

# **OPEN LETTER TO THE CHAIR OF THE ASSEMBLY OF THE AFRICAN UNION REGARDING PEACEKEEPING IN DARFUR - AMNESTY INTERNATIONAL**

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His Excellency Denis Sassou Nguesso  
President of the Republic of Congo  
Chairperson of the Assembly of the African Union  
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Republic of Congo

22 November 2006

Your Excellency,

I am writing to you in advance of the meeting of the African Union Peace and Security Council (AUPSC) on 29 November in Nigeria, to urge the AUPSC to do the utmost to protect civilians in Darfur. As negotiations proceed along the possibility of establishing a “hybrid operation” of United Nations (UN) and AU peacekeepers in Darfur, Amnesty International urges member states to ensure that the effective protection and human rights of the civilian population are at the centre of any peacekeeping operation in Darfur. Until this time, it is most important to ensure that there is no peacekeeping gap when the African Union Mission in Sudan (AMIS) mandate ends on 31 December and that the weaknesses that currently characterise AMIS are effectively addressed.

The Government of Sudan has consistently failed to protect civilians. Its forces, together with the Janjawid militia, are currently carrying out further abuses against civilians. Over the past months, despite the presence of AMIS and the signing of the Darfur Peace Agreement in May 2006, attacks on civilians by government forces and government-supported militias, as well as by armed groups opposed to the government of Sudan, have intensified; killings and rapes have increased; and tens of thousands of civilians have been recently displaced in the region.

The AMIS forces have not been able to halt major killings and displacement. The failures of AMIS stem from several factors. Firstly, there is inadequate funding, leading to unpaid salaries, and lack of vital equipment, such as means of transport and communication facilities. Secondly, obstacles posed by the government of Sudan to AMIS operations, including the need to obtain authorization from Khartoum for air-flights, which makes it almost impossible to respond speedily to any call for help, and the frequent harassment of AMIS personnel for ‘breaking’ a curfew which does not apply to them. Thirdly, the fact that AMIS personnel apparently interprets and applies its protection mandate narrowly, despite the new Concept of Operations (CONPS) mandate approved by the Military Staff Committee which prioritizes the protection of civilians and the prevention of human rights abuses.

Given the shortcomings of AMIS, Amnesty International has been supporting the deployment of a UN peacekeeping force to ensure protection as decided by the AUPSC. The UN is best equipped to carry out a long-term engagement with the mandate, resources, logistical support and personnel to protect the population and eventually support and protect displaced and refugees to return voluntarily and in safety.

For a hybrid UN/AU force to guarantee effective protection of civilians it must remedy the difficulties which have weakened AMIS. An effective peacekeeping force requires sufficient human and material resources and a strong mandate to protect civilians by all necessary means in accordance with international humanitarian and human rights law. In addition, the Sudanese government must be fully committed to the implementation of the mandate of the peacekeeping mission. Furthermore, accountability needs to be ensured through clearly defined and transparent command and control structures.

Knowing the AUPSC's expressed commitment to the protection of the people of Darfur, I look forward to further strong and decisive measures taken by the AUPSC to ensure the protection of civilians in the region.

Yours sincerely,  
Irene Khan  
Secretary General