it to Darfur: the closest port to Darfur is on the Sudanese coast, over 2000 kilometres east of Darfur, the main road between the port and Darfur is of bad quality and there are not enough airports able to receive heavy aircrafts.

Already in 2008, the African Union and the United Nations called countries to support UNAMID: "Council further urges the international community to provide the necessary support, particularly with respect to logistics and other equipment, to enable UNAMID carry out its mandate more effectively"¹⁰⁶.

GoS's behaviour and the delay in deployment

The GoS has a non negligible part of responsibility in the difficulties of UNAMID. Taking advantage of Security Council's Resolution 1706 (2006) which states that the SC "invites the consent of the Government of National Unity for this deployment," the GoS's decided of the rules of deployment. It first insisted on having a predominantly African operation and rejected the presence of some western countries such as the Norwegians.

The government of Sudan regularly refuses entrance visa to UNAMID personnel, prevents access to refugee camps or demining activities¹⁰⁷. And only a week after the deployment on the ground of UNAMID, the Sudanese army fired on an UNAMID truck on western Darfur.

C. The way ahead.

The main obstacle is undoubtedly the absence of peace agreement. In 2010, peace negotiations have been conducted in Doha, Qatar, so far without a better result than any of the other peace negotiations

¹⁰⁶ Peace and Security Council, 142nd meeting, 21 July 2008, PSC/MIN/COM (CXLII), para.12

¹⁰⁷ Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur, 12 December 2008, S/2008/781, para.23-26

that took place since 2002. This negotiation saw the creation of a new strong rebel movement. On 23 February 2010 the Liberation and Justice Movement (LJM) was officially formed, composed of 10 rebel groups. The LJM became the one of the main players in the negotiations taking place in Doha. The Justice and Equality Movement (JEM), angered by the apparition of this new group threatened to withdraw its delegation from the mediation. A agreement was found between the GoS and the LJM in November 2010 but the parties still diverge on the status of Darfur: "The rebel group asks to create a regional government to supervise the administration of the three states in the region, but Khartoum refuses to repeat what is considers "an error" conceded to the SPLM in 2005 peace deal"¹⁰⁸. UNAMID was involved in the peace talks in Doha in bringing people representing the civil community living in the villages and the refugee and IDP camps.

The agreement found between the GoS and LJM won't probably be signed before the referendum on independence of Southern Darfur taking place on 9 January 2011. Indeed the mediators would like to have involved all the parties to the conflict in this agreement, including the JEM and SLM. But while present in Doha, the JEM remains unclear on its position. The SLM representatives on their side remain in contact with the mediators but are organising a peace conference to take place in Paris, where their leader Abdel Wahid Al-Nur is based.

In addition to the very difficult negotiations, the referendum in Southern Sudan might increase the tensions in the region especially if there are suspicions of fraud.

Several people insist on the fact the ICC's arrest warrant for the president Bashir might be an obstacle to achieving sustainable peace. But even if the Security Council used article 16 of the Rome Statute and suspended the investigation and prosecution of Omar El Bashir, it is unlikely that the situation would greatly improved. It might add some nervousity and tension in the peace talks but we do not think it is the main problem to the conflict in Darfur at the moment. Besides, the president Bashir has proved that he could travel at least within Africa without fearing being arrested.

In this context, it is most likely that UNAMID will remain limited in its capacity to fulfill its mandate.

¹⁰⁸ Sudan Tribune, 'Darfur peace deal unlikely to be signed before referendum' 15 December 2010

Conclusion

“Failure (of a peacekeeping operation) can be caused by a variety of factors: the warring parties simply do not want to stop fighting and have the means to continue to fight; the major powers at the UN do not provide adequate funds or staff for the peacekeeping operation to function; or the UN is beset by internal rivalries”¹⁰⁹. Add to this the uncooperative attitude of the host government, a deeply rooted conflict and a new system of peacekeeping operation and you have most of the ingredients that constitute the context of deployment of the African Union/United Nation Hybrid operation in Darfur (UNAMID).

Writing this essay was above all a personal attempt to understand the context of deployment of UNAMID, one of the biggest UN peacekeeping missions deployed in the recent years. UNAMID regroups several interesting elements: the concepts of regionalization of peacekeeping and hybrid mission, the complexity of the history of a conflict, the logistical difficulties and the obstacles to reach a peace agreement. A difficulty is that UNAMID depends on the GoS’s good will to fulfil its mandate. The peacekeepers rely on its approval to be able to enter Darfur, travel within the region and use technology. This dependency of UNAMID alters its image of neutrality and results in the loss of confidence from the IDPs, war –affected victims and rebel groups.

Without sustainable peace, we do not see how UNAMID could be successful. But despite the numerous readings done for this essay we could not find many elements providing concrete solutions to reach a long lasting peace agreement. A peace agreement would probably not solve all the difficulties of UNAMID but would without any doubt facilitate its work.

It was interesting to try to understand the role played by the international community in this specific situation, seeing how the civil community, while thinking it was acting to save a country from genocide, was actually damaging the situation in Darfur. One of the quotes read over the past few months of research and that made a lot sense to me was: “It’s made me question myself when I have gone out and waved banners without really understanding things. Was I really right to do that?”¹¹⁰.

¹⁰⁹ Morjé Howard Lise, *UN Peacekeeping in Civil Wars* (Cambridge University Press, 2008) p.3

¹¹⁰ Caroline Nurse, East Africa regional director of Oxfam from 2003 to 2005 and programme director in Sudan in 2006-2007. Cockett, p.222

Annex 1: Report of the Secretary-General and the Chairperson of the African Union Commission on the hybrid operation in Darfur, 5 June 2007, S/2007/307/Rev.1 (para.54 and 55. mandate of UNAMID)

54. The African Union-United Nations agreed framework on the hybrid operation envisaged that elements of its mandate would be drawn from the Darfur Peace Agreement, the current AMIS mandate, the Secretary-General's report of 28 July 2006 on Darfur (S/2006/591) and relevant communiqués of the African Union Peace and Security Council and resolutions of the United Nations Security Council. It will also be informed by the security situation in Darfur. On the basis of these considerations, the proposed mandate of the hybrid operation in Darfur should be as follows:

- (a) To contribute to the restoration of necessary security conditions for the safe provision of humanitarian assistance and to facilitate full humanitarian access throughout Darfur;
- (b) To contribute to the protection of civilian populations under imminent threat of physical violence and prevent attacks against civilians, within its capability and areas of deployment, without prejudice to the responsibility of the Government of the Sudan;
- (c) To monitor, observe compliance with and verify the implementation of various ceasefire agreements signed since 2004, as well as assist with the implementation of the Darfur Peace Agreement and any subsequent agreements;
- (d) To assist the political process in order to ensure that it is inclusive, and to support the African Union-United Nations joint mediation in its efforts to broaden and deepen commitment to the peace process;
- (e) To contribute to a secure environment for economic reconstruction and development, as well as the sustainable return of internally displaced persons and refugees to their homes;
- (f) To contribute to the promotion of respect for and protection of human rights and fundamental freedoms in Darfur;
- (g) To assist in the promotion of the rule of law in Darfur, including through support for strengthening an independent judiciary and the prison system, and assistance in the development and consolidation of the legal framework, in consultation with relevant Sudanese authorities;
- (h) To monitor and report on the security situation at the Sudan's borders with Chad and the Central African Republic.

55. In order to achieve these broad goals, the operation's tasks would include the following:

- (a) Support for the peace process and good offices:
 - (i) To support the good offices of the African Union-United Nations Joint Special Representative for Darfur and the mediation efforts of the Special Envoys of the African Union and the United Nations;
 - (ii) To support and monitor the implementation of the Darfur Peace Agreement and subsequent agreements;
 - (iii) To participate in and support the major bodies established by the Darfur Peace Agreement and any subsequent agreements in the implementation of their mandate, including through the provision of technical assistance and logistical support to those bodies;
 - (iv) To facilitate the preparation and conduct of the Darfur-Darfur Dialogue and Consultation, as stipulated in the Darfur Peace Agreement;

(v) To assist in the preparations for the conduct of the referendums provided for in the Darfur Peace Agreement;

(vi) To ensure the complementary implementation of all peace agreements in the Sudan, particularly with regard to the national provisions of those agreements, and compliance with the Interim National Constitution;

(vii) To liaise with UNMIS, the African Union Liaison Office for the implementation of the Comprehensive Peace Agreement and other stakeholders to ensure complementary implementation of the mandates of UNMIS, the African Union Liaison Office for the implementation of the Comprehensive Peace Agreement and the hybrid operation in Darfur;

(b) Security:

(i) To promote the re-establishment of confidence, deter violence and assist in monitoring and verifying the implementation of the redeployment and disengagement provisions of the Darfur Peace Agreement, including by actively providing security and robust patrolling of redeployment and buffer zones, by monitoring the withdrawal of long-range weapons, and by deploying hybrid police, including formed police units, in areas where internally displaced persons are concentrated, in the demilitarized and buffer zones, along key routes of migration and in other vital areas, including as provided for in the Darfur Peace Agreement;

(ii) To monitor, investigate, report and assist the parties in resolving violations of the Darfur Peace Agreement and subsequent complementary agreements through the Ceasefire Commission and the Joint Commission;

(iii) To monitor, verify and promote efforts to disarm the Janjaweed and other militias;

(iv) To coordinate non-combat logistical support for the movements;

(v) To assist in the establishment of the disarmament, demobilization and reintegration programme called for in the Darfur Peace Agreement;

(vi) To contribute to the creation of the necessary security conditions for the provision of humanitarian assistance and to facilitate the voluntary and sustainable return of refugees and internally displaced persons to their homes;

(vii) In the areas of deployment of its forces and within its capabilities, to protect the hybrid operation's personnel, facilities, installations and equipment, to ensure the security and freedom of movement of United Nations-African Union personnel, humanitarian workers and Assessment and Evaluation Commission personnel, to prevent disruption of the implementation of the Darfur Peace Agreement by armed groups and, without prejudice to the responsibility of the Government of the Sudan, to protect civilians under imminent threat of physical violence and prevent attacks and threats against civilians;

(viii) To monitor through proactive patrolling the parties' policing activities in camps for internally displaced persons, demilitarized and buffer zones and areas of control;

(ix) To support, in coordination with the parties, as outlined in the Darfur Peace Agreement, the establishment and training of community police in camps for internally displaced persons, to support capacity-building of the Government of the Sudan police in Darfur, in accordance with international standards of human rights and accountability, and to support the institutional development of the police of the movements;

(x) To support the efforts of the Government of the Sudan and of the police of the movements to maintain public order and build the capacity of Sudanese law enforcement in this regard through specialized training and joint operations;

(xi) To provide technical mine-action advice and coordination and demining capacity to support the Darfur Peace Agreement;

(c) Rule of law, governance, and human rights:

(i) To assist in the implementation of the provisions of the Darfur Peace Agreement and any subsequent agreements relating to human rights and the rule of law and to contribute to the creation of an environment conducive to respect for human rights and the rule of law, in which all are ensured effective protection;

(ii) To assist all stakeholders and local government authorities, in particular in their efforts to transfer resources in an equitable manner from the federal Government to the Darfur states, and to implement reconstruction plans and existing and subsequent agreements on land use and compensation issues;

(iii) To support the parties to the Darfur Peace Agreement in restructuring and building the capacity of the police service in Darfur, including through monitoring, training, mentoring, co-location and joint patrols;

(iv) To assist in promoting the rule of law, including through institution building, and strengthening local capacities to combat impunity;

(v) To ensure an adequate human rights and gender presence capacity, and expertise in Darfur in order to contribute to efforts to protect and promote human rights in Darfur, with particular attention to vulnerable groups;

(vi) To assist in harnessing the capacity of women to participate in the peace process, including through political representation, economic empowerment and protection from gender-based violence;

(vii) To support the implementation of provisions included in the Darfur Peace Agreement and any subsequent agreements relating to upholding the rights of children;

(d) Humanitarian assistance: to facilitate the effective provision of humanitarian assistance and full access to people in need.

Annex 2: UNAMID mandate

Resolution 1769 (2007)

Adopted by the Security Council at its 5727th meeting, on

31 July 2007

The Security Council,

Recalling all its previous resolutions and presidential statements concerning the situation in Sudan,

Reaffirming its strong commitment to the sovereignty, unity, independence and territorial integrity of Sudan, and to the cause of peace, and *expressing its determination* to work with the Government of Sudan, in full respect of its sovereignty, to assist in tackling the various problems in Darfur, Sudan,

Recalling the conclusions of the Addis Ababa high-level consultation on the situation in Darfur of 16 November 2006 as endorsed in the communiqué of the 66th meeting of the Peace and Security Council of the African Union held in Abuja on 30 November 2006 as well as the communiqué of 79th meeting of the Peace and Security Council of the African Union on 22 June 2007, *recalling* the statement of its President of 19 December 2006 endorsing the Addis Ababa and Abuja agreements, *welcoming* the progress made so far and *calling* for them to be fully implemented by all parties without delay and for all parties to facilitate the immediate deployment of the United Nations Light and Heavy Support packages to the African Union Mission in the Sudan (AMIS) and a Hybrid operation in Darfur, for which back-stopping and command and control structures will be provided by the United Nations, and *recalling* that co-operation between the UN and the regional arrangements in matters relating to the maintenance of peace and security is an integral part of collective security as provided for in the Charter of the United Nations,

Re-affirming also its previous resolutions 1325 (2000) on women, peace and security, 1502 (2003) on the protection of humanitarian and United Nations personnel, 1612 (2005) on children and armed conflict and the subsequent conclusions of the Security Council Working Group on Children in Armed Conflict pertaining to parties to the armed conflict in Sudan (S/2006/971), and 1674 (2006) on the protection of civilians in armed conflict, as well as *recalling* the report of its Mission to Addis Ababa and Khartoum from 16 to 17 June 2007,

Welcoming the report of the Secretary-General and the Chairperson of the African Union Commission of 5 June 2007,

Commending in this regard the agreement of Sudan that the Hybrid operation shall be deployed in Darfur, as detailed in the conclusions of the high-level AU/UN consultations with the Government of Sudan in Addis Ababa on 12 June 2007 and confirmed in full during the Council's meeting with the President of Sudan on 17 June in Khartoum,

Recalling the Addis Ababa Agreement that the Hybrid operation should have a predominantly African character and the troops should, as far as possible, be sourced from African countries,

Commending the efforts of the African Union for the successful deployment of AMIS, as well as the efforts of member states and regional organisations that have assisted it in its deployment, *stressing* the need for AMIS, as supported by the United Nations Light and Heavy Support Packages, to assist implementation of the Darfur Peace Agreement until the end of its mandate, *calling upon* the Government of Sudan to assist in removing all obstacles to the proper discharge by AMIS of its mandate;

and *recalling* the communiqué of the 79th meeting of the Peace and Security Council of the African Union of 22 June to extend the mandate of AMIS for an additional period not exceeding six months until 31 December 2007,

Stressing the urgent need to mobilise the financial, logistical and other support and assistance required for AMIS,

Welcoming the ongoing preparations for the Hybrid operation, including the putting in place of logistical arrangements in Darfur, at United Nations Headquarters and the African Union Commission Headquarters, force and police generation efforts and on-going joint efforts by the Secretary General and the Chairperson of the African Union to finalise essential operational policies, and *further welcoming* action taken so that appropriate financial and administrative mechanisms are established to ensure the effective management of the Hybrid,

Re-iterating its belief in the basis provided by the Darfur Peace Agreement for a lasting political solution and sustained security in Darfur, *deploring* that the Agreement has not been fully implemented by the signatories and not signed by all parties to the conflict in Darfur, *calling* for an immediate cease-fire, *urging* all parties not to act in any way that would impede the implementation of the Agreement, and *recalling* the communiqué of the second international meeting on the situation in Darfur convened by the African Union and United Nations Special Envoys in Tripoli from 15-16 July 2007,

Noting with strong concern on-going attacks on the civilian population and humanitarian workers and continued and widespread sexual violence, including as outlined in the Report of the Secretary-General and the Chairperson of the African Union Commission on the Hybrid Operation in Darfur and the report of the Secretary-General of 23 February 2007, *emphasising* the need to bring to justice the perpetrators of such crimes and *urging* the Government of Sudan to do so, and *reiterating* in this regard its condemnation of all violations of human rights and international humanitarian law in Darfur,

Reiterating its deep concern for the security of humanitarian aid workers and their access to populations in need, *condemning* those parties to the conflict who have failed to ensure the full, safe and unhindered access of relief personnel to all those in need in Darfur as well as the delivery of humanitarian assistance, in particular to internally displaced persons and refugees, and *recognising* that, with many citizens in Darfur having been displaced, humanitarian efforts remain a priority until a sustained cease-fire and inclusive political process are achieved,

Demanding that there should be no aerial bombings and the use of United Nations markings on aircraft used in such attacks,

Reaffirming its concern that the ongoing violence in Darfur might further negatively affect the rest of Sudan as well as the region, *stressing* that regional security aspects must be addressed to achieve long-term peace in Darfur, and *calling* on the Governments of Sudan and Chad to abide by their obligations under the Tripoli Agreement of 8 February 2006 and subsequent bilateral agreements,

Determining that the situation in Darfur, Sudan continues to constitute a threat to international peace and security,

1. *Decides*, in support of the early and effective implementation of the Darfur Peace Agreement and the outcome of the negotiations foreseen in paragraph 18, to authorise and mandate the establishment, for an initial period of 12 months, of an AU/UN Hybrid operation in Darfur (UNAMID) as set out in this resolution and pursuant to the report of the Secretary-General and the Chairperson of the African Union Commission of 5 June 2007, and *further decides* that the mandate of UNAMID shall be as set out in

paragraphs 54 and 55 of the report of the Secretary General and the Chairperson of the African Union Commission of 5 June 2007;

2. *Decides* that UNAMID, which shall incorporate AMIS personnel and the UN Heavy and Light Support Packages to AMIS, shall consist of up to 19,555 military personnel, including 360 military observers and liaison officers, and an appropriate civilian component including up to 3,772 police personnel and 19 formed police units comprising up to 140 personnel each;

3. *Welcomes* the appointment of the AU-UN Joint Special Representative for Darfur Rodolphe Adada and Force Commander Martin Agwai, and *calls* on the Secretary-General to immediately begin deployment of the command and control structures and systems necessary to ensure a seamless transfer of authority from AMIS to UNAMID;

4. *Calls* on all parties to urgently facilitate the full deployment of the UN Light and Heavy Support Packages to AMIS and preparations for UNAMID, and *further calls* on member states to finalise their contributions to UNAMID within 30 days of the adoption of this resolution and on the Secretary-General and the Chairperson of the African Union Commission to agree the final composition of the military component of UNAMID within the same time period;

5. *Decides* that:

(a) no later than October 2007, UNAMID shall establish an initial operational capability for the headquarters, including the necessary management and command and control structures, through which operational directives will be implemented, and shall establish financial arrangements to cover troops costs for all personnel deployed to AMIS;

(b) as of October 2007, UNAMID shall complete preparations to assume operational command authority over the Light Support Package, personnel currently deployed to AMIS, and such Heavy Support Package and hybrid personnel as may be deployed by that date, in order that it shall perform such tasks under its mandate as its resources and capabilities permit immediately upon transfer of authority consistent with sub-paragraph (c) below;

(c) as soon as possible and no later than 31 December 2007, UNAMID having completed all remaining tasks necessary to permit it to implement all elements of its mandate, will assume authority from AMIS with a view to achieving full operational capability and force strength as soon as possible thereafter;

6. *Requests* the Secretary General to report to the Council within 30 days of the passage of this resolution and every 30 days thereafter, on the status of UNAMID's implementation of the steps specified in paragraph 5, including on the status of financial, logistical, and administrative arrangements for UNAMID and on the extent of UNAMID's progress toward achieving full operational capability;

7. *Decides* that there will be unity of command and control which, in accordance with basic principles of peacekeeping, means a single chain of command, *further decides* that command and control structures and backstopping will be provided by the United Nations, and, in this context, *recalls* the conclusions of the Addis Ababa high level consultation on the situation in Darfur of 16 November;

8. *Decides* that force and personnel generation and administration shall be conducted as set out in paragraphs 113-115 of the report of the Secretary-General and the Chairperson of the African Union Commission of 5 June 2007, and *requests* the Secretary-General to put in place without delay the practical arrangements for deploying UNAMID including submitting to the General Assembly recommendations on funding and effective financial management and oversight mechanisms;

9. *Decides* that UNAMID shall monitor whether any arms or related material are present in Darfur in violation of the Agreements and the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004);

10. *Calls* on all Member States to facilitate the free, unhindered and expeditious movement to Sudan of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles and spare parts, which are for the exclusive use of UNAMID in Darfur;

11. *Stresses* the urgent need to mobilise the financial, logistical and other support required for AMIS, and *calls* on member states and regional organisations to provide further assistance, in particular to permit the early deployment of two additional battalions during the transition to UNAMID;

12. *Decides* that the authorised strength of UNMIS shall revert to that specified in resolution 1590 (2005) upon the transfer of authority from AMIS to UNAMID pursuant to paragraph 5(c);

13. *Calls* on all the parties to the conflict in Darfur to immediately cease all hostilities and commit themselves to a sustained and permanent cease-fire;

14. *Demands* an immediate cessation of hostilities and attacks on AMIS, civilians and humanitarian agencies, their staff and assets and relief convoys, and *further demands* that all parties to the conflict in Darfur fully co-operate with AMIS, civilians and humanitarian agencies, their staff and assets and relief convoys, and give all necessary assistance to the deployment of the United Nations Light and Heavy Support Packages to AMIS, and to UNAMID;

15. Acting under Chapter VII of the Charter of the United Nations:

(a) *decides* that UNAMID is authorised to take the necessary action, in the areas of deployment of its forces and as it deems within its capabilities in order to:

(i) protect its personnel, facilities, installations and equipment, and to ensure the security and freedom of movement of its own personnel and humanitarian workers,

(ii) support early and effective implementation of the Darfur Peace Agreement, prevent the disruption of its implementation and armed attacks, and protect civilians, without prejudice to the responsibility of the Government of Sudan;

(b) *requests* that the Secretary-General, in consultation with the Chairperson of the African Union Commission, and the Government of Sudan conclude within 30 days a status-of-forces agreement with respect to UNAMID, taking into consideration General Assembly resolution 58/82 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel and General Assembly resolution 61/133 on the Safety and Security of Humanitarian Personnel and the Protection of United Nations Personnel, and *decides* that pending the conclusion of such an agreement the model status-of-forces agreement dated 9 October 1990 (A/45/594) shall provisionally apply with respect to UNAMID personnel operating in that country;

16. *Requests* the Secretary-General to take the necessary measures to achieve actual compliance in UNAMID with the United Nations zero-tolerance policy on sexual exploitation and abuse, including the development of strategies and appropriate mechanisms to prevent, identify and respond to all forms of misconduct, including sexual exploitation and abuse, and the enhancement of training for personnel to prevent misconduct and ensure full compliance with the United Nations code of conduct, and to further take all necessary action in accordance with the Secretary-General's Bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action including the

conduct of pre-deployment awareness training and, in the case of forces previously deployed under AU auspices, post-deployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

17. *Calls* on all concerned parties to ensure that the protection of children is addressed in the implementation of the Darfur Peace Agreement, and *requests* the Secretary-General to ensure continued monitoring and reporting of the situation of children and continued dialogue with parties to the conflict towards the preparations of time-bound action plans to end recruitment and use of child soldiers and other violations against children;

18. *Emphasises* there can be no military solution to the conflict in Darfur, *welcomes* the commitment expressed by the Government of Sudan and some other parties to the conflict to enter into talks and the political process under the mediation, and in line with the deadlines set out in the roadmap, of the United Nations Special Envoy for Darfur and the African Union Special Envoy for Darfur, who have its full support, *looks forward* to these parties doing so, *calls* on the other parties to the conflict to do likewise, and *urges* all the parties, in particular the non-signatory movements, to finalise their preparations for the talks;

19. *Welcomes* the signature of a Joint Communiqué between the Government of Sudan and the United Nations on Facilitation of Humanitarian Activities in Darfur, and *calls* for it to be fully implemented and on all parties to ensure, in accordance with relevant provisions of international law, the full, safe and unhindered access of relief personnel to all those in need and delivery of humanitarian assistance, in particular to internally displaced persons and refugees;

20. *Emphasises* the need to focus, as appropriate, on developmental initiatives that will bring peace dividends on the ground in Darfur, including in particular, finalising preparations for reconstruction and development, return of IDPs to their villages, compensation and appropriate security arrangements;

21. *Requests* the Secretary-General to report to the Council for its consideration no later than every 90 days after the adoption of this resolution on progress being made on, and immediately as necessary on any obstacles to:

(a) the implementation of the Light and Heavy Support Packages and UNAMID,

(b) the implementation of the Joint Communiqué between the Government of Sudan and the United Nations on Facilitation of Humanitarian Activities in Darfur,

(c) the political process,

(d) the implementation of the Darfur Peace Agreement and the parties' compliance with their international obligations and their commitments under relevant agreements, and

(e) the cease-fire and the situation on the ground in Darfur;

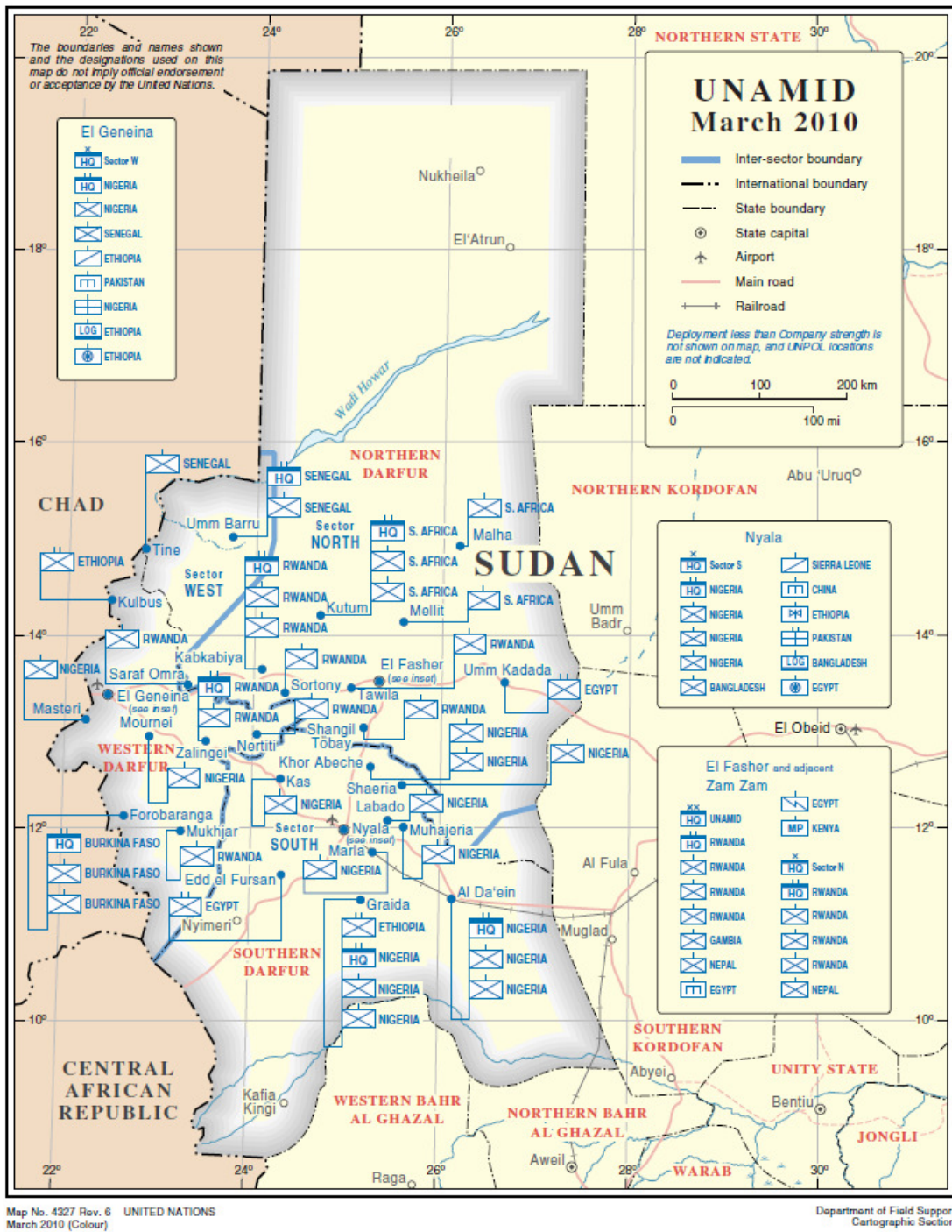
22. *Demands* that the parties to the conflict in Darfur fulfil their international obligations and their commitments under relevant agreements, this resolution and other relevant Council resolutions;

23. *Recalls* the reports of the Secretary-General of 22 December 2006 (S/2006/1019) and 23 February 2007 (S/2007/97) which detail the need to improve the security of civilians in the regions of eastern Chad and north-eastern Central African Republic, *expresses* its readiness to support this endeavour, and *looks forward* to the Secretary-General reporting on his recent consultations with the Governments of Chad and CAR;

24. *Emphasises* its determination that the situation in Darfur shall significantly improve so that the Council can consider, in due course and as appropriate, and taking into consideration recommendations of the Secretary-General and the Chairperson of the African Union, the drawing down and eventual termination of UNAMID;

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

Annex 3: Map of UNAMID's deployment¹¹¹



¹¹¹ MAP from UNAMID's web site : <http://www.un.org/Depts/Cartographic/map/dpko/unamid.pdf>

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