

OBSTRUCTION AND DELAY

Peacekeepers needed in Darfur now

"It would be very dangerous if what is the most challenging situation, the situation in Darfur, did not have the right resources. That would put in jeopardy all our efforts to stabilise this region where there has been much too much suffering"

Jean-Marie Guehenno, UN Under-Secretary for Peacekeeping, 8 October 2007

How much time will pass before there is an effective, well-resourced peacekeeping force in Darfur? How long will the civilian population continue to face human rights abuses including killings, rape, abductions and forced displacement?

The UN Security Council unanimously passed a resolution to send in a peacekeeping force on 31 July 2007. Resolution 1769 set up a hybrid UN and African Union (AU) force, the African Union-United Nations Hybrid Operation in Darfur (UNAMID), of more than 26,000 peacekeepers. A previous UN Security Council Resolution (1706 of September 2006) had remained a dead letter because it needed the consent of Sudan. This time China, which has in the past abstained on resolutions on Darfur, put pressure on Sudan, and it accepted the resolution.

But there is a real danger that it will be another year before UNAMID, due to be up and running by the end of December 2007, is operational. UNAMID is already facing obstruction and delays by the government of Sudan – the same types of barriers which so weakened the African Mission in Sudan (AMIS) peacekeeping force. In addition, the international community is not showing the commitment necessary for the timely deployment of a force capable of protecting civilians in Darfur.

The AMIS Operation in Darfur

Although initially the AMIS presence was important in providing some protection to civilians in Darfur, AMIS does not now have the personnel or resources to protect the people of Darfur in a rapidly deteriorating situation.

Sometimes it has not even been able to protect itself. When the AMIS base in Haskanita was attacked on 29 September 2007, 10 peacekeepers were killed, 11 were seriously injured and of the more than 50 peacekeepers who fled, one is still missing. The base was vandalized and looted. The raiders are believed to have come from factions of armed opposition groups who considered that AMIS was in league with the government of Sudan. With no military helicopters at its disposal, the forces at AMIS headquarters in al-Fasher were not able to relieve the Haskanita base. They had to call for help from the government of Sudan, one of the parties to the conflict.

AMIS is overstretched. The 10 AMIS personnel killed in Haskanita brought the total number of AMIS personnel killed since 2004, when the force was established, to 28. Although it has bases in a few towns, proximity to an AMIS base does not necessarily protect civilians from attack. On 8 October 2007 the town of Muhajeria was caught in fighting between the government, Janjawid militia, and the forces of the Minni Minawi faction of the Sudan Liberation Army (SLA/MM) which had signed a peace accord with the government. At least 60 people were killed, most of them civilians. During the attack an Antonov airplane flown by the Sudanese government but painted white, in the colours of the UN circled the town. The government of Sudan is barred from offensive flights in Darfur, according to UN Resolution 1591, and has previously resorted to the deception of painting its airplanes used for bombing white. AMIS provided a refuge for hundreds of people who fled to their base, but did not provide protection for the people of the town.

The raids in Haskanita and Muhajeria are just an indication of AMIS' inability to protect civilians. In Haskanita AMIS was effectively confined to its base for two months before the attack, ordered by various armed opposition groups not to venture out. This was not exceptional – throughout Darfur AMIS forces are too poorly resourced to risk patrolling. Without the capacity to patrol, there is no prospect of protecting civilians and gaining their confidence.

The weaknesses of AMIS

The weaknesses of AMIS were preventable, but they were not prevented. AMIS is undermined both by obstacles to its operations from the Sudanese Government and by inadequate resources from the international community. It is increasingly attacked by the proliferating armed opposition groups in Darfur. Nearly every road in Darfur has become insecure as Janjawid, armed opposition groups, pro-government militias or armed robbers attack convoys and loot arms and vehicles. To some opposition factions AMIS is an enemy, considered too close to the government.

Lack of personnel

At the end of September 2007, AMIS had only 5,454 personnel although it was supposed to have an establishment numbering 6,171. With more than 2 million internally displaced people and another 2 million conflict-affected people in danger, it was obvious from the start that AMIS lacked adequate personnel to protect civilians in Darfur. In addition, the force lacks civilian personnel, in particular a civil affairs component to maintain strong relations with civil society and sufficient political officers and human rights monitors.

Lack of transport

AMIS is unable to move rapidly to protect civilians or its own units. It now has armoured personnel carriers provided by Canada – which were delayed in Port Sudan for six months in 2005 before being allowed into Darfur, but it has no military helicopters. The 24 helicopters at its disposal, sponsored by the Canadian government, are leased from contractors and the civilian pilots refuse to fly if they feel that there is any security risk. Sudanese government officials frequently tell pilots that there are security risks when AMIS needs to investigate incidents. When AMIS wanted to help those attacked in Haskanita, their helicopter pilots refused to fly. AMIS also lacks fixed wing aircraft and is forced to rely on Antonov airplanes leased from the government of Sudan.

Lack of freedom of movement

AMIS faces numerous barriers to movement. AMIS needs clearance each time it flies aircraft from airports. Patrols are often delayed or suspended because they are told the roads are unsafe; patrols are often blocked for hours on roads. There are delays in issuing visas to AMIS personnel and delays in giving permits to travel to Darfur. In some areas the government has imposed curfews on AMIS personnel, demanding that they all be in their base at 7pm and even arresting those who were not.

Restrictions have also been imposed by armed opposition groups. For example in Gereida in February 2006 and Haskanita in July 2007 AMIS forces were forbidden from leaving their bases.

Lack of weapons

As weapons proliferate within Darfur, AMIS, armed only with machine-guns, is outgunned by armed opposition groups and the Janjawid.

Lack of patrolling activity

AMIS has been most successful when it has maintained constant patrolling, including firewood patrols. When such proactive patrolling does not take place, the internally displaced are more likely to be attacked. Many of the internally displaced are not even in camps but in remote rural areas. Some have become disillusioned with AMIS, accusing it of being in league with the government. Then even internally displaced people's camps have become "no go areas". Patrolling has now become very rare; sometimes in the whole of Darfur there is only one patrol recorded per day, and this "patrol" may be merely a visit to the market to buy food. After the pay of SLA/MM was reduced, they refused to patrol with AMIS, and, in areas controlled by SLA/MM, AMIS has refused to patrol without them.

Resources needed on the ground

"If we do not have those capacities the mission will not be able to deliver on the considerable expectations that have been put on it"

Jean-Marie Guehenno, UN Under-Secretary for Peacekeeping, 8 October 2007

'Light Support Package' and 'Heavy Support Package'

The Light Support Package (mostly equipment) and Heavy Support Package (mostly personnel) were introduced by the UN to strengthen AMIS. Both were severely delayed by Sudan government stalling and lack of support from UN member states. For example, the mission asked for 35 armoured personnel carriers, but member states did not provide them. The August 2006 Light Support Package was only agreed by Sudan in November 2006 and implementation was delayed. After another five months of stalling Sudan agreed to the Heavy Support Package in April 2007; only in October 2007, a year after it was first drawn up, is the first personnel – a Chinese engineering unit – due to arrive in Darfur.

Resolution 1769

Security Council Resolution 1769 contains tight deadlines for its implementation.

- Troop-contributing countries should be known by 31 August 2007;
- Headquarters initial operational capability and command and control structures should be in place by October;
- Operational command authority over the Light Support Package (mostly equipment) and such Heavy Support Package already deployed to be in place by October;
- *"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".*

The continued obstruction and procrastination of the government of Sudan, together with a lack of commitment from the international community, will delay deployment and endanger the population of Darfur as well as the peacekeeping forces themselves.

Challenges to timely deployment

"The implementation timeline for UNAMID is being delayed owing to ... delays in obtaining feedback regarding the list of troop-contributing countries submitted to the government of Sudan"

Report of UN Secretary-General Ban Ki-moon, 8 October 2007

Troop composition

Resolution 1769 said that "the Hybrid operation should have a predominantly African character and the troops should, as far as possible, be sourced from African countries". The UN has submitted a list of troop-contributing countries to the government of Sudan but this list has not yet been accepted. In the list, agreed with the AU on 2 October, some 16,000 troops came from African countries and fewer than 4,000 from non-African countries. During a high level international meeting in September 2007 to approve the composition of the force, Sudan, supported by other AU members, objected to the deployment of an engineering unit from Norway as well as to infantry contingents from Uruguay and Thailand. It is important that UNAMID has the necessary technical and logistic expertise. There are a few vital areas on which it may prove difficult to find sufficient expertise solely in Africa, including military air support, military fixed-wing units and engineering units.

At the same time the 3,000 extra personnel of the Heavy Support Package have still not been deployed. The first contingent, the Chinese engineering battalion, will arrive only in mid-October 2007. Two further battalions, from Rwanda and Nigeria, are due to arrive at the end of October.

Amnesty International takes no position on the nationality of the forces which will participate in UNAMID. What is important is that forces should be effective, have the confidence of the civilians they are protecting and be fully trained to operate in full compliance with international human rights and humanitarian law and according to clear rules of engagement.

Helicopters

"The shortfall in helicopters is not due to the objections of Sudan's Government but to a lack of offers by troop-contributing countries"

United Nations Department of Public Information (DPI) report on Jean-Marie Guehenno's answer to questioning, 8 October 2007

The Heavy Support Package included attack helicopters, which were reportedly offered by Jordan, but the Sudanese government refused to allow them. The UN has asked for some 18 transport helicopters and six light tactical helicopters for UNAMID. These are critical, but member states have not yet agreed to supply them.

Heavy aircraft

The government of Sudan denied AMIS landing rights for heavy aircraft. The UN considers the Antonov airplanes used by AMIS to be unsafe and would not allow UNAMID to use them. UNAMID needs heavy aircraft to fly in heavy equipment such as armoured personnel carriers. AMIS and UNAMID maintain that the runways are strong enough for heavy aircraft but the government of Sudan has always refused permission, forcing heavy equipment to be brought in via Port Sudan and adding weeks or months on to the journey to distant parts of Darfur. It is vital that the government of Sudan give authorization for UNAMID to land heavy aircraft in Darfur.

Land

The Sudanese government has agreed in principle "at the highest levels" to allow UNAMID's headquarters to be built in Nyala. Nyala has better access to water and to communications, both internal and external, than the current headquarters in al-Fasher. It has better access to the road network within Darfur, its airport can accommodate international flights and there is a railway line and an all-weather road to Khartoum. However, the government delayed completing a specific agreement concerning the land or the right to drill the borehole needed, so at present the headquarters may have to stay in al-Fasher, where more than 600 AMIS personnel are currently occupying a base built for 356.

Freedom of movement

UNAMID has yet to obtain from the government of Sudan assurances of freedom of movement, including night flights and not being subjected to curfew. This should be in the status-of-forces agreement which is not yet finalised.

Public Reporting

UNAMID has not yet obtained firm guarantees that it will be able to publish reports independently without the approval of parties to the conflict.

Disarmament

"In Darfur you can get any weapon you want anywhere you want from government or rebels. Everyone has arms. So every incident becomes a disaster"

Darfuri from the Ma'aliya ethnic group

UN Resolution 1769 does not mention disarmament – only monitoring of arms. But arms proliferation is a major problem and disarmament a major need.

The number of hijackings and attacks on humanitarian vehicles and convoys is still high. Internally displaced people's camps are becoming militarized and roads are unsafe. So eventually any effective peacekeeping mission will have to help in ensuring that an effective disarmament, demobilization and reintegration programme is implemented for all armed groups operating in Darfur.

Recommendations

Recommendations to the government of Sudan

- Accept the list of troop-contributing countries agreed on by the African Union and the United Nations.
- End obstruction to the deployment of UNAMID, including delays in finalizing assigning land to UNAMID.
- Guarantee UNAMID freedom of movement, with no restrictions and no curfews.

Recommendations to the Security Council and UN Member States

- Continue to press Sudan to end all obstructions to UNAMID's deployment, in particular to accept rapidly the AU-UN agreement as to the composition of the force, to allow it to be properly resourced including with sufficient arms and means of land and air transport, to ensure that there are no restrictions on UNAMID's freedom of movement, and to make land immediately available so that the construction of UNAMID bases are not delayed.

Recommendations to the AU Peace and Security Council and AU Member States

- Press Sudan to ensure that the AU-UN agreement on the composition of UNAMID is accepted and that there are no restrictions on its freedom of movement.

Action needed now

Express your concern about the delay in deployment of an effective peacekeeping force to protect civilians in Darfur by sending a copy of this document with a short cover letter to your parliamentary representative or to the Minister of Foreign affairs in your country.

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