

## **TO SAVE DARFUR**

Africa Report N°105 – 17 March 2006

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## TO SAVE DARFUR

### EXECUTIVE SUMMARY AND RECOMMENDATIONS

The international strategy for dealing with the Darfur crisis primarily through the small (7,000 troops) African Union Mission in Sudan (AMIS) is at a dead end. AMIS credibility is at an all-time low, with the ceasefire it could never monitor properly in tatters. In the face of this, the international community is backing away from meaningful action. The African Union (AU) yielded to Khartoum's pressure on 10 March 2006 and did not ask the UN to put into Darfur the stronger international force that is needed. If the tragedy of the past three years is not to be compounded, the AU and its partners must address the growing regional crisis by getting more troops with greater mobility and firepower on the ground at once and rapidly transforming AMIS into a larger, stronger UN peacekeeping mission with a robust mandate focused on civilian protection.

The battlefield now extends into eastern Chad, and the escalating proxy war between Sudan and Chad threatens to produce a new humanitarian catastrophe on both sides of the border. Inside Darfur humanitarian access is at its lowest in two years, civilians continue to bear the brunt of the violence, and political talks are stalled. Fighting is most intense and civilians are at greatest risk in West Darfur along the Chad-Sudan border, where a major invasion by Chadian rebels appears imminent, and in southern Darfur in the Tawila-Graida corridor.

The Sudanese government bears primary responsibility for the deteriorating situation. It is still making little effort to stabilise matters, rein in militias or secure roads from bandits and rogue elements. In violation of numerous commitments, it still uses offensive air power, supports militias and stokes inter-communal violence as part of its counter-insurgency campaign. Security elements from Khartoum are supporting the well-armed Chadian rebels in Western Darfur, while President Deby in N'djamena scrambles to bolster his position by reaching out in turn to the Darfur rebels. A failed coup attempt against Deby on 15 March further underscored the fragility of the Chadian regime. Clashes in eastern Chad between Sudan-backed insurgents and Deby loyalists would not only have drastic consequences for civilians of both countries but could also lead to the complete breakdown of peace talks in Abuja and reignite all-out war in Darfur. But the Sudan Liberation

Army (SLA), the principal rebel group, has increased its ceasefire violations over the past six months, and some elements are more committed to the battlefield than to the Abuja talks. Insurgent dissension plays into Khartoum's hands and contributes to growing lawlessness.

The AU failed earlier this month to take the timely and decisive action required to reverse these trends. Instead it extended the AMIS mandate to 30 September 2006, neglected to amend it for better protection of civilians and made no provision for either more African or UN troops to come into Darfur to stabilise the situation over the next half-year. While it repeated its previous acceptance in principle that AMIS would eventually have to be replaced by blue helmets, if only because donors' willingness to subsidise it is running out, it appeared impressed by Khartoum's complaint that anything other than an African mission would amount to colonialism and its threat that Darfur would become a "graveyard" for any multinational force sent without its agreement.

The AU did usefully commit to making a stronger diplomatic push to deliver an enhanced ceasefire and a peace agreement at the Abuja talks in the next six weeks. It will be important for the U.S., the European Union (EU) and the UN to follow up consultations held in Brussels in advance of that decision and lend their full weight to the effort. But it would be a mistake to delay strengthening international forces on the ground in the belief that such agreements – as desirable as they would be – would remove the need for them. Any agreements would be fragile, requiring proof of goodwill by the parties, vulnerable to multiple spoilers and unlikely to forestall the looming border conflict, which has its own dynamics.

The U.S., the EU and others need, therefore, to act without delay on three fronts to:

- provide the necessary financial and technical assistance to the AU through at least September 2006, and to help AMIS implement the key recommendations for internal improvements outlined in the December 2005 Joint Assessment Mission report and affirmed by the AU on 10 March;

- ❑ do the heavy diplomatic lifting to persuade the AU and the UN Security Council to authorise the immediate deployment of a stabilisation force, ideally some 5,000-strong, as part of a phased transition to a UN mission to be completed in October 2006, to focus on monitoring the Chad-Sudan border and deterring major cross-border attacks, and on bolstering AMIS's ability to protect civilians in the Tawila-Graida corridor; and
- ❑ persuade the Security Council to authorise immediate planning for a UN peacekeeping force of at least double the present size of AMIS, equipped to fulfil a more serious military mission, provided with an appropriately stronger mandate, and ready to take over full responsibility on 1 October 2006.

This is not ideal. Crisis Group has long contended that because AMIS has reached the outer limits of its competence, and a UN mission authorised today would not be fully ready to take over from it for some six months, a distinct and separate multinational force should be sent to Darfur to bridge that gap and help stabilise the immediate situation. We have argued, and continue to believe, that NATO would be best from a practical military point of view. Unfortunately, political opposition to this in Khartoum, within the AU and even perhaps within the Atlantic Alliance itself, means it is not achievable at this time.

What we now propose, therefore, is a compromise driven by the urgent need for a more robust force in Darfur. A militarily capable UN member state – France seems most promising since it already has troops and aircraft in the area – should offer to the Security Council to go now to Darfur, wearing blue helmets, as the lead nation in the first phase of the incoming UN mission. It could be joined from the outset by forces from one or two other militarily capable UN members (and would probably need to be if the desirable target of around 5,000 personnel for this force is to be achieved). This stabilisation force would be a self-contained, separately commanded UN mission with identified functional or geographic divisions of responsibility that would work beside AMIS and through a liaison unit at its headquarters until arrangements were in place for a 1 October transition to the full UN mission. That full mission would need to be recruited from the best AMIS elements as well as a wider circle of Asian and other member states – no easy task at a time when several large UN peacekeeping missions in Africa and elsewhere have exhausted the capabilities of many contribution candidates.

The U.S. and other NATO states should respond generously and quickly to requests from it or AMIS to provide logistical help as well as regular access to satellite

imagery, air mobility and close air support, especially to deter or react to egregious movements of men or heavy weapons in the border area.

The accord signed on 10 February 2006 in Tripoli by the presidents of Chad and Sudan accepted the need for a border monitoring force. The AU and the Security Council should build on this by passing the necessary resolutions. Simultaneously, planning should begin for the handover from AMIS to a Chapter VII UN peace-support operation and money be identified to guarantee that AMIS can remain in place until this happens. At the same time, the AU should continue to play a lead role at Abuja, while the wider international community pursues accountability by enforcing the UN sanctions regime and facilitating the work of human rights monitoring mechanisms and the International Criminal Court (ICC). A lasting solution to the Darfur conflict can only come with a three-part strategy to produce physical security, an inclusive political agreement and an end to impunity.

The consequences if these steps are not taken are all too easy to foresee: tens of thousands more lives lost, spill-over of the conflict into Chad and proxy wars that destabilise a wide swathe of Africa.

## RECOMMENDATIONS

### To the African Union:

1. Request the immediate deployment of a UN-mandated stabilisation force to help bolster the AMIS troops and focus on the Chad-Sudan border and the Tawila-Graida corridor.
2. Seek quick negotiation of a single, enhanced ceasefire document to remove the ambiguities of the existing overlapping agreements.
3. Begin immediately to map the location of forces in Darfur so as to manage and enforce the ceasefire better.
4. Begin immediately identifying, defining and profiling the government-allied militias.
5. Improve the reporting mechanisms and procedures for monitoring ceasefire violations and urgently revive and upgrade the compliance and sanctions mechanisms of the ceasefire.
6. Negotiate a series of humanitarian ground rules, in collaboration with the UN, to help hold the parties accountable for the protection of humanitarian operations in their respective areas.

**To the United Nations Security Council:**

7. Authorise a two-phase intervention in Darfur under Chapter Seven of the Charter, with the following elements:
  - (a) for the first phase, to be accomplished within a month, a lead nation would serve as the advance element of the full UN mission by sending the bulk of an initial 5,000 troops to Darfur, with three main stabilisation tasks:
    - i. interdiction of military activities across the Chad-Darfur border;
    - ii. protection of civilians in Darfur, primarily in the Tawilla-Graida corridor; and
    - iii. rapid-reaction support of AMIS forces until the transition to a full-fledged UN peace support operation in October 2006.
  - (b) for the second phase, immediate planning for a peace support operation of some 15,000 troops – none of whom should be diverted from the mission of the existing UN Mission in Sudan (UNMIS) – with a mandate emphasising civilian protection, ceasefire enforcement and monitoring of the Chad-Sudan border, to take over from AMIS as of 1 October 2006.
8. Strengthen the existing sanctions regime by implementing the recommendations in the 30 January 2006 report of the Panel of Experts.
9. Authorise the Secretariat's peacekeeping department (DPKO) to begin planning on an urgent basis and together with the AU both phases of this operation, with priority tasks to include:
  - (a) identifying areas for early cooperation in Darfur, such as immediate deployment of UN experts to help support the establishment of a functioning ceasefire commission secretariat and the deployment of human rights monitors and translators, including women, to help improve the reporting capacity of AMIS; and
  - (b) identifying the lead nation to deploy in the initial phase to support AMIS by performing the tasks set out in recommendation 7(a) above and serve as the advance element of the full UN mission.

**To Donor Governments:**

10. Convene an early pledging conference to ensure that AMIS is fully funded until the UN mission can take over in October 2006.

**To the U.S., the EU and its member states and others with a strong interest in regional peace and stability:**

11. Undertake major diplomatic efforts to:
  - (a) persuade Sudan to accept and the AU to confirm transition of AMIS into a strong UN peacekeeping mission as of 1 October 2006 and request in the interim dispatch of an advance force of some 5,000 blue-helmets to assist AMIS by performing essential stabilisation tasks;
  - (b) persuade the Security Council to authorise a mission of some 15,000, including the strongest AMIS elements and with a strong Chapter VII mandate focused on civilian protection; and
  - (c) identify the lead nation to contribute the bulk of the advance element to assist AMIS and perform essential stabilisation tasks immediately upon Security Council authorisation, and be prepared to help with all necessary material and logistical support.
12. Concurrently with efforts to strengthen international forces on the ground, pursue the other elements of a coordinated three-part strategy to resolve the Darfur conflict by:
  - (a) reinforcing AU efforts to negotiate an enhanced ceasefire and a political settlement at Abuja, including by naming special envoys; and
  - (b) seeking accountability and an end to impunity by enforcing the Security Council's sanction regime and supporting human rights monitoring mechanisms and the work of the ICC.

**Nairobi/Brussels, 17 March 2006**

## TO SAVE DARFUR

### I. INTRODUCTION

A seventh round of peace talks in Abuja is making scant headway toward ending the three-year old war in Darfur. The government of Sudan and the main insurgent group, the Sudan Liberation Army (SLA), continue to flout the N'djamena Ceasefire Agreement of 8 April 2004. Though direct clashes have subsided, the government's proxy war strategy and the continued actions of the divided but still capable rebels have fuelled pervasive banditry and lawlessness with devastating consequences for civilians.

A deteriorating political and security situation in neighbouring Chad complicates and worsens the violence. Chadian rebel groups, which were mobilising in Darfur for more than a year, escalated their incursions into the eastern part of that country in October 2005. The Rally for Democracy and Liberty (RDL), one of the Chadian insurgent groups based in West Darfur launched a spectacular but unsuccessful attack on Adre on 18 December, but is now regrouping in western Darfur as part of a broader rebel alliance, with the support of Khartoum. President Deby responded to the Adre attack by blaming Khartoum for supporting the RDL, declaring a "state of belligerence" with Sudan and seeking to strengthen his relations with the Darfur rebels, who are spending ever more time in N'djamena. As cross-border attacks continue by both sets of insurgents, the risk of a larger conflict between the two countries increases.

The African Union Mission in Sudan (AMIS) is in the middle of this growing regional crisis. The AU initially authorised it to monitor the N'djamena Ceasefire, which also includes the smaller Justice and Equality Movement (JEM) rebel group, and contribute to stability in Darfur. But more than a year and a half after initial deployment, it is increasingly challenged by the warring parties and risks being overwhelmed. In recent weeks the UN, U.S. and EU pressed for AMIS to be succeeded as quickly as possible by a larger and more forceful UN-led mission. The Sudanese government reacted with a diplomatic campaign of its own against allowing a UN mission into Darfur before there is a peace agreement. That campaign, as well as its anti-imperialist rhetoric and demonstrations at home, seemed motivated by fear that a more capable international force might arrest leaders of the ruling National Congress Party (NCP) and bring them to trial at

the International Criminal Court (ICC) for atrocity crimes committed in Darfur.

Faced with these conflicting pressures, and not wanting to drive a member state deeper into a corner, the AU Peace and Security Council (PSC) on 10 March 2006 reiterated its commitment in principle to an eventual transition to a UN force but extended the AMIS mandate until 30 September. At the same time and despite the steadily deteriorating situation, it chose not to increase either AMIS's size or its mandate or otherwise request immediate UN assistance. Instead, it called for implementation of the recommendations of the December 2005 Joint Assessment Mission (JAM) – stronger action under the existing mandate and some improved capabilities for the projected full contingent of 7,700 soldiers, which will require increased donor funding and support.<sup>1</sup>

None of this is likely to offer much prospect for better civilian protection in Darfur any time soon. Instead, the AU has decided to focus on trying to deliver an improved ceasefire and a political agreement in Abuja. There are some welcome signs that the U.S., EU and UN also mean to concentrate more efforts on this in the near future. If it can be achieved, it would certainly ease the situation on the ground and facilitate transition to a traditional UN peacekeeping force (as opposed to one with elements of peace enforcement). Nevertheless, it remains urgent to take the more specifically military measures that the AU largely failed to act on.

Specifically, the AU, UN and their international partners still need to focus on three urgent priorities: protecting civilians, monitoring the border and reversing the spreading anarchy. A sustainable solution to Darfur's problems requires a sufficiently inclusive political agreement, to be sure, but also restoration of law and order and an end to the culture of impunity in the region, allowing the more than two million internally displaced persons (IDPs) to return to their homes. This report assesses what can and should be done immediately to help improve the security situation.

More must be done to help improve the effectiveness of the AMIS mission, but that alone will not reverse the

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<sup>1</sup> AU PSC Communiqué, PSC/PR/Comm., 10 March 2006.

downward spiral in Darfur, which could soon spill over into eastern Chad. A UN-mandated stabilisation force, as part of the phased transition from AMIS to the UN, provides an opportunity for the AU, the UN and their partners to strengthen the international response to the humanitarian disaster and prevent the outbreak of a new international conflict. Simply putting blue helmets on the mission without changing its mandate, capabilities or size, however, would be a recipe for disaster.

## II. DARFUR DYNAMICS

After a lull in fighting and better humanitarian access in the first half of 2005, the international community and media began to shift their attention to other conflicts and crises.<sup>2</sup> Unfortunately this corresponded with what has become a significant deterioration in the situation. Since September 2005 violence has increased, and attacks on civilians have displaced tens of thousands, many for a second or third time. Humanitarian access has again been obstructed, leading to more civilian deaths. In the last months of 2005, humanitarian agencies could access only 70 per cent of the civilian population, the lowest level since April 2004. In West Darfur, where access is as low as 45 per cent,<sup>3</sup> the withdrawal of international NGOs has left 140,000 without humanitarian assistance.<sup>4</sup> The Sudan program manager of Médecins Sans Frontières explains that “simply reducing or delaying the supplies to a camp can almost immediately worsen families’ nutritional status”.<sup>5</sup> With more than 3.5 million war-affected civilians dependent on food and medical aid, the risk of a major humanitarian crisis increases exponentially.

While the most intense military activities have been concentrated in western Darfur near the Chad border and in a corridor that runs from Tawila in North Darfur to Graidia in South Darfur, all of Darfur is plagued by pervasive violence, banditry and general lawlessness. As long as this persists, internally displaced persons (IDPs) and refugees will be trapped in camps, societal and tribal reconciliation will be impossible, and Darfur will breed warlords, organised crime syndicates and foreign rebel groups such as the Chadians who use it as a base for incursions into the eastern part of their country.

### A. STRATEGIC CHAOS

Low-level violence remains the norm for much of Darfur and is spilling over into eastern Chad.<sup>6</sup> It continues to be

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<sup>2</sup> A Lexis-Nexis search found 361 headline articles about Darfur in major world newspapers in the first half of 2005 but only 151 in the second half of the year.

<sup>3</sup> “Monthly report of the UN Secretary-General on Darfur”, 23 December 2005, S/2005/825, p. 5. “Report of the Chairperson of the AU Commission on the situation in Darfur (The Sudan)”, psc/pr/2(xlv), 12 January 2006, paragraph 78.

<sup>4</sup> “Monthly report of the UN Secretary-General on Darfur”, 30 January 2006, S/2006/59, p. 4.

<sup>5</sup> “Darfur, Sudan: ‘The Chronic Insecurity Has Led Us to Redefine and Step up Our Activities’”, Médecins Sans Frontières, 16 February 2006, at: [www.msf.org](http://www.msf.org).

<sup>6</sup> Attacks against civilians in eastern Chad have increased since the end of 2005. See “Darfur: New Attacks in Chad Documented”, Human Rights Watch press release, 5 February

caused primarily by Khartoum's unwillingness to rein in the militias on which it relies for its counter-insurgency campaign. The rebel SLA shares responsibility for deteriorating security, however, as it seeks to consolidate its military position in South Darfur in blatant contravention of the ceasefire. Meanwhile, civilians – particularly women, children and the elderly – bear the brunt of the war,<sup>7</sup> and the region's social fabric is in ruins.

The destruction of rebel support bases, both villages in Darfur and those provided by the regime of President Deby in Chad, remains central to the government's counter-insurgency strategy. Militias allied to Khartoum attack civilians and deny the rebels villages from which to operate, while Chadian rebels based in West Darfur carry out operations against Deby.<sup>8</sup> Khartoum seeks to stoke the tribal dimensions of the conflict and transform what was once a politically-based insurgency into an increasingly tribal war.<sup>9</sup> Second Vice President

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2006; "Chad: 'Everyday brings one or more wounded to Adre Hospital'", Médecins Sans Frontières, 17 February 2006, at: [www.msf.org](http://www.msf.org).

<sup>7</sup> According to the UN Population Fund, women, children and the elderly comprise up to 80 per cent of the population of IDP camps in Darfur. "Sudan: helping reduce women's vulnerability", IRIN, 3 Marc 2006.

<sup>8</sup> Crisis Group interviews, Khartoum, January-February 2006.

<sup>9</sup> The Darfur rebellion was initially launched in 2003 by the SLA, and draws the bulk of its support from the region's three main ethnic groups of African ancestry: the sedentary Fur and Massaleit and the nomadic Zaghawa. However, the insurgency has broader appeal because all Darfurians share economic and political grievances. From its inception the SLA has had commanders and fighters from the region's main Arab groups, such as the Rezeigat cattle herders of South Darfur. The younger Justice and Equality Movement (JEM) is predominantly Zaghawa, has an Islamist orientation and is smaller but politically and diplomatically more savvy. In 2004, Chad, in collaboration with Khartoum, engineered a split in JEM that led to the defection of many of its fighters, who later established the National Movement for Reform and Development (NMRD) and continued to fight the government. In its ethnic cleansing campaign aimed at the core constituencies it considered collectively responsible for the rebellion, Khartoum used militias predominantly raised from Arab clans without land rights and other groups, including many Chadian Arabs, alongside the regular army and security forces. Little is known internationally about these government-supported and allied militia, many of whom have been integrated into the formal security services, particularly the Popular Defence Forces (PDF) and the Border Intelligence Unit. They continue to be ill-defined and generically lumped together as "Janjaweed". Yet, the term has become almost meaningless, albeit used by all parties, including the AU. As discussed below, a better understanding and definition of the government aligned militias is a crucial first step towards development of a practical plan for their neutralisation. The attacks of the government and allied militias led to the displacement of more than two million Darfurians and the deaths

Ali Osman Taha calls "the conflict in Darfur...tribal and not a political issue or a question of genocide....This issue was exaggerated at the international level, when in fact we are dealing with a typical situation which is very common in Africa".<sup>10</sup>

Khartoum's ethnic manipulation extends into Chad, where since the war in Darfur began, it has tried to neutralise Chadian Zaghawa support for the SLA by influencing Deby through diplomatic pressure and material incentives. The sanctuary it gives Chadian rebels in Darfur serves as a tangible threat to the president that the consequences of non-cooperation include a direct challenge to his political survival. Some observers believe the Sudanese government calculates that the SLA will be dangerous as long as Deby remains in power and has decided, therefore, to use the Chadian rebels to overthrow him.<sup>11</sup>

While international pressure wanes, Khartoum is strengthening its military position. It is succeeding in localising and redirecting grievances so that it is no longer their target. It has weakened Darfur's unity and thwarted collective action by its inhabitants, who widely resent their region's political and economic marginalisation and support similar political objectives of wealth and power-sharing for it. The rebels are consumed with internecine manoeuvres and violence. The strategy also distances Khartoum from human rights abuses. A tribal militia can wipe out an entire village, such as Mershing in South Darfur on 2 February 2006, and the government can plead innocence, even as it creates the conditions for the militias to operate by giving impunity, supplying weapons and ammunition, deploying police who do nothing to stop attacks and co-ordinating between the militias and the state government.

This has been Khartoum's policy from the beginning of the conflict<sup>12</sup> but the international community plays into

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of at least 200,000 unarmed civilians, mostly through disease and starvation. The military campaign also aimed at and largely succeeded in separating the three SLA constituent elements. Khartoum's intense propaganda argued that the Zaghawa, who dominated the SLA command structures, were using particularly the Fur and Massaleit as cannon fodder to achieve their ambition of a Greater Zaghawa State in Sudan and Chad. Personal rivalries between SLA Chairman Abdel Wahid Mohamed Nour (a Fur) and Minni Minawi, the movement's coordinator and de facto commander, have since split the movement into two main factions SLA/Minni (predominantly Zaghawa) and SLA/Abdel Wahid (predominantly Fur).

<sup>10</sup> Taha, quoted in "Sudan Says Talk of Genocide in Darfur 'exaggerated'", Agence France-Presse, 13 November 2005.

<sup>11</sup> Crisis Group interviews, Khartoum, January-February 2006.

<sup>12</sup> See Crisis Group Africa Report N°89, *Darfur: The Failure to Protect*, 8 March 2005, Section III B.



its hands by largely accepting the claim that the war is a mere “tribal conflict” (in ways reminiscent of so much of the early “ancient feuds and enmities” response to the Balkans conflicts of the 1990s). For example, during a question and answer session after a speech at Khartoum University on 9 November 2005, U.S. Deputy Secretary of State Robert Zoellick stated: “It’s a tribal war, that has been exacerbated by other conditions, and frankly, I don’t think foreign forces ought to get themselves in the middle of a tribal war of Sudanese”.<sup>13</sup> Ambassador Baba Gana Kingibe, Special Representative of the Chairman of the AU Commission in Sudan, recently praised Khartoum for the “restraint exercised by GOS [Government of Sudan] Forces even in situations where they were clearly provoked, and there were temptations to retaliate”.<sup>14</sup> The government’s ability to exploit the cover of militia attacks and tribal violence to pursue its strategic objectives highlights the need for the AU and the UN to detail the links between the militias and the government, especially its security services, and pass this information to the UN Security Council Sanctions Committee so key regime figures can be held accountable. Until the government experiences consequences, it will not change its ways.<sup>15</sup>

The government’s counter-insurgency strategy is creating widespread chaos throughout Darfur. Lawlessness is particularly acute in West Darfur, where Chadian rebels move freely, Abbala (nomadic camel herders) militia members exploit the impunity granted by Khartoum and control the roads and markets,<sup>16</sup> while the government

shows little willingness to protect civilians and humanitarian agencies.<sup>17</sup> As the government fails to secure roads, anarchy prevails and humanitarian access declines, while the UN is forced to negotiate directly with Arab tribal leaders for safe passage between Geneina and Kerenek and Mornei.<sup>18</sup> Humanitarian ground-rules are needed, such as existed in Sudan’s South with the then-insurgent Sudan People’s Liberation Movement (SPLM) during Operation Lifeline Sudan (OLS), which made the parties to the conflict responsible for the security of humanitarian operations in areas they controlled. Local actors in Darfur regard humanitarian aid as an additional resource, the distribution of which can be used to fuel the conflict. The international community should apply the OLS lessons and consider imposing political penalties on whichever party abuses humanitarian aid.<sup>19</sup>

Banditry is also rife in North and South Darfur, with SLA soldiers attacking oil trucks to collect diesel fuel, extorting cash from commercial trucks and looting nomads’ livestock.<sup>20</sup> As in West Darfur, many militia elements take advantage of their free pass to rob civilians, IDPs and aid workers. Some of the most notorious banditry in South Darfur reportedly is organised north of Nyala near a livestock market known locally as “Fallujah”. As the

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<sup>13</sup> Robert Zoellick, speech at the University of Khartoum, 9 November 2005. A transcript of the question and answer session is available at: <http://www.state.gov/s/d/rem/56870.htm>.

<sup>14</sup> Press Conference by Ambassador Kingibe, 2 February 2006, text available at: [http://www.sudantribune.com/article.php3?id\\_article=13880](http://www.sudantribune.com/article.php3?id_article=13880). However, the restraint (or inaction) of the Sudanese military and police can be devastating for civilians. They have often done nothing as government-allied militias kill, rape and destroy. See David Blair, “Entire Darfur village of 55,000 flees after raids by Janjaweed gunmen”, *Daily Telegraph*, 4 February 2006; Marc Lacey, “In Darfur, tiny steps toward policing a lawless land”, *The New York Times*, 5 February 2006; and especially the excellent series of columns by Nicholas Kristof in *The New York Times*, including: “Disposable cameras for disposable people”, 12 February 2006; “A village waiting for rape and murder”, 12 March 2006; and “Africa’s brutal lebensraum”, 14 March 2006.

<sup>15</sup> The recent report of the UN Security Council Sanctions Committee Panel of Experts recommended targeted punitive sanctions against government officials responsible for support of the militias, stated there had been an “abject failure” by the government to identify, neutralise or disarm these militias, and cited many instances of continued support and cooperation. “Report of the Panel of Experts established pursuant to paragraph 3 of resolution 1591 (2005) concerning the Sudan”, S/2006/65, 30 January 2006.

<sup>16</sup> Crisis Group interviews, West Darfur, December 2005.

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<sup>17</sup> The government responded, however, to a dispute between two Awalat Eid (Abbala Arab) sub-clans north of Geneina on 9 November 2005, over the distribution of looted goats, that led to clashes leaving 23 persons confirmed dead and 56 injured. Reportedly, it used both the army and police to stop the fighting and a delegation from Khartoum to mediate. Some of the injured were flown to a hospital in Khartoum on a military airplane. Crisis Group interviews, Geneina and Nyala, December 2005; UN Sudan Situation Report, No.187, 15 November 2005. This suggests that Khartoum has the capabilities to dampen tribal violence and assist civilian victims when it deems it politically expedient to do so.

<sup>18</sup> This has led to some new problems. The government’s humanitarian aid commission has pressed the UN not to hold such talks, which have inadvertently sparked local rivalries between tribal leaders and aggravated the situation. Crisis Group interview, Geneina, December 2005; Crisis Group interview, Khartoum, February 2006.

<sup>19</sup> Crisis Group interviews, January 2006.

<sup>20</sup> “The [SLA] and the tribal militia must also share some responsibility for the deterioration in security, insofar as these groups instigated a significant number of attacks. The irresponsible looting of large numbers of cattle during the seasonal movement of livestock to the south has also played a major role in the escalation of violence, provoking cruel retaliations, often against innocent people”. “Monthly report of the UN Secretary-General on Darfur”, S/2005/650, 14 October 2005, p. 2.

army turns a blind eye, armed thieves plan and initiate raids from there, then sell the looted livestock in the market.<sup>21</sup>

In South Darfur, according to humanitarian agencies, the state government has been more responsive to calls for cracking down on banditry, erecting police posts in danger spots, providing escorts and using force against bandits even at the risk of sustaining casualties.<sup>22</sup> Nonetheless, its response is mostly ad hoc and superficial. The resources necessary to restrain militias and root out organised crime are not being invested; indeed, syndicates such as those in “Fallujah” are protected.

Unchecked banditry and the militarisation of social relations have exacerbated the fracturing of Darfur society. For example, fighting between the Hotiya (a Baggara – cattle-herding – Arab tribe) and the Nawaiba (an Abbala – camel-herding – Arab tribe) broke out in Zalingei in October and December 2005.<sup>23</sup> In South Darfur Fellata militias attacked Massaleit villages, breaking a history of mostly peaceful relations between the tribes. Anti-Zaghawa sentiment continues to grow due to government propaganda that fuels the perception “Zaghawa want to rule everybody”,<sup>24</sup> encourages SLA fissures largely along tribal lines, and builds resentment of Zaghawa-dominance of that movement and its military campaigns in South Darfur. The UN reports that the government further exacerbates the situation by systematically harassing and arresting Zaghawa in South Darfur, often solely on a tribal basis.<sup>25</sup>

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<sup>21</sup> Crisis Group interviews, Nyala, December 2005; Khartoum, February 2006.

<sup>22</sup> Crisis Group interviews, South Darfur, December 2005.

<sup>23</sup> “Scores killed in ongoing clashes in West Darfur – ICRC”, IRIN, 15 December 2005.

<sup>24</sup> Crisis Group interview, Geneina, December 2005. Similar sentiments, which echo government propaganda, were expressed throughout Darfur. The latest and most blatant propaganda, most likely forwarded by government security, appeared on the front page of *Al-Intibaha*, a daily newspaper published by the radical Islamist al-Tayeb Mustapha, an uncle of President Bashir. The article asserted that the paper received a document describing the boundaries of the “Greater Zaghawa State”, including Chad and portions of Sudan, Libya, the Central African Republic and Egypt, and that this was part of the larger colonial plans of the Zaghawa to divide Sudan and eliminate all other tribes in Darfur. The presence of international forces in Darfur, it suggested, would accelerate these plans. “Al Intibaha Publishes the Geographical Map of the Greater Zaghawa State”, *Al Intibaha*, 6 February 2006.

<sup>25</sup> “Members of the Zaghawa ethnic group in the Shearia area have been subjected to human rights violations by Birgit tribe members with the involvement of the military. Documented violations committed against the Zaghawa include targeted beatings, systematic looting and the closure of schools.... Those arrests form part of a broader pattern of harassment of the

After the late October 2005 SLA conference in Haskanita,<sup>26</sup> clashes broke out within the group between Zaghawa and Meidob tribal members on 11 November, and the senior SLA Meidob commander, Suleiman Marajan, was arrested by the forces of Minni Minawi, the movement’s coordinator and de facto commander.<sup>27</sup> Similar clashes two days later between Zaghawa and Berti tribal members led to fifteen deaths.<sup>28</sup> With both government and rebels exploiting and poisoning Darfur’s diversity, inter-communal reconciliation will be a more difficult challenge for peacemakers than power and wealth-sharing.

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Zaghawa in Southern Darfur over the past six months. The arrests targeted wealthy Zaghawa businessmen, teachers, students and religious figures, who are frequently accused of providing support to [the] SLA. Claims of arbitrary detention are supported by the disproportionate number of Zaghawa in custody and the fact that few investigations ever result in formal charges being brought”. “Monthly report of the UN Secretary-General on Darfur”, S/2006/59, 30 January 2006, p. 3.

<sup>26</sup> The conference exacerbated months of dispute between the SLA Chairman, Abdel Wahid, a Fur, and the Zaghawa Secretary General, Minni Minawi. Abdel Wahid and many followers boycotted Haskanita, which elected Minni as the new SLA chairman. The election was rejected by Abdel Wahid’s faction, which alleged the conference was dominated by the Zaghawa and demanded a more inclusive session. Minni’s faction argued that Haskanita had established the movement’s new hierarchy. The U.S. organised two high profile but ultimately unsuccessful meetings, on 8-9 November 2005 in Nairobi, and on 19 November in El Fashir, to try to develop a common negotiating position for the two factions ahead of the next round of Abuja negotiations. The two leaders eventually agreed during a meeting facilitated by Chad in N’djamena on 26 November to have a joint delegation and to seek joint negotiating positions with the JEM delegation. Although this arrangement has helped minimise differences in Abuja, the SLA remains sharply divided. A recent SLA-JEM merger signed by Minni, SLA Deputy Chairman Khamees Abdallah and JEM Chairman Khalil Ibrahim further complicates matters, as it too has been rejected by Abdel Wahid as a Zaghawa alliance. Abdel Wahid then withdrew from the joint negotiating delegation in Abuja and is seeking his own bilateral deal with the government. Crisis Group interview, 14 February 2006.

<sup>27</sup> Persons close to Abdel Wahid explain the arrest as a Zaghawa attempt to consolidate their control over the SLA and silence critics such as Marajan, who attended the September/October 2005 Abuja negotiations against Minni’s wishes. Crisis Group interviews, November 2005. Minni explains the arrest as the result of improprieties by Marajan while he was in charge of SLA finances, May 2005 to October 2005. He alleges that Marajan sold an SLA car to the government garrison in Malha in September 2005 and has since fabricated reports about Minni for the international media. Crisis Group interview, 14 December 2005.

<sup>28</sup> “Monthly report of the UN Secretary-General on Darfur”, S/2005/825, 23 December 2005, p. 2

## B. ZONES OF MILITARY ACTIVITY

### 1. Tawila-Graida corridor

Although violence persists throughout the entire region, large-scale military activity has been concentrated in two zones: a corridor primarily in South Darfur that stretches north to Tawila, east to Shearia, west to Nyala, and south to Graida; and the Chad border area, mainly West Darfur around Geneina, as well as in the north east around Kulbus.<sup>29</sup> Another hotspot is Jebel Marra, the base of the SLA Chairman, Abdel Wahid, which, after a quiet period, experienced fierce fighting in December 2005 and January 2006.<sup>30</sup> Kutum, where the Arab militias are active and the government and SLA occasionally clash, is another problematic area.<sup>31</sup> In Kutum in early February after members of the SLA killed an army lieutenant, “the Janjaweed militia took over the town’s streets for a week, culminating in a violent assault on the local population on 6 February.”<sup>32</sup>

The fiercest and most persistent fighting since September 2005 has occurred in the Tawila-Graida corridor.

- On 19 September, the SLA attacked the town of Shearia, killing as many as twenty government soldiers, displacing civilians and looting arms, weapons, and fuel.<sup>33</sup> The government re-captured the town on 22 September but tensions continued between the local Zaghawa population and the Messiriyah and Birgit. The Zaghawa have blamed government-supported militias from those tribes for attacks on civilians, while they have been accused of SLA sympathies.<sup>34</sup> Between 25 and 28 January 2006, the SLA fought government forces

and militias for control of Shearia, forcing the remaining 15,000 civilians in the town to flee to the nearby hills.<sup>35</sup> On 14 February the SLA clashed with government forces backed by helicopter gunships in Shearia. It claimed to have shot down a helicopter and captured a crew member.<sup>36</sup>

- On 29 September, government forces attacked Tawila and nearby IDP camps, forcing 2,500 civilians to take refuge around the AU group site.<sup>37</sup>
- In the last week of October, Janjaweed militia attacked the predominately Fur village of Tama, killing dozens, destroying crops, and burning huts.<sup>38</sup>
- One of the largest attacks in 2005 occurred around Graida between 6 and 17 November, when government-supported militias<sup>39</sup> from the Fellata tribe in Tulus responded disproportionately to what they claimed was a JEM provocation<sup>40</sup> and burned at least twelve Massaleit villages, killing 60 civilians and displacing some 15,000 towards Gereida town.<sup>41</sup> Clashes persist around Graida, as militias try to wrest the strategic town from the SLA. Another 25,000 civilians have moved to IDP camps around the town in the past two months, and according to the AU commander, “the area has experienced sustained Janjaweed attacks since December, resulting in the killing of 300 members

<sup>29</sup> See map at Appendix A.

<sup>30</sup> In addition to the ambush of a Sudanese army convoy around Rokero on 24 December 2005, Abdel Wahid’s faction of the SLA attacked a government garrison in Golo on 23 January 2006.

<sup>31</sup> According to a recent report, “Kutum is a government-controlled town of 45,000, 120 km. north west of El Fasher, the capital of North Darfur State. The town’s stability is fragile, however, as the Sudanese authorities suspect its predominantly Fur, Tunjur and Berti inhabitants support the Darfur rebels....It is a delicate balancing act, with the SLM/A rebels only ten km. away – largely controlling the area northeast of Kutum – and large concentrations of Arab militias to the south and west of the town....Over the past four months, tensions have risen steadily as the SLM/A started hijacking vehicles belonging to the government and aid organisations”. “Tension still high in Kutum”, IRIN, 20 February 2006.

<sup>32</sup> Ibid.

<sup>33</sup> “Monthly report of the UN Secretary-General on Darfur”, S/2005/650, 14 October 2005, p. 1.

<sup>34</sup> “Continuing insecurity hurting civilians in Gereida”, IRIN, 2 March 2006.

<sup>35</sup> Ibid.

<sup>36</sup> “Darfur rebels say shoot down government helicopter”, Reuters, 14 February 2005.

<sup>37</sup> Crisis Group interviews, AU officials, December 2005.

<sup>38</sup> Crisis Group interview, North Darfur, December 2005; “Monthly report of the UN Secretary-General on Darfur”, S/2005/719, 16 November 2005, pp. 1-2.

<sup>39</sup> According to the “Second Periodic Report of the United Nations High Commissioner for Human Rights on the Human Rights Situation in Sudan”, p. 11, “in some of the attacks there was clear Government involvement. Eyewitnesses in Dar es Salam saw members of the People’s Defence Forces (PDF) participating in the attacks. They also saw military vehicles and helicopters dropping off military personnel. In Garadaya, Fufu and Um Baloula the Falata attackers were seen wearing military and police uniforms....Despite JEM activities in the area surrounding the villages which were attacked, there was no evidence that the attack targeted JEM. On the contrary, civilian facilities were targeted (schools, crops, market, huts) with the apparent intention of destroying whole villages and displacing the population, which was perceived by the attackers to be supporters of the JEM”.

<sup>40</sup> The Fellata complained about harassment and abductions by JEM forces throughout 2005, especially in October and November. Reportedly JEM was trying to create a militia among the Massaleit. Crisis Group interviews, 6 December 2005; Crisis Group interview, February 2006.

<sup>41</sup> “Monthly report of the UN Secretary-General on Darfur”, 23 December 2005, S/2005/825, p. 1.

of the Massalit".<sup>42</sup> The UN Secretary-General's Special Representative (SRSG), Jan Pronk, declared the violence against the Massaleit "ethnic cleansing".<sup>43</sup>

- On 3 December heavy fighting broke out just southeast of Nyala in the Um Nkonya area after government forces and an estimated 800 militia attacked the villages of Hemmeda, Um Boru and Koka, displacing some 7,500 people. The following day the SLA retaliated by attacking the government garrison of Donkey Dereisa, capturing several vehicles mounted with machine guns.<sup>44</sup>
- On 24 January, an Arab militia destroyed the central market, burned houses and stores, and attacked IDPs and residents of the town of Mershing and nearby IDP camps, allegedly in response to the ambush of a convoy that killed young men from the Mahaadi tribe.<sup>45</sup> More than 50,000 IDPs and villagers are estimated to have been displaced.<sup>46</sup>

Several factors account for the intense military activity in the Tawila-Graida corridor: the area's high population density; its attraction to bandits who prey on lorries and convoys travelling to the commercial-centre of Nyala; the concentration of nomadic livestock routes running through the *hawakeer* (traditional tribal lands) of non-Arab tribes, which has translated into the close proximity of Arab militias<sup>47</sup> and SLA forces;<sup>48</sup> the strategic effort by the SLA-Minni faction to consolidate a base in the area to avoid being restricted to North Darfur; and the priority the government has attached to driving the SLA out of the region. Settled communities of Zaghawa, who arrived in Muhajeria, Labado and other parts of South Darfur from north of Um Baru during the 1960s, are more willing to pay taxes to the rebels and less likely to share information with the government, which has made it easier for Minni

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<sup>42</sup> "Continuing insecurity hurting civilians in Gereida", IRIN, 2 March 2006.

<sup>43</sup> Ibid.

<sup>44</sup> Crisis Group interviews, AU and UN officials, December 2005.

<sup>45</sup> Crisis Group interview, Khartoum, February 2006.

<sup>46</sup> "Thousands displaced by recent attacks in South Darfur", IRIN, 1 February 2006.

<sup>47</sup> Active militias in the area include the Niteiga-based militia of Nazir Al Tijani Abdel Kadir, tribal leader of the Misseriya, which was involved in the attack in Khor Abeche in April 2005; in Marla the militia recruited from the Um Kemelti; militias recruited from the Mahaadi based around Kass; militias recruited from Habnea, Beni Halba and Fellata based in southern South Darfur; and militias recruited from Tarjem and Saada.

<sup>48</sup> The SLA-Minni faction controls Muhajeria, Graida, Labado, Dar al Salam and many rural areas in east Darfur, parts of South Darfur and northern North Darfur.

to operate there.<sup>49</sup> It was northeast of Muhajeria, in Haskanita, that Minni convened his October 2005 conference in a move to strengthen the movement.

The SLA's efforts in the area have been costly, leading to frequent ceasefire violations that alienate the AU, provoke the government and Arab militias, and hurt civilians. A particularly bad episode occurred on 15 November 2005 when around 25 rebels forcibly entered the AMIS group site camp in Graida, pointed guns at the AU soldiers and beat their Sudanese interpreter.<sup>50</sup> For months, the AU had been demanding the SLA withdraw from Graida, a town designated as a neutral site by the Joint Commission, the highest political body formed to monitor the N'djamena Ceasefire Agreement.<sup>51</sup> An AMIS official who has been in Darfur since 2004 expressed disappointment with the SLA, which, he claims, has increased its ceasefire violations by some 50 per cent over the last year: "[The SLA] has no consideration for the people. It just uses them for propaganda. The more they are killed...the more pressure on the government of Sudan".<sup>52</sup> Losing control of South Darfur – from where it can threaten to extend the conflict into Kordofan or make inroads in West Darfur – would be a major blow to the insurgents. Feeling the effects of the government's counter-insurgency campaign, they seem to have calculated that ensuring military survival is worth the loss of international sympathy and some local support<sup>53</sup> and that their armed strength will ultimately determine Khartoum's concessions.

## 2. Western Darfur near the Chad border

The Chad border has been another zone of concentrated violence. Military activities can be expected to increase as bilateral relations deteriorate and both governments offer sanctuary and support to each other's insurgents. Since September 2005, Khartoum has launched several offensives to secure the border area of Jebel Moon and Masteri and flush out the SLA, JEM and National Movement for Reform and Development (NMRD, which split from JEM in March 2004). Civilians are often directly

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<sup>49</sup> Crisis Group interview, 23 January 2006.

<sup>50</sup> Crisis Group interview, 6 December 2005.

<sup>51</sup> Control of the strategic town of Graida cuts off the government garrison in Barum, to the south, from Nyala. Some observers also suspect the area is a key source of SLA revenue. Crisis Group interviews, South Darfur, December 2005.

<sup>52</sup> Crisis Group interview, December 2005.

<sup>53</sup> International attitudes, however, are hardening against the SLA. In a strongly worded article directed as much at the rebels as the government, the UK foreign secretary, Jack Straw, implicitly threatened SLA leaders and commanders with punitive sanctions and exclusion from the Abuja peace process for political intransigence and battlefield belligerence. Jack Straw, "Darfur: stop the killing, or pay the price", *International Herald Tribune*, 17 February 2006.

affected, sometimes targeted. Some observers view these border operations as an attempt to pave the way for the anti-Deby rebels to have unimpeded corridors for their incursions into Chad.<sup>54</sup>

Since the conflict began, there have been clashes north of Geneina around the strategic area of Jebel Moon and Kulbus. With Jebel Moon controlled by a JEM-supported Jebel Misseriya militia,<sup>55</sup> the government and allied militias have launched several large attacks that have also targeted civilians. On 28 September 2005, an estimated 350 to 400 fighters, most likely from Arafa, attacked the Aro Sharrow IDP camp and Gosmino and Ardja villages, killing 35, wounding ten, forcing 4,000 IDPs to flee and burning 88 huts.<sup>56</sup> A Sudanese army company stationed two km. from Aro Sharrow and 300 metres from Gosmino village did nothing to prevent the assault.<sup>57</sup> A militia attack on 28 October on the village of Hashaba left five dead, four injured and five villages burned; others, on 28 November on the village of Selea and on 19 December further south on the village of Abu Sorouj, produced nineteen deaths, looted livestock and many burned homes.<sup>58</sup> The army itself attacked a village in Jebel Moon on 20 November.<sup>59</sup>

NMRD is also wreaking havoc in the Kulbus area. After the government forced it out of Jebel Moon in May 2005, the movement appeared on the verge of collapse. For a time it operated from Abeche and then Tine, both in Chad, with only a handful of fighters. It has tried to fight its way to the negotiating table in Abuja by directly attacking AMIS. Some observers blame it for the 9 October 2005 kidnapping of 40 AMIS soldiers and personnel from the Tine group site.<sup>60</sup> Since then it has slowly increased its

resources, picking off four-wheel-drive vehicles from the government, an international NGO, and then AMIS, after it ambushed a patrol team on 29 November, wounding five soldiers and seizing one vehicle and eight weapons (seven M-16 rifles, one M-60 machine gun). Despite NMRD's small size, AMIS has been unable to engage it militarily or politically and was attacked again on 6 January 2006 between Tine and Kulbus, suffering one dead and ten wounded.<sup>61</sup> Though NMRD has failed to obtain official recognition, it recently signed a formal "unity project" with the Minni-SLA and on 28 January signalled its resurgent military strength with an attack on a government garrison 30 kilometres from Geneina.<sup>62</sup>

There was also heavy fighting in November-December 2005 south of Geneina, as the government launched major assaults with helicopter gunships, army troops, militias and, allegedly, Chadian rebels on SLA camps near Masteri in an attempt to drive the insurgents (mostly from the Massaleit tribe) away from the border. In addition, Human Rights Watch has documented attacks by the government and its proxy forces against civilians in eastern Chad.<sup>63</sup>

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<sup>54</sup> Crisis Group interviews, December 2005-January 2006.

<sup>55</sup> The Jebel Misseriya is traditionally considered a non-Arab tribe, though that identity is fluid, and some government officials are trying to convince its members that they are more Arab than non-Arab, like their relatives, the Misseriya in South Darfur and Kordofan. Crisis Group interview, Geneina, May 2005. The Jebel Mesria live in the strategic Jebel Moon area and have borne the brunt of the government's campaign to capture the mountain area, particularly militia attacks from Arafar. After NMRD was driven out in May 2005, JEM, which includes Jebel Mesria members, offered to support the tribe's self-defence forces if it declared for JEM. Crisis Group interview, Khartoum, February 2006.

<sup>56</sup> Crisis Group interview, AU officials, West Darfur, December 2005; "Monthly report of the UN Secretary-General on Darfur", S/2005/650, 14 October 2005, p. 2.

<sup>57</sup> Crisis Group interview, West Darfur, December 2005; "Second Periodic Report", op. cit., p. 15.

<sup>58</sup> "Monthly report of the UN Secretary-General on Darfur", S/2006/59, 30 January 2006, p. 2.

<sup>59</sup> Crisis Group interviews, West Darfur, 5 December 2005.

<sup>60</sup> There are conflicting reports about responsibility. The AU Chairperson's Report of 12 January 2006 and the UN Panel of

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Experts report blame the JEM splinter faction of Mohamed Saleh Harba, who denounced Khalil Ibrahim's leadership in April 2005 and formed a new JEM faction operating around Tine. He denies involvement and accuses a JEM mainstream commander, Houssein Hashim Djungi. Local AU officials blame NMRD. Crisis Group interviews, December 2005-February 2006. Though all soldiers and observers were released, the attackers made off with four AU vehicles and some weapons.

<sup>61</sup> "Monthly report of the UN Secretary-General on Darfur", S/2006/59, 30 January 2006, p. 2.

<sup>62</sup> See "Unity project between Sudan Liberation Movement and National Movement for Reform and Development", 24 January 2006 (in Arabic), at: <http://www.sudaneseonline.com/aneews2006/jan24-10958.shtml>. NMRD reportedly split in two in the past six months, with Secretary General Noreen Minawi Barcham returning to JEM, while Chief of Staff Gibril Abdelkerim Bary built alliances with other rebel movements. Gibril's wing first increased cooperation with the JEM faction of Mohamed Saleh Harba. In December 2005 the two leaders opened talks with Minni's wing of the SLA. Crisis Group interviews, December 2005.

<sup>63</sup> "Human Rights Watch researchers documented numerous cross-border attacks on Chadian villages along the border between Adré, Adé and Modoyna in eastern Chad since early December 2005. Most of the attacks were by Sudanese and Chadian militiamen from Darfur, some with apparent Sudanese government backing, including helicopter gunship support". "New Attacks in Chad Documented", op. cit.

### III. CHAD: THE NEXT DARFUR?

As the Darfur situation deteriorates, hostilities between Chad and Sudan have increased. Chadian rebels operating out of Sudan have launched increasingly frequent incursions into eastern Chad since October 2005. President Idriss Deby has blamed Khartoum for supporting the rebels, declared a “state of belligerence” with Sudan and sought to strengthen his ties to the Darfurian rebels, who are spending increasing amounts of time in N’djamena. Chad’s last two presidents came to power in military campaigns launched from Darfur, so Deby has reason to watch his eastern border. But the Darfur crisis has also been a catalyst for the fusion of three domestic crises.

The first concerns an increasingly bitter struggle within the inner circles of the ruling clan for the succession to Deby, who is seriously ill. Unhappy about his decision to seek a third term, his amendment of the constitution to do so and his initial cooperation with Khartoum, senior Zaghawa in the military were involved in a coup attempt in May 2004. In late October 2005, the strife reached new levels as deserters – mostly Zaghawa from the army and presidential guard – formed the Platform for Change, National Unity and Democracy (SCUD). They have since aligned with several other Chadian rebel groups under the umbrella Allied Front for Democracy and Change (FUC), which continues to expand and poses an increasingly serious military risk to Deby and his army.

The second crisis relates to rampant corruption and mismanagement that caused wages to go unpaid for months and led to the collapse of the few social services that existed. The regime’s decision to break its oil pipeline agreement with the World Bank was a desperate effort to contain the rising threats it faced due to its autocratic tendencies and management deficiencies.

The third crisis stems from Chad’s involvement in the Darfur conflict. Bilateral relations worsened dramatically in the second half of 2005 as Khartoum welcomed all opponents of Deby, who dropped his veneer of neutrality to support the Zaghawa-based rebel groups in Darfur. Sudan’s ruling National Congress Party and its military and security structures appear determined to topple Deby’s regime and thereby weaken the SLA.

#### A. DARFUR’S IMPACT

Over the three years of the Darfur conflict, Chad and its people have seen their humanitarian, economic, political and security situations decline. The country shares many of the same political fault lines as Sudan and hosts many

of the same tribes affected by the fighting in Darfur.<sup>64</sup> Bilateral relations have gradually worsened since 2003.

Though President Deby historically enjoyed good relations with Khartoum, the heavy presence of his Zaghawa tribesmen in the Darfur rebel groups placed him in a difficult situation. He initially tried to strike a balance by formally cooperating with Khartoum while turning a blind eye as Zaghawa within his army helped the rebels. The balance proved unsustainable, particularly as Deby came under fire from key constituents for not doing enough to support the SLA, and Chadian rebels organised inside Sudan. As Deby has strengthened his ties with the Darfur rebels, relations between the neighbours have degenerated into proxy war. The 18 December 2005 attack on the Chadian border town of Adre by the Chadian RDL rebels was the most serious escalation to date.

The most obvious consequence of the Darfur war has been the influx of more than 200,000 refugees into eastern Chad, one of the poorest regions of one of the world’s poorest countries. Although many border region inhabitants are from the same tribes as the refugees, the latter receive more support and services. As a result, clashes between the locals and refugees are on the rise, though the UN High Commissioner for Refugees (UNHCR) and NGOs have recently begun directing resources to the host population as well.

A second consequence has been an increase in insecurity in eastern Chad and a weakening of the army, which has lost both men and weapons to the Darfur rebels as well as to other armed groups in Darfur. JEM in particular recruited heavily among Chadian soldiers early in the conflict, buying mercenaries as well as weapons.<sup>65</sup> Informal Chadian support has also flowed to the Zaghawa elements of the SLA and JEM in North Darfur.

The third and most dangerous repercussion has been the division within the Chadian Zaghawa community over Deby’s Darfur policy. A Zaghawa Bideyat, the president came to power in 1990 by overthrowing Hissein Habre in a military campaign emanating from Darfur, where he was supported by the Sudanese Zaghawa. At the outset of the Darfur war, Deby worked closely with Khartoum, even ordering 800 troops into Darfur to fight the rebels in April 2003.<sup>66</sup> This discouraged but did not stop support flowing

<sup>64</sup> Similar to Sudan, Chad has many divisions: Arab-African, North-South, Christian-Muslim and nomad-farmer.

<sup>65</sup> Crisis Group interviews, June-July 2005.

<sup>66</sup> The Chadian troops, many of whom were Zaghawa, refused to fight their kinsmen in Darfur and eventually returned to Chad without incident. Crisis Group interview, 27 June 2005. For more on Chad’s early role in the Darfur conflict, see Crisis Group Africa Briefing N°32, *Unifying Darfur’s Rebels: A Prerequisite for Peace*, 6 October 2005.

to the rebels from Zaghawa in the Chadian military. Though his policy was divisive, Deby understood the danger of protracted war in Darfur and the threat from Khartoum if he did not cooperate.<sup>67</sup> In August 2003 he organised the first negotiations, culminating in the ill-fated September 2003 Abeche ceasefire, which collapsed three months later, just before a massive government offensive.

The May 2004 coup attempt by senior Zaghawa military commanders was primarily driven by discontent over Deby's lack of support to the Darfurian Zaghawa and his cooperation with Khartoum.<sup>68</sup> "He decided to destroy our tribe in Darfur and Chad, by pitting us against each other", explained a Zaghawa participant.<sup>69</sup> The affair was managed peacefully, in part to avoid exposing divisions within the tribe to the rest of the country.<sup>70</sup> Yet, those divisions have continued to grow, encouraged by Deby's decision to alter the constitution so he could run for a third term and grumblings over domestic issues such as unpaid salaries.

## B. FRACTURING OF THE REGIME AND REBEL INCURSIONS

The divisions came to the surface again in October 2005 as disgruntled Zaghawa soldiers and ruling party politicians, including blood relatives from Deby's own Bideyat clan, such as its founder Yahya Dillo Djerou, formed a new rebel group, SCUD, out of a wave of army defections, mostly from the elite Republican Guard and the GNNT (Gardes Nationales Nomades du Tchad). It demanded that Deby either step down or cancel his third-term plans. He initially sent a tribal delegation of fellow Zaghawa, led by his nephew, Tom Erdimi – who later defected to SCUD, along with his brother, Timan – to meet with Yahya Dillo in Abeche.<sup>71</sup> The talks failed, defections continued and Deby dissolved the Presidential Guard, the Zaghawa-dominated unit on which he had relied heavily for regime security.<sup>72</sup>

After rejecting Deby's overtures, SCUD began small-scale hit and run activities in the east, predominantly in the triangle between Iriba, Guereda and Adre, aimed at

securing military supplies, vehicles and ammunition. The situation escalated again following a 14 November raid on the GNNT barracks in N'djamena and a coordinated attack on army barracks in Kouldoun, south of the capital. These high-profile attacks, which were also after weapons and ammunition, were blamed on SCUD but disowned by Yahya Dillo.<sup>73</sup> Rumours in N'djamena also linked them to an unidentified southern rebel group, allegedly led by a Col. Dasser.<sup>74</sup>

The second Chadian rebel group in Darfur, the RDL, is thought to be composed primarily of Arabs, Tama and Gimr. Based in West Darfur near Geneina, it is led by a Tama, Col. Mahamat Nur, and is an outgrowth of the National Resistance Army (ANR), of which he was a member.<sup>75</sup> The ANR was a Tama-based movement whose leader, Col. Mahamat Garfa, signed a peace agreement with the government in January 2003.<sup>76</sup> In March 2004, Sudan reportedly allowed 500 Chadian rebels from the Bergo tribe to establish a training camp south of Bendisi, in Mukhjar locality, West Darfur.<sup>77</sup> In mid-April 2005, Deby temporarily broke with Khartoum and withdrew from the AU mediation efforts, accusing the Sudanese of supporting 3,000 Chadian rebels near Geneina.<sup>78</sup> Those rebels, who likely now form the RDL core, include elements which had been fighting beside Khartoum-supported Arab militias in West Darfur, where the Chadian Arab presence is particularly high thanks to a history of displacement from Chad's civil wars and Arab migration and settlement on predominantly Massaleit land since the 1970's.

The RDL and its allied movements are an increasingly credible military force, with estimates ranging from 2,000 to 6,000 soldiers, spread through six camps along the border.<sup>79</sup> Unusual for a rebel group, its troops have new uniforms, with berets, bullet-proof vests, identification patches and flags, and even headlamps. They have new Land Cruisers mounted with machine guns, are well-equipped with AK47s and RPGs, and allegedly have

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<sup>67</sup> In addition to granting sanctuary in Darfur to Chadian rebels, Khartoum offered Chad material incentives to crack down on support to the SLA.

<sup>68</sup> See Crisis Group Briefing, *Unifying Darfur's Rebels*, op. cit.

<sup>69</sup> Crisis Group interview, 27 June 2005.

<sup>70</sup> Ibid.

<sup>71</sup> Crisis Group interview, 12 December 2005. Other senior members of Deby's delegation to Abeche also eventually defected to join SCUD in mid-December

<sup>72</sup> "Chad: Deby dissolves presidential guard following wave of desertions", IRIN, 31 October 2005.

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<sup>73</sup> "Chad: Mystery armed group attacks military camp in capital", IRIN, 15 November 2005.

<sup>74</sup> Crisis Group interview, 13 December 2005.

<sup>75</sup> Crisis Group interview, 13 February 2006.

<sup>76</sup> "Peace deal in Eastern Chad", BBC, 10 January 2003, at <http://news.bbc.co.uk/1/hi/world/africa/2646107.stm>.

<sup>77</sup> Crisis Group interview, 22 January 2005.

<sup>78</sup> "Chad-Sudan: Government accuses Sudan of backing rebels, suspends Darfur mediation", IRIN, 11 April 2005. The relationship was soon mended, following several high level visits by Sudanese ministers to N'djamena. In exchange for normalising relations, Khartoum reportedly made substantial payments and agreed to arrest and deliver a number of Chadian opposition leaders to N'djamena. Crisis Group interviews, May-July 2005.

<sup>79</sup> Crisis Group interviews, January-March 2006.

artillery and heavy weaponry.<sup>80</sup> A recent eyewitness reported:

Truckloads of young men and supplies, including brand new weapons, were arriving every day at the well-secured camp. Heavy weapons including rocket and mortar launchers were out of sight just beyond the deceptively simple entry checkpoint of a branch and two stones. There appeared to be no shortage of funds.<sup>81</sup>

It is clear someone has been supplying heavy weapons and helping to organise the force. Since the RDL and its FUC allies have barely operated inside Chad, they cannot have stolen much from the army. All indications point to Khartoum, their host for almost two years, though support seems to be inconsistent. Elements of military intelligence and the national security service in Khartoum appear to help the most, while some local security officials in Geneina are reportedly hostile to the presence of the groups.<sup>82</sup> There are reports that the rebels also receive military assistance from Libya and the Congo (DRC), and they claim to have bought weapons and ammunition from AMIS's Nigerian and Chadian troops.<sup>83</sup> The AU reports that the Chadian rebels are co-located with Sudanese army units and may operate with them along the border,<sup>84</sup> though despite evidence supplied by AMIS, Ambassador Kingibe publicly dismissed the notion that Khartoum "directly or indirectly supports" them.<sup>85</sup>

The two weeks leading up to the attack on Adre saw increased fighting on both sides of the border. The predominantly Massaleit SLA positions in Derenda and Bareeda (near Masteri, south of Geneina), were subjected to six days of government/militia attacks in the first half of December. A senior SLA Massaleit commander claimed the Chadian rebels fought beside the government for four days, on two of which helicopter gunships were used.<sup>86</sup> In the preceding weeks, the RDL reportedly carried out two lesser attacks on Adee, a small town just

south of Adre, including a raid on the police post on 16 December.<sup>87</sup>

The Adre attack began early the morning of 18 December, reportedly with twenty vehicles and up to 200 RDL troops.<sup>88</sup> The Chadian army repulsed it and claimed it inflicted implausibly high casualties.<sup>89</sup> After it chased the RDL across the border, Deby accused Khartoum of supporting the raid and declared the "state of belligerence".<sup>90</sup> Eyewitnesses in Geneina substantiated reports of some Sudanese support for the RDL, in the form of hospital treatment for wounded soldiers and military flights for RDL soldiers back to Khartoum.<sup>91</sup>

The RDL may have been defeated at Adre but it seems to have the wherewithal to continue. According to a senior RDL officer, "there's not been anything as big as this in all my experience....Here we have many heavy weapons and many troops – much more than Deby had".<sup>92</sup> More attacks into Chad can be expected, unless an effective international presence can be established quickly to monitor the border and deter them.

### C. SHIFTING ALLIANCES AND THE THREAT OF NEW WAR

As the war of words escalates, Chad and Sudan have reinforced their military positions along the border. In late December 2005, the Chadian rebels formed a new alliance, the United Front for Change and Democracy, known by its French acronym FUC, bringing together the RDL, SCUD and six smaller groups. The stated goals are to remove the Deby dictatorship; return peace and security to Chad; promote unity, harmony, social justice and equal rights; and organise a national forum to develop a political consensus for a restored democratic process.<sup>93</sup> In an unusually frank interview, FUC leader Abdelwahid Aboud Makaye admitted friendly relations with the Sudanese government, which hosted the meetings in Geneina that led to formation of the group, though he denied receiving direct support.<sup>94</sup> He was arrested by Sudanese authorities

<sup>80</sup> Crisis Group interviews, January-March 2006.

<sup>81</sup> Opheera McDoom, "Chad rebel leader demands change, by force if needed", Reuters, 12 February 2006.

<sup>82</sup> Crisis Group correspondence, 5 March 2006.

<sup>83</sup> Ibid.

<sup>84</sup> For example, a UN situation report recorded in early February 2006 that: "The AU reported an increase of GNU (Government of National Unity) troops mixed with Chadian rebels along the southern West Darfur border with Chad from Um Dukhun up north to Lujugo. AU estimates between 4,000-6,000 troops are in the area". Crisis Group correspondence, February 2006.

<sup>85</sup> "AU says no evidence Sudan backing Chadian rebels", 2 February 2006, at: [http://www.sudantribune.com/article.php3?id\\_article=13878](http://www.sudantribune.com/article.php3?id_article=13878).

<sup>86</sup> Crisis Group interview, 18 December 2005.

<sup>87</sup> Crisis Group interview, 21 December 2005.

<sup>88</sup> Crisis Group interviews, December 2005.

<sup>89</sup> The Chadian government stated that as many as 300 people had been killed; humanitarian organisations in the area confirmed fewer than twenty deaths. Crisis Group interviews, December 2005.

<sup>90</sup> "Chad declares 'state of belligerence' with Sudan", Reuters, 23 December 2005.

<sup>91</sup> Crisis Group interview, 10 January 2005.

<sup>92</sup> McDoom, op. cit.

<sup>93</sup> See press communiqué (in French), no. 001/FUC/05, at: [http://www.alwihdainfo.com/articles/voir\\_art.php?idart=1869](http://www.alwihdainfo.com/articles/voir_art.php?idart=1869).

<sup>94</sup> "Chad: Rebels admit 'friendly' ties with Sudan but deny receiving support", IRIN, reporting an interview conducted by



the following day, probably for revealing those links, but was released several days later.<sup>95</sup>

The FUC has yet to overcome significant internal problems. A SCUD press release that appeared on a Chadian opposition internet site in late January 2006 expressed dissatisfaction with the alliance, citing the lack of seriousness of certain unnamed members.<sup>96</sup> There have since been unconfirmed reports that SCUD has withdrawn from FUC. Further reports suggest unhappiness among other members with the leadership of SCUD's Mahamat Nur, who is believed to have participated actively in the Khartoum-supported Janjaweed militia operations in West Darfur since the outbreak of the conflict in 2003.<sup>97</sup> If confirmed, the loss of SCUD would weaken the Khartoum-backed Chadian rebel alliance and narrow its ethnic base.

### 1. The Deby-SLA alliance

In the aftermath of the Adre attack, Deby facilitated an alliance – the Alliance of Revolutionary Forces of West Sudan – formed by the SLA-Minni faction and JEM on 18 January 2006.<sup>98</sup> A week later the SLA-Minni faction announced the unity project with NMRD.<sup>99</sup> After being criticised for not doing enough to support the Darfur rebels, Deby is trying to shore up his Zaghawa support base by bolstering both the SLA and JEM. There are reports that he has given them vehicles and weapons for signing the alliance and guarding the border around Tine.<sup>100</sup> While he needs a strong SLA and JEM to occupy Sudanese government forces inside Darfur, help to reduce or at least absorb defections from Chadian Zaghawa and if possible guard the border, it is a strategic priority for them not to lose Chad as a sanctuary. The ability to operate from there and the supply lines to the Chadian military are indispensable to their armed operations.<sup>101</sup>

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Radio France International in Khartoum, 18 January 2006. Makaye is also secretary general of FIDEL, one of the FUC components.

<sup>95</sup> "Chad rebel group says leaders arrested in Khartoum", *Sudan Tribune/Reuters*, 20 January 2006, at: [http://www.sudantribune.com/article.php3?id\\_article=13645](http://www.sudantribune.com/article.php3?id_article=13645).

<sup>96</sup> Press communiqué (in French), no. 001/Janvier/2006/SCUD, at: [http://www.alwihdainfo.com/articles/voir\\_art.php?idart=2111](http://www.alwihdainfo.com/articles/voir_art.php?idart=2111).

<sup>97</sup> Crisis Group interview, 13 February 2006.

<sup>98</sup> See "Sudan Liberation Movement publishes agreement document with Justice and Equality Movement", posted (in Arabic) on 20 January 2006 at: <http://www.sudaneseonline.com/anews2006/jan22-91393.shtml>.

<sup>99</sup> "Unity project between the SLA and the NMRD", posted (in Arabic) on 24 January 2006 at: <http://www.sudaneseonline.com/anews2006/jan24-10958.shtml>.

<sup>100</sup> Crisis Group interviews, January-February 2006.

<sup>101</sup> These supply lines have been erratic due to Sudanese pressure on Deby to cut support but they should become more

One observer summarised: "The attack on Adre is a defining moment in Chad and Sudan relations...It has had the effect of uniting all the Zaghawa, JEM, SLA, NMRD under one movement...Before Adre, Khalil [Ibrahim] and Minni would not spend a dime or lose one soldier to help Deby; everything is different now".<sup>102</sup>

Nevertheless, the SLA-JEM alliance under Deby's auspices has driven a further wedge between SLA leaders Abdel Wahid and Minni. Members of the movement associated with Abdel Wahid dismissed it as "an alliance between Zaghawa ethnic groups in Darfur with the Zaghawa regime in N'djamena".<sup>103</sup> While Minni is investing much time in ensuring the SLA's military survival, he is devoting less to the Abuja peace talks. Days after creation of the alliance, he froze participation in the talks to protest the AU summit convening in Khartoum.<sup>104</sup> Abdel Wahid, however, has indicated willingness to sign an agreement with the government without the other rebel factions, a decision that is controversial even with his supporters.<sup>105</sup>

Significantly, Khamees Abdallah, the SLA's Massaleit deputy chairman and a traditional Abdel Wahid ally, has joined the alliance and spent more time in N'djamena than Abuja during the last round of talks. As mentioned, the predominantly Massaleit SLA forces south of Masteri in West Darfur were attacked repeatedly by the government in early December 2005 and forced to retreat

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reliable with the deterioration in bilateral relations and Deby's apparent determination to strengthen the rebels. The major limitation is likely to come from the president's priority to bolster his own armed forces.

<sup>102</sup> Crisis Group interview, Khartoum, February 2006.

<sup>103</sup> "Darfur rebels' merger puts talks at the crossroad – analyst", *Sudan Tribune*, 22 January 2006, available at: [http://www.sudantribune.com/article.php3?id\\_article=13702](http://www.sudantribune.com/article.php3?id_article=13702)

<sup>104</sup> "Minni Arko Minawi: SLM/A declares boycott of negotiations until further notice", posted (in Arabic) on 22 January 2006, at: <http://www.sudaneseonline.com/anews2006/jan21-87439.shtml>.

<sup>105</sup> "SLM's Nour says ready to negotiate peace deal alone", *Sudan Tribune*, 11 February 2006 at: [http://www.sudantribune.com/article.php3?id\\_article=14022](http://www.sudantribune.com/article.php3?id_article=14022). This strategy has backfired for Abdel Wahid as seventeen commanders affiliated with his faction, including Khamees Abdallah, Adam Shogar and Suliman Marajan, signed a statement criticising him for deciding to negotiate unilaterally with the government without following proper channels. On 4 March 2006, a press statement issued by nineteen commanders affiliated with his faction, including again Khamees Abdallah, Adam Shogar and Suliman Marajan, announced that Abdel Wahid's powers as chairman of the movement were being frozen due to his unilateral decisions to negotiate with the government. Reprinted in "New split looms against SLM's Abdelwahid", *Sudan Tribune*, 5 March 2006, at: [http://www.sudantribune.com/article.php3?id\\_article=14371](http://www.sudantribune.com/article.php3?id_article=14371).

into Chad.<sup>106</sup> With the SLA gone, a strategic area was left vulnerable to incursions by the RDL backed by Khartoum. In another tactical move, Khamees agreed to increase its activities along the southwest border in exchange for military support from Deby.<sup>107</sup>

## 2. A downward spiral

The Adre attack was a significant failure for the RDL and Khartoum but even more embarrassing than the result appears to have been the exposure of Khartoum's direct involvement. Chad went public with its allegations reportedly because it had captured and killed Sudanese army personnel. It is said to have presented the evidence to Libya, which led President Qaddafi to convene a summit in Tripoli on 10 February 2006 that brokered an accord between Presidents Deby and Bashir to halt support to each other's rebels. While this is unlikely to change the conflict's dynamics much for reasons discussed below,<sup>108</sup> it does create a basis for establishing a monitoring force on the border which the international community should exploit.

The risks of an outright war would be high for both Chad and Sudan but it is likely that relations will deteriorate further regardless, as the governments position themselves for an expanded proxy conflict. Sudan wants to cut SLA and JEM supply lines and end Chadian support but it is unlikely it could decisively defeat the Chadian army when it has been struggling with the Darfur rebels for years. If it tried, it would also risk reviving the international wrath it has worked hard to neutralise since the spring of 2004. Consequently, it probably will content itself with the current chaos in Darfur and not risk a dramatic change by open war with its neighbour.

Deby benefits from highlighting the external threat and Sudan's support for Chadian rebels because that distracts attention from the domestic issues which are driving opposition to his regime. But full-scale war would seem suicidal for his smaller army, which already faces major challenges at home. Nonetheless, there are credible reports of build-ups near the border by both armies. Chadian deployments have increased since the Adre attack, apparently with support from Paris, which gives the impression the French military would intervene if Khartoum attacked.<sup>109</sup> Meanwhile, there have been significant new Sudanese deployments to Geneina since

November 2005.<sup>110</sup> As discussed below, the best way to forestall further deterioration would be to send an internationally-authorized stabilisation force to monitor cross-border movement and deter any large attacks.<sup>111</sup>

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<sup>106</sup> Crisis Group interviews, Khartoum, February 2006.

<sup>107</sup> Crisis Group interviews, Khartoum, February 2006.

<sup>108</sup> See Section V.

<sup>109</sup> Immediately after the Adre attack, the French military in Abeche reportedly deployed troops to Forchana, on the Adre-Abeche road. Crisis Group interview, 21 December 2005.

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<sup>110</sup> Crisis Group interviews, November 2005-February 2006.

<sup>111</sup> As an example of what is happening at the border, the UN has reported that "on 24 Dec., a [Sudanese army] convoy of thirteen land cruiser pick-ups; each mounted with 12.7 mm machine gun, arrived in Zalingei from Nyala. The convoy had company strength (130 soldiers) and was en route to El Geneina. Later the same day, an additional convoy of fourteen land cruiser pick-ups mounted with 12.7 mm machine guns carrying 150 Arab militias arrived in Zalingei. The militias reportedly belong to Musa Hilal and had come from Mustereha, near Kutum. They were on their way to El Geneina to reinforce the forces there as a security precautionary measure at the Chad border". "Sudan Situation Report", 27 December 2005, at: <http://www.humanitarianinfo.org/darfur/uploads/situation/unsitreps/2005/december/04.%20Sit%20Rep%20for%2027%20Dec%202005.doc>.

#### **IV. THE AU: STILL TREADING WATER**

As the security situation steadily worsens, AMIS's credibility in Darfur as a military and civilian protection force is at an all-time low. The belligerents show little respect, continuously challenging it without meeting a strong response. As ceasefire violations increased in late 2005, the AU explained them away as jockeying on the eve of the seventh round of Abuja peace talks.<sup>112</sup> Yet, as that round continued, it was clear there was a growing disconnect between the political process and conflict dynamics on the ground. The parties fight in Darfur with little concern or awareness for what happens in Abuja. Part of the problem is the breakdown in the ceasefire mechanism that links monitoring with political engagement and a non-existent mechanism for punishing violations. Facing few consequences and no AMIS military response, the warring sides flout the ceasefire, attack civilians, loot commercial vehicles and mobilise forces whenever they deem fit. As conflict fundamentals are unchanged and the risk of cross-border conflict between Chad, Sudan and their proxies increases, there is urgent need for more effective civilian protection and an improved ceasefire, including compliance mechanisms.

##### **A. THE AU INTERVENTION**

The AU has been the lead international player in Darfur since April 2004, taking the initiative to establish both the political negotiations and the ceasefire monitoring force, AMIS. This has proven a mixed blessing for Darfur: the AU provided a rapid initial response to the crisis when there were no alternatives but it has lacked the capacity, resources and ultimately the political will to hold the parties accountable to their commitments or to improve the situation on the ground significantly. As the temporising at the 10 March PSC session demonstrated, it also continues to show deference to Khartoum's wishes regarding the character and future of the mission.

AMIS strengths and weaknesses have been documented in past Crisis Group reporting.<sup>113</sup> The mission has grown to nearly 7,000 personnel in Darfur against a planned ceiling of 7,731 but the situation remains desperate for many civilians. Nearly a year after Crisis Group first called for a significantly expanded mission with a stronger civilian protection mandate, violence against civilians and ceasefire violations remain pervasive.<sup>114</sup>

AMIS was born as a monitoring mission out of the April 2004 N'djamena agreement. The assumption the parties would comply with that ceasefire ceased to be valid long ago. It and subsequent security commitments have been violated systematically by all sides. Though the AU has recognised this, it continues to hold to the mission parameters, arguing that a more robust and flexible interpretation of the existing mandate can produce more effective civilian protection. Confirmed AMIS funding runs out this month, however.<sup>115</sup> Pushed by donors, in January 2006 the AU reluctantly accepted in principle that AMIS be re-hatted as a UN mission. However, instead of following up on 10 March, the AU PSC merely repeated the same acceptance in principle, while extending the AMIS mandate through 30 September and otherwise leaving the future undefined.

Some press reports suggested that any handover to the UN would be dependent on a peace settlement having been reached first. The PSC communiqué did note that this was the Sudanese Government position but did not adopt it as its own, stressing instead that the status of the Abuja talks and the security environment on the ground would be factors that determined the nature of a post 30-September mission. The PSC's reiteration of its acceptance in principle of a transition, combined with its language welcoming the 3 February 2006 statement of the UN Security Council President requesting the Secretary-General to begin contingency planning for the transition, should be sufficient for the Security Council to authorise the Secretariat's peacekeeping department (DPKO) to prepare for a likely UN takeover on 1 October.

The 10 March PSC meeting also urged full implementation of the recommendations of the December 2005 AU-led Joint Assessment Mission.<sup>116</sup> If implemented, these would improve AMIS's field capacity, though not sufficiently to meet all needs. There are also steps the AU should take, with requisite donor support, to make AMIS as effective as possible and ease the transition to a UN mission. In the longer term, more significant enhancements of the international mission are needed, however, if the dynamics of chaos and impunity are to be changed.

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<sup>112</sup> Crisis Group interviews, AU officials in Darfur, November-December 2005.

<sup>113</sup> See in particular Crisis Group Africa Briefing N°28, *The AU's Mission in Darfur: Bridging the Gaps*, 6 July 2005.

<sup>114</sup> Crisis Group Report, *Darfur: The Failure to Protect*, op. cit.

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<sup>115</sup> The U.S. has covered approximately one third of the monthly cost until now. The Bush administration has included in its supplemental budget request for fiscal year 2006 \$123 million to support AMIS during the transition to a UN force. If Congress approves and without additional funding from other donors, this could maintain AMIS at its current deployment through July 2006. Contributions from others, notably the EU and bilateral donors such as the UK, Canada and Japan, are critical to maintaining and expanding AMIS during the full transition to a UN mission.

<sup>116</sup> For discussion of those recommendations, see Section V below.

The consensus of those consulted by Crisis Group is that it is a question of when, not if, there will be a transition. Nevertheless, that action, while resolving the financial problem, would face the UN with the same need to expand mission size and strengthen the mandate if its mission is to be more effective than AMIS. Meanwhile, given the continued delay in shifting to a stronger international force, in spite of the deteriorating situation on the ground, there is an urgent need for a robust force to bolster the existing AU mission and to monitor the Chad-Sudan border. The PSC decisions did not address this need. Indeed, an element of the compromise that apparently allowed Khartoum to accept those decisions seems to have been an understanding that no request would be made for such a force.

This omission needs to be corrected. To address the requirements on the ground, the UN Security Council and the AU PSC should authorise immediate deployment of a 5,000-strong stabilisation force, including a meaningful rapid reaction element. It would be envisaged as part of a phased transition to an eventual UN mission, and the additional troops should focus initially on monitoring the border, responding to AMIS requests for support in protecting civilians, and beefing up AMIS's capacity to monitor the Tawilla-Graida corridor.

## B. MORE EFFECTIVE CIVILIAN PROTECTION

If AMIS, with its financial and personnel limitations, is to be more effective for whatever time it remains in existence, it must identify its strategic priorities and organise future deployments and expansion to fit them, beginning with improved civilian protection. To begin with, it must do more to protect the static IDP population and restore the credibility of its own forces, which have been attacked a half-dozen times over the past six months and suffered their first fatalities on 8 October 2005, when a Nigerian contingent lost four peacekeepers during an assault by an unidentified group. The next day, as already described, more than 40 AMIS personnel were captured by a force believed to be NMRD,<sup>117</sup> which inflicted losses again on 28 November and 6 January 2006.<sup>118</sup> The December 2005 JAM, which followed the initial JAM mission of March 2005, concluded that AMIS's inability to respond effectively as well as to protect civilians in a number of situations was undermining its credibility with both the population and the attackers.<sup>119</sup>

At a minimum, AMIS should immediately send out 24-hour Civilian Police (CivPol) patrols, with a protection element and including translators, in all identified IDP camps, as recommended by the AU Chairperson in his 12 January 2006 report. Kalma is presently the only camp with such a patrol, as a result of which, for example, women still face rampant gender-based violence. The additional recommendations for firewood and night patrols outside camps should be implemented as soon as possible.<sup>120</sup>

The broader challenge for AMIS, and any future UN mission, is to obtain and implement a mandate to protect civilians and use force if and when necessary. The enhancements listed below can help make the existing ceasefire more effective and contribute to better protection of IDPs already in camps but they are not enough to end the chaos and impunity and improve the security situation sufficiently to create an environment in which the IDPs can return home. For that, the mission must also be significantly enlarged. The March 2005 JAM report identified two further AMIS deployments: the enhancement to 7,731 designed to "stabilise" Darfur, which the PSC approved on 28 April 2005, but also a possible second enhancement, to 12,300 troops by spring 2006 to provide "appropriate levels of security to support the return of IDPs and the delivery of humanitarian assistance".<sup>121</sup> However, the AU Chairperson called not for an expanded mandate at that time, but rather for reprioritising tasks within the existing mandate to put more emphasis on creation of a secure environment.<sup>122</sup>

As described above, events since the April 2005 decisions demonstrate that the AMIS parameters are insufficient. Bizarrely, the December 2005 JAM report recommended expanding neither the mission's mandate nor its size. Instead, it and the AU Chairperson's report both concluded that the size was sufficient for current tasks, as was the mandate, though it was not well understood by all commanders and should be interpreted more robustly.<sup>123</sup> These decisions were reiterated in the 10 March 2006 Report of the AU Chairperson and the 10 March PSC communiqué.

<sup>117</sup> See fn. 61 above.

<sup>118</sup> See above and "Monthly report of the UN Secretary-General on Darfur", S/2006/59, 30 January 2006, p. 2.

<sup>119</sup> "AU-Led Joint Assessment Report", paragraph 12, 18 December 2005.

<sup>120</sup> "Report of the Chairperson", 12 January 2006, op. cit., paragraph 105 (ix).

<sup>121</sup> "The AU Assessment Mission to Darfur Sudan, 10-22 March 2005: Report of the Joint Assessment Team", paragraph 64.

<sup>122</sup> "Report of the Chairperson of the AU Commission on the situation in the Darfur region of the Sudan", PSC/PR/2 (XXVIII), 28 April 2005, paragraph 105.

<sup>123</sup> "AU-Led Joint Assessment Report", paragraphs 42, 45, 18 December 2005. "Report of the Chairperson", 12 January 2006 op. cit., paragraph 105 (v), (ix).

The AU decision to leave AMIS parameters untouched should be understood in three ways. First, AMIS is funded entirely by donors, who have made it clear they want a transition to the UN and would prefer not to continue supporting AMIS. “It will take time for the UN to take over, and the donors will have to provide bridge funding to AMIS to fill the gap”, a European diplomat explained, “but the donors will not support a further enhancement of the mission under the AU”.<sup>124</sup> Secondly, some observers sense that the AU recognises its limitations and fears it would open itself to more criticism if it could not execute a broader mandate.<sup>125</sup> Thirdly, the AU is extremely sensitive to the views of Khartoum, which continues to refuse a stronger international force outside the AU’s control in Darfur. Nevertheless, the situation demands a stronger response since barring a breakthrough in Abuja, increased fighting is likely in the coming months as the parties seek to consolidate gains before any transition to the UN.

There is broad agreement between the AU and its partners that AMIS needs to protect civilians better. The disagreement is on how. The AU, with logistical and budgetary constraints, argues that its existing mandate is sufficient for civilian protection if properly interpreted.<sup>126</sup> A recent Human Rights Watch report also concluded it is sufficiently flexible to allow more robust civilian protection but that AMIS rules of engagement need to be enhanced. Those are confidential guidelines, which steer the actions of commanders in the field. A draft set seen by Human Rights Watch in February 2005 was described as ambiguous about the use of deadly force to protect civilians. Human Rights Watch also worried that in the apparent absence of formal rules of engagement passed by the PSC, each troop-contributing country may be using its own national guidelines.<sup>127</sup>

There should not be ambiguity on this. A robust mandate well implemented by the international mission would help to improve security in Darfur and counter the culture of impunity that has become the norm. Crisis Group has argued that:

The best way to provide security would be prudent but deliberate application of force against those directly responsible for the insecurity and atrocities.

AMIS needs both to act proactively against those elements and to station soldiers with convoys and at fixed locations where their presence can deter, and where they are better positioned for immediate response.<sup>128</sup>

The PSC should urgently expand the mandate, ahead of and independent of the UN re-hatting question, to allow unambiguously the proactive use of force to protect civilians.<sup>129</sup> The Security Council should do the same, giving its eventual force in Darfur a Chapter Seven mandate prioritising this.

AMIS (and any future UN mission), must also have the capacity to enforce an expanded mandate. After months of delays, AMIS has finally received 105 Grizzly Armoured Personnel Carriers (APCs), loaned by Canada, though as of early March 2006 some were still not yet operational, and those that were active were having only limited impact in the field.<sup>130</sup> It still lacks sufficient air support. The 25 helicopters it has do not allow effective night patrols or offer a meaningful deterrent to Khartoum’s continued violation of the offensive flight ban imposed by the Security Council.<sup>131</sup> These helicopters are based at government airfields throughout Darfur which continue to close after dark, despite repeated AU requests. A stronger air component, including helicopters with forward-looking infrared (FLIR), tactical communications and night capability, is a basic requirement if any international mission is to do a better job.<sup>132</sup>

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<sup>128</sup> Crisis Group Briefing, *The AU’s Mission in Darfur*, op. cit.

<sup>129</sup> If this proves politically impossible, the terms of engagement should be expanded and clarified to empower AMIS, as urged by the AU and Human Rights Watch.

<sup>130</sup> Twenty-eight of the APCs have been transferred to AU group sites, including Geneina, Kulbus, Tine, Mournei, Masteri and Kabkabiyah, with the rest in Nyala and Fasher, but all remain non-operational primarily because the proper communications equipment has not been installed or AU personnel have not yet been trained to use them. The communications equipment is on its way from abroad but the APCs are not expected to be available for patrols for some months yet. Crisis Group interview, Khartoum, February 2006. Members of the AU also complain that the APC’s are too slow and do not hold enough petrol to permit them to accompany convoys in Darfur, making them good for little more than static protection of IDP camps and AU group sites. Crisis Group interview, 3 March 2006.

<sup>131</sup> The UN Panel of Experts monitoring the arms embargo and the ban on offensive flights found that at least six government Mi-24 attack helicopters have been reintroduced into Darfur since the ban went into effect and that at least two have been used offensively. “Report of the Panel of Experts”, op. cit..

<sup>132</sup> As called for in the Crisis Group Briefing, *The AU’s Mission in Darfur*, op. cit.

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<sup>124</sup> Crisis Group interview, 6 December 2005.

<sup>125</sup> Crisis Group interviews, 6 December 2005.

<sup>126</sup> The AMIS mandate includes the responsibility to “protect civilians whom it encounters under imminent threat and in the immediate vicinity, within resources and capability, it being understood that the protection of the civilian population is responsibility of the GoS [Government of Sudan]”. AU PSC Communiqué, PSC/PR/Comm., 20 October 2004.

<sup>127</sup> “Imperatives for Change: The African Union Mission in Sudan”, Human Rights Watch, January 2006, pp. 26, 29.

## C. SHORT TERM STABILISATION STEPS

When the Peace and Security Council in October 2004 expanded the 300-strong AU mission in Darfur to 3,320 and the following year to 7,731, it became the largest and most ambitious effort to date by the new continental organisation. Though the AU initially lacked the resources and capacity to plan, manage and run such a large peace-support operation, it received financial support from donors and hands-on technical expertise from partner countries and the UN.

Ultimately, the AU's limitations, the need for Khartoum's cooperation in mission deployment and thus in setting its terms, and the intransigence of the parties formed insurmountable obstacles for AMIS. UN re-hatting is an opportunity to revamp the mission so it can both protect civilians effectively and defuse border tensions. However, the AU and its partners cannot wait for the UN to solve Darfur's problems. Building on the March JAM report, the December 2005 JAM report set out a number of key recommendations on ways to improve the effectiveness of AMIS. The PSC Communiqué of 10 March requested the AU Commission to take all measures necessary to implement those recommendations, including in the following areas:

- operational and tactical planning: disseminate the AMIS campaign plan, increase planning for future military and humanitarian scenarios, and help clarify the specific tasks and priority of tasks within each sector headquarters;
- improved command and control structures and procedures: this requires both structural measures (the establishment of a Joint Operations Centre, in addition to the existing Joint Logistics Operations Centre), and improved consistency and clarity in directions provided by commanders at all levels;
- ability to protect civilians: establishment of 24-hour civilian police (civpol) presence in all identified IDP camps, night patrols with force protection outside camps, systematic firewood patrols and increased civpol patrols; more interpreters, improved intelligence gathering and fusion, and military helicopter capabilities;
- training: establishment of standardised induction and refresher training covering operating procedures, rules of engagement, weapons training, communications and rule of law; and
- use of personnel and civil-military coordination: review job descriptions between various levels of the mission to avoid duplication and overlap, and

improve civil-military coordination through regular meetings with the UN Humanitarian Coordinator.<sup>133</sup>

In addition to implementing the JAM recommendations, early mandate amendment and readiness to work with a strong advance UN element that can serve as an immediate stabilisation force, the AU should take a number of further steps as soon as possible to maximise AMIS effectiveness, including:

- negotiate a single, enhanced ceasefire document that removes the ambiguities of the existing overlapping agreements and provides a stronger legal basis for AMIS deployment;
- begin immediately to map forces in Darfur, including the government-aligned militias, so as to better manage and enforce the ceasefire;
- improve the reporting mechanisms and procedures for monitoring ceasefire violations; and
- revive and upgrade the ceasefire's compliance and sanctions mechanisms.

AMIS is based on multiple security agreements signed by the parties, dating back to the N'djamena agreement of 8 April 2004 and including four further documents over the next seven months.<sup>134</sup> These overlap, with contradictions and ambiguities that allow the parties to cite sections they like and ignore those they oppose, thus making progress difficult in the security talks in Abuja.<sup>135</sup> Worse still, the key elements have not been implemented, and AMIS has been unable to fill the gap. The security component of the Abuja negotiations should prioritise development of a single, enhanced ceasefire agreement which can be clearly monitored and to which the parties can be held. Broader goals such as militia disarmament and IDP return will be almost impossible to reach until a working ceasefire is in place.

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<sup>133</sup> AU PSC Communiqué, PSC/PR/Comm., 10 March 2006. "AU-Led Joint Assessment Report", 18 December 2005.

<sup>134</sup> The four subsequent agreements were the "Agreement between the Government of Sudan, the Sudan Liberation Movement and the Justice and Equality Movement", signed in N'djamena on 25 April 2004; the "Agreement with the Sudanese Parties on the Modalities for the Establishment of the Ceasefire Commission and the Deployment of Observers in Darfur", signed in Addis Ababa on 28 May 2004; The "Protocol Between the GoS, SLM/A and the JEM in the improvement of the Humanitarian Situation in Darfur", signed in Abuja on 9 November 2004; and the "Protocol Between the GoS, SLM/A and the JEM on the enhancement of the security situation in Darfur in accordance with the N'djamena Agreement", signed in Abuja on 9 November 2004.

<sup>135</sup> Crisis Group interview, January 2006.

The fundamental element of the agreements is the cessation of hostilities, which the parties frequently flout. Part of what allows this to continue is the absence of a functioning reporting and enforcement mechanism. The original N'djamena agreement established a Ceasefire Commission (CFC), which reports to a Joint Commission (JC)<sup>136</sup> and is authorised to facilitate implementation by coordinating between the warring parties, investigating alleged violations and, within its capacity, preventing future aggression. The CFC decides on ceasefire violations by consensus if it can and refers disagreements to the JC. The JC is meant to support the CFC by engaging the parties at a higher political level and holding persistent violators to account.

In reality, coordination between the two commissions has broken down. Participation of the parties to the conflict in all CFC investigations has allowed violators to delay investigations and dispute findings, making consensus difficult. The CFC has sent the JC more than 200 reports but received almost no feedback.<sup>137</sup> The JC meets infrequently (nine times since it was created and only four times in 2005) and does not take into account suggestions from the CFC, which has a much stronger understanding of the conflict dynamics. The CFC in turn has had difficulties in storing, compiling and analysing information and trends. Information does not make its way up the AU chain, so the mediation team in Abuja lacks a comprehensive record of ceasefire violations, and decisions made by the AU and others are based on partial knowledge.<sup>138</sup> To help develop CFC reporting capacity, the AU should ask for UN help in building a computerised secretariat. Designated transportation is needed to ensure that the parties can attend regularly. The AU should further request the UN to include human rights monitors, including women, in CFC and AMIS verification missions to produce better reporting and more precise and credible evidence for the JC.

When incidents are referred to it, the JC has no meaningful sanctions mechanism with which to punish serial violators. To a large degree, the AU has had to rely on the UN Security Council to hold parties accountable to the AU-mediated agreements, a role which it has mostly failed to play.<sup>139</sup> The AMIS special envoy in Khartoum and the

UN SRSRG have only once publicly condemned an attack by a government-supported militia and requested that the militia leader be punished by the UN sanctions regime, and this has not yet produced significant Security Council action.<sup>140</sup> Chad participates in both the JC and CFC because it was the lead mediator in negotiations before the AU as well as in the early N'djamena talks. This participation is predicated on a Chadian neutrality that has been a fiction at least since relations with Sudan began to deteriorate. At a bare minimum, the JC should be moved from N'djamena to a more neutral location like Addis Ababa, as called for in the AU PSC communiqué of 10 March.

An upgraded, enforced UN sanctions regime is needed for the ceasefire to succeed<sup>141</sup> but relying entirely on the

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concluded that "in the event that a situation cannot be resolved at the JC, the AU should not hesitate to refer the situation to the Security Council and also to the Sanctions Committee", and of AU PSC communiqué of 10 March 2006, which "emphasises the critical role of the United Nations Security Council in holding accountable those impeding the peace process and committing human rights violations". AU-Led Joint Assessment Report, paragraph 41, 18 December 2005; and AU PSC Communiqué, PSC/PR/Comm., 10 March 2006

<sup>140</sup> On 7 April 2005, a Misseriya militia led by Nasir al Tijani Abdel Kaadir attacked the village of Khor Abeche. The AU special envoy, Ambassador Kingibe and UN SRSRG Jan Pronk issued a joint press release that day condemning the attack and referring his name to the UN Sanctions Committee established under Security Council Resolution 1591 (2005). This was an effort by the AU and UN missions to maximise leverage at their disposal and hold the parties accountable to the ceasefire agreements. The lack of Sanctions Committee action for nearly ten months has further undermined dwindling international credibility in Darfur. The report of the committee's Panel of Experts was finally released on 30 January 2006. It found that Nasir al Tijani bore partial responsibility for the attacks, the first of which was carried out with the knowledge of the local governor's office and in coordination with the government's Popular Defence Force (PDF). The panel submitted a confidential list of individuals considered responsible for impeding the peace process or violating international law to the Security Council. See "Joint Statement by the AU Mission in Sudan and the UN Mission in Sudan", 7 April 2005, at: <http://www.unmis.org/english/documents/PR-PS/PS-07Apr05.pdf>, and "Report of the Panel of Experts", op. cit.

<sup>141</sup> Resolution 1591 (29 March 2005) extended a Darfur arms embargo to the government, set up a mechanism for targeted sanctions against individuals posing "a threat to stability in Darfur and the region", and demanded an end to offensive military flights over Darfur. It called for the formation of a Sanctions Committee to implement the sanctions, with the help of a four-person, ad hoc Panel of Experts formed in July 2005, which would be based in Sudan and Ethiopia and tasked with monitoring implementation of the resolution and documenting violations. The Panel of Experts' report published on 30 January 2006 included a detailed list of violations by all parties. However,

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<sup>136</sup> The CFC, based in El Fasher, includes an AU-appointed chairman, an EU-appointed deputy chairman, the Chadian mediation, the government of Sudan, the SLA and JEM. The U.S., EU and UN also participate as observers. The JC, based in N'djamena, includes representatives from the government of Sudan, SLA, JEM, the Chadian mediation, the AU, U.S. and EU.

<sup>137</sup> Crisis Group interview, CFC, Darfur, 2005.

<sup>138</sup> Crisis Group interview, 25 January 2006.

<sup>139</sup> Crisis Group interviews, AU officials and international observers, May-July 2005. This was also a recommendation of the December 2005 Joint Assessment Mission to Darfur, which

UN and the broader international community to punish violations is slow and has been ineffective. If the JC cannot be revived in the short term, the AU PSC should step in to fill the void, sanctioning parties or individuals guilty of flagrant ceasefire violations in order to give AMIS more political muscle. At the same time, the Security Council should do a better job of monitoring and enforcing its sanctions regime. Among key recommendations in the Panel of Experts report were that the Council establish a standing civilian protection monitoring capacity reporting to it directly; that the existing arms embargo be extended throughout Sudan – with appropriate exemptions for the central government and the new Government of Southern Sudan – including an arms verification and inventory mapping component; and that members of the Khartoum government responsible for continued offensive flights and the failure to identify, neutralise and disarm militia groups be subjected to the financial and travel sanctions in Resolution 1591, as well as additional measures available under Article 41 of the UN Charter.<sup>142</sup>

The two other core elements of the ceasefire agreements – mapping of forces and neutralisation of government supported militias – have also yet to be implemented. The parties have used ambiguity in the agreements about sequencing to help justify non-compliance. The government refuses to disarm allied militias until the rebels disclose the positions of their forces.<sup>143</sup> But the rebels insist they never agreed to this as a prerequisite for militia disarmament<sup>144</sup> and continue to demand that disarmament occur parallel to or ahead of disclosure.<sup>145</sup> Progress on both issues is critical for a better enforced ceasefire and improvement in the security situation. The mapping of forces is basic if a verification mission is to establish the zones of operation of belligerents. An AU-led verification mission in May 2005 was to map territories of control and look into possible buffer zones but poor planning and outright resistance from the rebels,

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the panel's mandate has now expired, leaving the Security Council without operational capacity to monitor its resolution.

<sup>142</sup> "Report of the Panel of Experts", op. cit. "Measures" as stated in Article 41 explicitly do not extend to the use of armed force but can include economic and political sanctions, including the possibility of targeted sanctions against officials.

<sup>143</sup> Crisis Group interview, government official on CFC, El Fasher, 2005.

<sup>144</sup> Crisis Group interview, JEM representative on CFC, El Fasher, 2005.

<sup>145</sup> "Report of the Chairperson", 12 January 2006, op. cit., paragraph 69. From a military perspective, one can understand the rebels' hesitancy to disclose their positions. In a recent interview, the governor of South Darfur, Atta el-Mannan, argued that the rebel positions should be disclosed "to enable government troops to wipe them out of the area and thus facilitate the flow of relief". "South Darfur governor slams AU force" (in Arabic), *al-Rai al-Aam*, 26 February 2006.

particularly JEM, blocked it.<sup>146</sup> This should become a priority for the mission ahead of a UN handover. It would also help AMIS improve its mission planning and documentation of ceasefire violations, which in turn would aid a stronger enforcement mechanism.

Disarmament or neutralisation of the government-aligned militias is the other key element of the agreements and has become the international community's rallying cry on Darfur. But despite high-level attention and countless demands that it abide by its commitments, Khartoum has yet to do so. A pragmatic international approach is required. Continued pressure and a larger, stronger international force are important but so would be proper identification of the militias and a better understanding of their links to Khartoum and their role in the conflict. The 9 November 2004 Abuja security agreement reiterated the government's commitments to neutralise and disarm the Janjaweed/armed militias and mandated AMIS to verify the process. It also called on the government to "identify and declare those militias over whom it has influence, and provide CFC/AMIS with all relevant details. The GoS shall ensure that these militias will refrain from all attacks, harassment or intimidation".<sup>147</sup>

Despite government failure to implement these provisions, AMIS has not tracked and identified the groups proactively using its own means and intelligence. It must begin to map and document the various armed groups in Darfur, most importantly the militias allied to the government. Each group should be identified and profiled according to important characteristics: location, size, political and military leaders, sources of military support, relationship with local people, relationship with the government or rebel groups, key grievances, and ties with other tribes and groups. AMIS has collected much of this information but it needs to be organised and analysed. The more this is done, the more effectively AMIS can prevent attacks and contain them when they happen. Both these tasks are consistent with its role under the November 2004 agreement and critical for a functioning ceasefire. Even without Khartoum's cooperation, they would go far towards empowering the international community to hold the government accountable to its commitments and helping support planning for disarmament, demobilisation and reintegration (DDR) in Darfur.

The AU reiterated the core points in the PSC's 10 March communiqué: the government's commitment to identify, neutralise and disarm the Janjaweed/armed militias and refrain from conducting offensive military flights in

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<sup>146</sup> "Report of the Chairperson", 12 January 2006, op. cit.; Crisis Group interview, in Khartoum, May 2005.

<sup>147</sup> "Protocol between the GoS, SLM/A and the JEM", op. cit., article 5.



Darfur; and the rebels' commitments to provide AMIS with the necessary information to map the areas of control of the parties to the conflict and to withdraw forces from "contentious areas. It must go beyond restating unfulfilled commitments, however, to press the parties to implement what they have agreed to and punish further violations. To be effective, the AU will also require strong, coordinated backing from its international partners, particularly the UN Security Council, the U.S. and the EU.

## V. CAN BLUE HELMETS SAVE DARFUR?

The AU has had to rely heavily on external funding to support its Darfur operations. The bulk of the financial and in-kind support has come from the European Union (EU), EU member states, and the U.S., with other substantial contributions from Canada, Norway and Australia.<sup>148</sup> The AU developed a one-year budget for the enhanced (projected at 7,731 troops) mission of \$465.9 million, beginning 1 July 2005. More than \$312 million was pledged in May 2005 at a donors conference in Addis Ababa but there is a large shortfall in funds received.<sup>149</sup> Donors have put heavy pressure on the AU to accept the transfer to the UN in order to expand funding responsibility and provide a more sustainable financial base for the mission. On 12 January 2006 the PSC accepted, in principle, the future transition to a UN mission but, as described above, on 10 March it further extended the AMIS mandate through September 2006, without providing a clear timeline for the transition to a UN mission that accordingly remains uncertain.<sup>150</sup>

On 13 January 2006, the senior UN official in Sudan, SRSG Jan Pronk, admitted that international strategy in Darfur had failed, and a force of at least 12,000, including mobile units, and perhaps as many as 20,000, was necessary to protect civilians and disarm militias.<sup>151</sup> On 25 January, Secretary-General Kofi Annan wrote in *The Washington Post* that a successful UN mission would have to be larger, more mobile, and better equipped than AMIS, with a stronger civil protection mandate.<sup>152</sup> Western statesmen, including prominently U.S. President George W. Bush, spoke forcefully of the need for stronger multilateral efforts, with more assistance from NATO.<sup>153</sup> Senior U.S., EU and UN diplomats increased their coordination, meeting for example in Brussels on 8

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<sup>148</sup> See Crisis Group Africa Report N°99, *The EU/AU Partnership in Darfur: Not Yet a Winning Combination*, 25 October 2005.

<sup>149</sup> "Report of the Chairperson", 12 January 2006, op. cit., paragraphs 61-64.

<sup>150</sup> AU PSC Communiqué, PSC/PR/Comm., 12 January 2006. AU PSC Communiqué, PSC/PR/Comm., 10 March 2006.

<sup>151</sup> Evelyn Leopold, "UN Envoy cites Darfur failure: wants 20,000 troops", Reuters, 14 January 2006.

<sup>152</sup> Kofi Annan, "Darfur Descending", *The Washington Post*, 25 January 2006.

<sup>153</sup> See for example, Jim VandeHai and Colum Lynch, "Bush Calls for More Muscle in Darfur", *The Washington Post*, 18 February 2006, which reported that "President Bush on Friday called for doubling the number of international troops in the war-ravaged Darfur region of Sudan and a bigger role for NATO in the peacekeeping effort".

March to discuss a series of steps that could be taken once the AU made a decision for re-hatting.

However, such talk clearly scared the leadership of the National Congress Party in Khartoum, some of whom the UN Security Council Panel of Experts had recently recommended in a leaked report be made the target of sanctions. As a consequence, the 10 March AU PSC meeting, at which it had been hoped decisive action would be taken, was preceded by mass demonstrations in Khartoum against the UN, including threats of Jihad and terrorist attacks against any “foreign intervention”. This section discusses the serious obstacles that will still have to be overcome if there is to be a successful international mission.

## A. THE DIPLOMATIC EMBROGLIO

Darfur is part of the sovereign territory of Sudan; the cooperation of the government in Khartoum is important for any international activity there. That cooperation has been grudging and inconsistent at best throughout the period of the AMIS mission. In the past several months, Khartoum’s attitude has become more negative and even confrontational, as a consensus appeared to be developing behind the idea that the relatively small, physically and legally restricted AU initiative should be replaced by a larger multinational mission directed by the Security Council to perform more tasks in a muscular fashion and perhaps include troops from Western countries.

President Bashir declared “Sudan and Darfur will be a graveyard for any foreign troops venturing to enter”.<sup>154</sup> According to the Sudan News Agency, the justice minister warned the visiting UN special rapporteur for human rights in Sudan that “international forces to Darfur would pave the way for infiltration of elements in Sudan across the borders with neighbouring countries, a matter which will complicate the protection and safety of the international forces”.<sup>155</sup> A Darfur Jihad (holy war) Organisation was reportedly formed with the aim of fighting foreign intervention in the region “through all legitimate religious means”, including “by raising the banner of jihad and coordinating with all jihadist organisations active on the Islamic arena”. It pledged to “observe, expose and fight all organisations with hidden agendas”, and warned foreign organisations, the AU and the government itself against deploying foreign forces.<sup>156</sup>

Sudanese diplomats were busy behind the scenes: in Addis Ababa and throughout Africa with complaints to fellow AU members that a major non-African intervention would be the thin wedge of neo-colonialism, in Khartoum with implied threats to international organisation representatives, and in New York with pleas for underdeveloped world solidarity. These efforts had an effect.

The UN’s Pronk blinked, saying NATO forces in Sudan would be a “recipe for disaster” and lead to a “jihad” against international forces.<sup>157</sup> U.S. efforts to push a decision through the Security Council during February, its presidency month, met a stone wall,<sup>158</sup> as Khartoum relied on friends to continue to obstruct strong action by the Council. Egypt has been particularly firm against deploying a UN mission without Khartoum’s consent, and China has frequently stymied efforts in the Council for stronger action on Darfur over the past year, for example threatening for months to veto a sanctions resolution. Though it ultimately abstained on Resolutions 1591 and 1593,<sup>159</sup> its rejection of the appointment of Sudan expert John Ryle to the Panel of Experts made that body’s work considerably more difficult. China and Qatar also initially objected to the panel’s report being sent to the full Council.<sup>160</sup>

### 1. The Abuja front

On 10 March, as discussed above, the AU bowed to Khartoum’s pressure and retained responsibility for the Darfur mission for at least another half-year, without taking major decisions to improve the capacity of that mission. Its formal communiqué as well as indications picked up in the corridors suggest, however, that it has authorised a

<sup>154</sup> “Darfur will be foreign troops’ Graveyard – Bashir”, Agence France-Presse, 26 February 2006.

<sup>155</sup> “UN peacekeepers could be at risk if deployed to Darfur – Minister”, Associated Press, 27 February 2006.

<sup>156</sup> *Al-Intibaha* newspaper, Khartoum, in Arabic 3 March 2006.

<sup>157</sup> “NATO-led Force Would be ‘Recipe for Disaster’”, Agence France-Presse, 28 February 2006. Pronk did not indicate whether he was referring to a formal NATO mission or also troops from individual member states.

<sup>158</sup> Crisis Group interviews, UN officials, New York, February-March 2006; Warren Hoge, “Peacekeepers and Diplomats, Seeking to End Darfur’s Violence, Hit Roadblock”, *The New York Times*, 1 March 2006. The article quoted SRS Pronk as saying, “The government is taking a very strong position against a transition to the UN, and that is new. Sudan has sent delegations to many countries in the world in order to plead its case: let the A.U. stay and let the UN not come”.

<sup>159</sup> See “China opposes UN sanctions against Sudan”, *Sudan Tribune*, 31 March 2005, quoting Foreign Ministry Spokesman Liu Jianchao as saying: “Both the Sudanese government and the international community should make efforts to resolve the Darfur issue....We don’t support sanctions or constant pressure. It’s not good for a peaceful resolution of the issue”.

<sup>160</sup> Crisis Group interviews, February 2006. See also “New to UN Security Council, Qatar sides with China”, *The New York Sun*, 11 January 2006.

more concerted push to reach an early political settlement in Abuja.<sup>161</sup> The main elements appear to be:

- understandings to work with the U.S. and EU – who would increase their involvement in order to develop a detailed roadmap both for the negotiations and for measures to increase the capabilities of the existing AMIS force;
- efforts to revive the ceasefire mechanisms (CFC and JC); and
- tabling of specific political and military proposals in Abuja that the parties would be expected to accept or face consequences (including the long-promised, never delivered disarmament by Khartoum of its allied militias), with a view to obtaining an enhanced ceasefire agreement by the end of March and a political agreement by the end of April.<sup>162</sup>

This is an ambitious and important agenda. The 8 March consultations in Brussels and the appearance of several long-absent rebel leaders at the Abuja talks within days of the PSC meeting suggest a seriously intended initiative to achieve one of the three objectives – a political settlement – that is essential to resolving the Darfur crisis. Western friends would do well to give tangible proof of their new determination by appointing senior envoys to work with the AU both on the roadmap and at the negotiations. Certainly early agreements at Abuja would be enormously welcome and would produce some improvement in the humanitarian and security situations in Darfur as well as facilitate Sudanese government acceptance of a UN mission.

Khartoum has shown interest both immediately before and after the PSC meeting to work out compromises with the rebels that might enable an early agreement at the Abuja talks and reduce pressure for deployment of a strong international force. President Bashir and Vice President Ali Osman Taha have engaged directly with Libyan President Kadhafi, who has expressed an interest in mediation.<sup>163</sup>

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<sup>161</sup> Crisis Group interviews, March 2006.

<sup>162</sup> Crisis Group interviews, Nairobi, Brussels, New York, March 2006.

<sup>163</sup> President Kadhafi hosted a meeting on 11 March 2006 between Taha and the chairmen of the two main rebel groups in Darfur, Minni Arko Minawi of the SLA and Dr Khalil Ibrahim of JEM. The Libyan leader announced that he would meet in Khartoum with Bashir and Egyptian President Husni Mubarak and said that the Sudanese president intended to accelerate the search for a solution to the crisis. Following the PSC meeting, Bashir summoned the government's chief negotiator at the Abuja talks to Khartoum, and his office issued statements to the

Putting most of its eggs into the diplomatic basket at the present time, however, is a high risk endeavour for the AU. Given the approach to negotiations that both the government and the rebels have taken for so long, continued stalemate or perhaps a rushed and flawed agreement that neither side was truly committed to implement are likely outcomes. In either event, the AU would have assumed responsibility for delaying life-saving enhancements to an international mission, with heavy costs to civilians as well as to AU relations with the donors on whose support AMIS depends.

Moreover, in the short run even an honestly intended agreement, while welcome, is unlikely to substitute for a stronger international force. Such a peace deal would have some impact in certain areas, but violence could be expected to continue along ethnic lines (likely exacerbated and fuelled by Khartoum), while rebels who opposed its terms ignored their political leadership and kept on fighting. A peace deal might spark a violent response from Arab militias who felt Khartoum had sold them out, and its impact on the FUC and other Chadian rebels would be highly uncertain. It is possible that some Sudanese Zaghawa SLA fighters would choose to link up with Chadian counterparts and make a grab at power in N'djamena, especially since peace in Darfur might mean the loss of their support base there.

In other words, regardless of what happens in Abuja in the next weeks, the international community needs to move as rapidly as possible to get a more robust force into Darfur, whether to protect civilians from the current mounting violence or to monitor and enforce whatever fragile agreement might be signed.

## 2. The UN front

The Security Council should interpret the 10 March PSC decision as envisaging transition of the Darfur mission as of 1 October and begin immediate planning to this effect. Crisis Group contacts suggest that this is indeed the intention both of officials within the Secretariat and key Western countries. To prepare the way, the U.S. and the EU in particular should talk candidly with the Sudanese government. Some part of the paranoia senior Khartoum officials display about a UN mission is due to justifiable

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effect that a peace deal should be expected within weeks. Several statements by the Sudanese and Libyan leaders have explained explicitly that an early settlement was being sought so as to avoid "internationalisation" of the Darfur conflict. In the meantime, Khartoum has refused DPKO permission to conduct a field assessment in Darfur to identify the requirements for an eventual UN force. See "Sudanese Vice-President meets leaders of armed groups in Darfur under the auspices of [K]adhafi", *Al-Sharq Al-Awsat* (in Arabic), 13 March 2006.

concern they are vulnerable to prosecution for atrocity crimes in Darfur that are being investigated by the ICC, or at least to the targeted sanctions authorised by Security Council Resolutions 1591 and 1593. It should be explained that though accountability must come, the UN mission is meant to save lives and help create conditions for the necessary political resolution of the Darfur crisis, not serve as an arm of the ICC. At the same time, they should be told explicitly that it is in their interest to demonstrate they are at last prepared to cooperate with, or at least not hinder, international efforts, and they do not have a veto over the international community's responsibility to protect in Darfur, a responsibility Khartoum has shown conclusively it is not prepared to meet itself.

The second target must be the AU. Both public and private diplomacy should be directed at persuading key states and international officials that AMIS is not being pushed aside and its efforts continue to be appreciated as indispensable. Important points to make include that guaranteed funding will be available to allow AMIS to continue to play an important role throughout the transition period; UN troops, as they come into Darfur, will not command the AMIS contingent but will cooperate with it and assist it as requested; and the stronger elements of the present AMIS force will remain part of the eventual UN mission will form. Concerns stoked by the Sudanese diplomatic campaign about the essential presence of non-Africans in the UN mission, implicit in the PSC's waffle on 10 March, will also need to be addressed.

In the end, however, international officials who have worked with it are convinced that AMIS has too many weaknesses, that it cannot be reinforced and built up to a sufficient level in a satisfactory time frame to do what is required in Darfur.<sup>164</sup> It is essential to persuade the AU that a request to the UN to take over is a sign not of institutional failure but of realism and maturity.

In the wake of the AU's 10 March non-decision, however, the ball is in the Security Council's court. The U.S., EU, UN and others must rebut in New York the Sudanese government's various arguments against the transition, pointing out, for example, that there is no valid reason for Khartoum to object to further foreign troops when it has already accepted not only the AMIS mission but also the UN Mission in Sudan (UNMIS) which is helping monitor and implement the Comprehensive Peace Agreement (CPA) the government signed with the formerly insurgent SPLM in 2005. For traction in the Council, they will need to remind some delegations that the UN mission will be trying to provide greater protection to an entirely Muslim population, a task which cannot be left to a regime that is

largely responsible for the dire situation and which has consistently gone back on commitments.

The U.S. should use its considerable influence in Cairo to persuade non-Council member Egypt to cease being Khartoum's defender. Work will also need to be done with Council members whose reluctance is rooted in more calculated political positions. France, like China and also Russia, has recently been unhelpful on Darfur. During drafting of the Security Council President's Statement of 3 February 2006 that authorised the planning for a possible transition to a UN operation, it was one of those pressing for cautious language on reallocation of "existing troops and assets to the maximum extent practicable...to make best use of available resources when the African Union deems a transition feasible and agreeable". Its motivations include the understandable desire for the Secretariat to exercise restraint in planning and unwillingness to authorise extensive resources unless the Council is heavily involved at every step, but also reluctance to give more resources to Darfur while the U.S. leads opposition on the Council to expanding the UN peacekeeping mission in Côte d'Ivoire. Whatever tradeoffs may be made with that situation, it would probably help gain the acquiescence of Paris (and others) to make clear that NATO participation, as such, is not being sought for the UN mission or any stabilisation force.<sup>165</sup>

If the AU can be persuaded to make a clear request for a strong UN mission, beginning with the urgent deployment of a stabilisation force with a rapid reaction component as part of a phased transition, it will be difficult for even pro-Khartoum elements to block a transition to some kind of UN mission. The ambiguous result of the 10 March PSC meeting, however, should be enough to begin the process of putting the new force together. The task will then be to ensure that it does not turn out to be as limited and hamstrung as the current AMIS.

## B. WHAT THE JOB REQUIRES

Assuming the continued status quo in Darfur and that the UN takes over the force after the AMIS mandate expires on 30 September, there is no guarantee that putting blue UN helmets on a successor mission would make much difference to performance on the ground. The only certain benefit would be more secure financing. Without substantial expansion of its parameters, however, the mission would remain ineffective.

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<sup>164</sup> Crisis Group interviews, New York, March 2006.

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<sup>165</sup> France is more sympathetic to an EU role under the European Security and Defence Policy (ESDP). However, such a significant European intervention would be virtually as difficult to obtain agreement for in the AU as one from NATO. See also the discussion below.

Moreover, there are several reasons to be sceptical about the UN's ability to deliver improved civilian protection in the short term. The existing UNMIS is meant to deploy a 10,000-strong military component predominantly to southern Sudan to monitor the government-SPLM peace. Its mandate includes a Chapter Seven provision on protecting UN personnel, equipment and operations, and "without prejudice to the responsibility of the Government of Sudan, to protect civilians under imminent threat of physical violence..."<sup>166</sup> But UNMIS deployment is well behind schedule even though conducted in a more favourable environment than Darfur. It had more than a year to prepare, sent an advance team to Sudan months ahead of time, and is entering peaceful areas with the parties' cooperation. Nevertheless, as of 28 February only 7,676 troops, roughly 80 per cent of the force, are on the ground.<sup>167</sup>

A UN mission in Darfur requires the stronger mandate detailed above<sup>168</sup> – one stronger also than what UNMIS has since its peacekeeping requirements will be far more difficult. Ideally the Darfur mission would be separate from UNMIS but for practical reasons it is likely to remain within the UNMIS structure. The need for a stronger mandate in Darfur and any discrepancy in the legal bases for the two tasks could best be solved by UNMIS running two sub-missions: one monitoring CPA implementation, one in Darfur. They could have the same SRSG but distinct mandate language, separate force commanders and individual rules of engagements.<sup>169</sup>

The 3 February 2006 Security Council President's Statement, which centred properly on the need to begin joint AU-UN contingency planning and urged Kofi Annan to initiate this at once, was welcomed in the AU PSC Communiqué of 10 March. However, the President's Statement reference to reallocating troops and resources from southern Sudan to Darfur and using existing AMIS and UNMIS resources suggested how difficult it will be to reach agreement on the enlarged force that is needed.<sup>170</sup> The UN should resist any temptation to switch forces earmarked for the South to Darfur. UNMIS needs its full planned deployment to safeguard a shaky CPA: the

security situations in parts of the South, in eastern Sudan, and in Abyei are all volatile.<sup>171</sup>

The new mission's numbers will be important, however. As noted, the UN's Pronk has called for 12,000 to 20,000,<sup>172</sup> while Kofi Annan has spoken of perhaps doubling the 7,000 of AMIS.<sup>173</sup> Crisis Group has consistently maintained that a force of at least 12,000 to 15,000 is needed, and this range seems to be gaining acceptance within the Secretariat.<sup>174</sup> The basis of Pronk's somewhat higher figures is unknown but the Crisis Group calculation is a minimum, and the situation on the ground, including relations between Sudan and Chad, has worsened since we first elaborated our position in mid-2005.

The quality of those added troops, their equipment and their mobility are also vital if they are to be a true upgrade. Crisis Group has consistently argued that NATO would be, from a strictly military point of view, the best option for reinforcing AMIS quickly and at least bridging the gap until a full UN mission could be in place,<sup>175</sup> an idea that has gained support in the U.S. from President Bush himself in recent weeks.<sup>176</sup> Nevertheless, many key players do not find it politically acceptable. The U.S. and others interested as they should be in quick results need to concentrate on achieving agreement that NATO and its member states will be more responsive to requests for technical and logistical assistance from AMIS and the UN as well as on identifying the most militarily competent nations, from within and without Africa, to volunteer the contingents that would join with the best AMIS units to form the UN mission.

Transition to that UN mission will not be before October 2006, during which time the AU must remain in the lead. AMIS will require donor funding to stay operational, at least at its current levels but ideally sufficient for it to perform more proactively and implement the recommendations of the December 2005 JAM report and cooperate with the first elements of the new UN force. A donors conference should be convened promptly for this purpose.

While the AU and others have expressed scepticism about a separate and distinct force to bridge that gap of at least a

<sup>166</sup> UN Security Council Resolution 1590, 24 March 2005, paragraph 16(i).

<sup>167</sup> "The CPA Monitor: Monthly report on the implementation of the CPA", February 2006, at: <http://www.unmis.org/english/cpaMonitor.htm>

<sup>168</sup> Section IV B.

<sup>169</sup> Crisis Group interviews, Addis Ababa and New York, February-March 2006.

<sup>170</sup> United Nations Security Council Presidential Statement, S/PRST/2006/5, 3 February 2006.

<sup>171</sup> A more detailed assessment of the CPA and its implementation will be presented in a subsequent Crisis Group report.

<sup>172</sup> Fn. 152 above

<sup>173</sup> Fn. 153 above.

<sup>174</sup> See Crisis Group Briefing, *The AU's Mission in Darfur*, op. cit. Crisis Group interview, New York, March 2006.

<sup>175</sup> See Crisis Group Briefing, *The AU's Mission in Darfur*, op. cit.

<sup>176</sup> See fn. 154 above.

half year – the role that Crisis Group had foreseen for NATO – the humanitarian demands on the ground and the growing risks at the Sudan-Chad border are such that it is essential to get a significant component of the UN force, some 5,000 of them, moving very rapidly into country. It will not be easy to recruit even the advance force much less the full complement. The “usual suspects” for UN military missions are nearly tapped out due to heavy demands in the Congo, Sierra Leone, Haiti and elsewhere.<sup>177</sup> One or two nations will have to step up and provide the bulk of those troops at once.

France, which has significant ground and air assets close at hand and must in any event be integrated closely into the planning and implementation of any successful UN mission, is an obvious candidate.<sup>178</sup> Though Sudan and some other AU governments are likely to have almost as allergic a reaction to a formal EU mission as one from NATO, the EU should consider offering one of its new “battle groups” or otherwise mounting a special operation under the common European Security and Defence Policy (ESPD), modelled on the French-led Operation Artemis in the Congo, to serve under UN command and give the initial stabilisation force the necessary rapid reaction capability.<sup>179</sup> Algeria might be a third and particularly attractive candidate as an African state.<sup>180</sup> Several Asian

states have indicated they are prepared to contribute substantially to the full force.<sup>181</sup>

The U.S. cannot realistically be expected to contribute ground troops. Its forces are stretched thin by other commitments but more to the point they would not be welcomed by either Sudan or many of the AU member states whose cooperation is essential if a UN mission is to become a reality. However, when the Secretary-General asks, as he has indicated he will, for major logistical assistance and special capabilities such as better real time intelligence for the UN and AMIS forces, the Americans and their NATO allies must be prepared to respond promptly and positively.

A lesson from past occasions when regional peacekeeping missions were converted to UN missions is the importance of early joint planning and maximum coordination between the regional organisation and the UN.<sup>182</sup> It will be particularly vital to work out command and control and mandate matters between them if substantial numbers of UN troops arrive, as the situation requires, well before the UN is ready to take over fully from the AU. The incoming UN force might, for example, establish a liaison unit with AMIS headquarters and collocate some troops with AMIS elements. The UN has an advantage this time because it has been heavily involved with Darfur at AU headquarters in Addis Ababa<sup>183</sup> and through UNMIS at the Abuja talks.

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<sup>177</sup> See Bruce Jones, “The Limits of Peacekeeping”, *Los Angeles Times*, 1 March 2006; which provides an insightful overview of the challenges facing UN Peacekeeping operations.

<sup>178</sup> France is not eager to make new commitments since it has concerns that it is already spread thinly in Africa. It has a major investment in the tense peacekeeping mission in Côte d’Ivoire and is expected to make an important contribution to an EU election security mission in the Congo (DRC) later this year. However, the idea would likely be given careful consideration in Paris if there was strong international interest in a French leadership role. Crisis Group interview, March 2006.

<sup>179</sup> The EU “battle groups, which average between 1,200 and 1,500 soldiers each, are in “initial operational capability” and will only reach full capability sometime in 2007. The EU would have to overcome a number of internal obstacles to utilise one in Darfur. It would have little capacity to spare if it deploys one of these contingents, as requested by the UN, in support of election security in the Congo. Member states would probably consider sending a battle group to Darfur only under EU command structure, which the AU has opposed. The Council has been reluctant to approve a smaller ESDP mission to advise and assist AMIS because of concerns – heightened after recent attacks on that mission – over command and control. Most Member States are not willing to send officers as the AU has not implemented a number of recommendations on security (including evacuation planning). Present plans call for the EU to send only a small assistance mission of 80 to 90. Crisis Group interview, Brussels, March 2006.

<sup>180</sup> Crisis Group interview, Washington, March 2006.

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<sup>181</sup> Crisis Group interview, New York, March 2006.

<sup>182</sup> “Re-hatting ECOWAS forces as UN peacekeepers: lessons learned”, August 2005, at: [www.un.org/peacekeeping/best\\_practices](http://www.un.org/peacekeeping/best_practices). The report examined the cases of Sierra Leone, Liberia, and Ivory Coast, where the UN took over existing ECOWAS missions.

<sup>183</sup> In the Darfur Integrated Task Force (DITF).

## VI. CONCLUSION: RE-HATTING WITH A PURPOSE

The Security Council must exploit the small opening created by the AU PSC to set the wheels in motion and take the Darfur mission far beyond the AMIS parameters. Arguably even more important than substantially enlarged numbers, the Council should give the new mission an unambiguously robust mandate under Chapter Seven that clearly prioritises civilian protection. The most effective way to combat the culture of impunity, banditry and repeated militia attacks against civilians is for the peacekeepers to have the authority and direction to engage the armed groups forcefully.

The deterioration of relations between Chad and Sudan to the point where they are waging proxy war is a new danger that makes it much more difficult to resolve the Darfur conflict and the humanitarian catastrophe. There is an urgent need to get some 5,000 of the new UN troops rapidly on the ground and operational, in a fraction of the time it will take to implement the full mission transition, so they can monitor the border, deter attacks across it, and protect civilians and IDPs living along it, as well as help the AU in the Tawilla-Graida corridor. This means moving forward now to assemble them and devise their responsibilities, while working on the AU to rethink its failure on 10 March to address the need for such help during the six months of AMIS's extended mandate.

The Libyan-mediated 10 February 2006 agreement signed by Presidents Deby and Bashir to cease support for the other's anti-regime rebels was positive as is Libya's hosting of a meeting of the ministerial committee tasked under the agreement with discussing ways to monitor the Chad-Sudan border.<sup>184</sup> However, it would be naïve to believe the growing conflict can be resolved by a

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<sup>184</sup> The Tripoli Accord established a Libyan-chaired ministerial committee to coordinate with the AU PSC; representatives from Chad, Sudan, Congo (Brazzaville – current AU Chair), the Central African Republic, and Burkina Faso (current Chair of the sub-regional Community of Sahel-Saharan States, CEN-SAD); and the Secretary General of CEN-SAD. The committee met for the first time in Tripoli on 3 March 2006 and tasked the military and intelligence chiefs of its member states to set up and deploy joint border monitoring teams to stabilise the Sudan-Chad border. Libya also hosted on 14 March an AU-sponsored meeting of defence and security chiefs from member states of the ministerial committee to work out deployment details for border monitoring teams. The intelligence chiefs also met separately in Tripoli on 28 February. See: "Meeting in Libya on Sudan-Chad border monitoring", posted on 14 March 2006, at: <http://www.sudaneseonline.com/anews2006/mar14-32726.shtml>, in Arabic.

gentlemen's agreement between the two leaders. Neither government fully controls its border areas; both presidents have vested interests in alliances with their neighbour's insurgents, particularly Deby. The Chadian and Darfurian insurgencies are both fuelled by legitimate domestic grievances which must be addressed through a comprehensive and inclusive process of negotiations if lasting solutions are to be found for increasingly interlocked national crises.<sup>185</sup>

Effective monitoring, however, is the essential first step and should begin with Sudan and Chad agreeing, as an outgrowth of the Tripoli Accord, to demilitarise the border or at least establish a buffer zone of five to ten kilometres on each side to separate government and, if possible, also rebel forces. The international force authorised by the AU PSC or the UN Security Council and assigned to monitor that border and interdict movements could then be relatively small, provided it had regular satellite imagery, a helicopter-based rapid reaction capability, and air strike capability to deter or react to egregious violations.

Many sensitive political decisions need to be taken and implemented rapidly. It is essential that precious time not be lost in arguments over organisational prestige but likewise neither the AU nor the Security Council should allow themselves to be stalemated by objections to non-African troops in Darfur from the Sudanese government, whose policies are largely responsible for the crisis.

The international record on Darfur, despite the provision of some life-saving humanitarian aid, has been dismal: a failure to stop attacks against civilians, to hold the parties accountable to commitments, and to halt the descent into warlordism and chaos. The next few months offer the opportunity for a new beginning but the transition from the well-meant but overmatched AU mission must be to a larger UN mission with a tougher mandate, it must be handled quickly and well even as increased diplomatic efforts are made to negotiate a political settlement at Abuja, and the proxy war between Sudan and Chad must be halted. As always the question is whether the various players can summon the necessary political will. If they cannot, a depressing status quo – chaos and insecurity, impunity, and a massive displaced population reliant on external support for survival – will shame the international community and cripple efforts to build stability in the region for the foreseeable future.

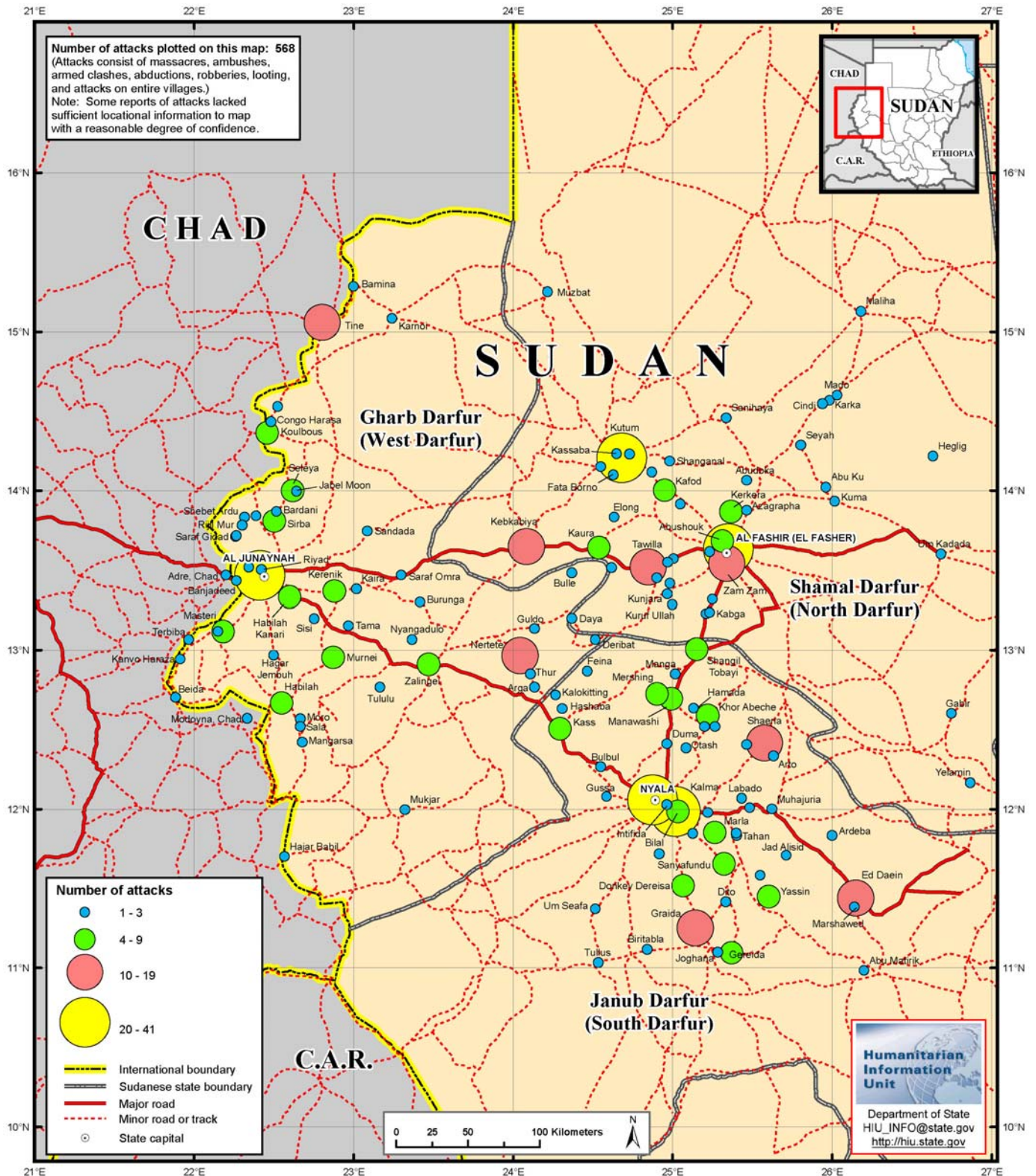
**Nairobi/Brussels, 17 March 2006**

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<sup>185</sup> A subsequent Crisis Group report will examine the domestic situation in Chad.

APPENDIX A

MAP OF DARFUR SECURITY INCIDENTS VISTA GRAPHIC  
 REPORTED ATTACKS IN 2005 BY LOCATION AND NUMBER





APPENDIX B

MAP OF THE CHAD-SUDAN BORDER

