UNAMID Deployment on the Brink

The Road to Security in Darfur Blocked by Government Obstructions
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SUMMARY

When the United Nations Security Council authorised a new “hybrid” United Nations/African Union peacekeeping operation (UNAMID) in July 2007, it was hoped that Darfur’s struggling AU peacekeepers would be rapidly reinforced by UN troops with the capacity to effectively protect civilians in Darfur. Five months later, on the brink of transfer of authority to UNAMID, little if any additional capacity has been deployed or is on the horizon. Barely a third of the promised force is expected to be in place by 31 December.

Far from facilitating deployment of UNAMID, the government of Sudan is actively obstructing and undermining it. However, rather than challenging Sudan to fulfil its commitment to Security Council Resolution 1769, politicians and members of the international community are instead wrangling over details and shirking their own responsibilities to support the force. The disgraceful failure of capable UN and AU member states to contribute critical equipment required by UNAMID, such as helicopters and trucks, only serves to reinforce the government of Sudan’s attempts to undermine it.

Transfer of authority to a force that is as weak as the current African Union Mission (AMIS) – or failure to hand over authority at all – would embolden abusive armed groups and put the civilian population at even greater risk.

The government of Sudan is obstructing deployment of UNAMID in at least five ways:

1. The government has failed to formally approve the list of UNAMID troop contributions for more than two months.
2. The government has rejected troop units from Nepal, Thailand and Nordic countries, insisting that they will only accept African contributions. Each of the proposed units is critical to the force, and there are no alternatives that are ready to deploy.
3. The government has taken many months to allocate land for bases in Darfur, and as of 13 December had yet to allocate sites for the Zalingei area.
4. The government has attempted to insert provisions into the Status of Forces Agreement that would allow it to temporarily disable UNAMID’s communications network when the government undertook “security operations”, and that would
require UNAMID to give Sudanese authorities prior notification of all movements of troops and equipment.

5. The government has refused to grant permission for UNAMID forces to fly at night and continues to impose curfews on peacekeepers in certain areas.

While the government of Sudan pursues its calculated campaign of obstruction, the people of Darfur continue to suffer rape and killings, massive displacement, and critical obstacles to humanitarian relief including violent attacks on humanitarian workers, as they have for almost five years. This will continue as long as there is no effective peacekeeping force on the ground in Darfur.

**The United Nations Security Council should** issue a strong Presidential Statement condemning the government of Sudan for its obstruction of the UNAMID deployment, and requiring the government to take explicit action to remove each of these obstacles. If the government of Sudan fails to take those actions within 30 days, the Council should immediately impose targeted sanctions on key government officials, including President Omar Al-Bashir, for non-compliance with Sudan’s obligations under resolution 1769.

**United Nations and African Union member states should** immediately fill the critical gaps in equipment and capabilities that have already been made public by the United Nations and African Union, especially air and ground transport and helicopter units.
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“Ultimately, a strategic decision on the part of the government of the Sudan is necessary if we are to achieve our common goal: peace and security in Darfur and, indeed, in all of the Sudan. [...] The international community will be confronted with hard choices: do we move ahead with the deployment of a force that will not make a difference, that will not have the capability to defend itself and that carries the risk of humiliation of the Security Council and the United Nations and tragic failure for the people of Darfur?” Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, 27 November 2007

When Security Council Resolution 1769 was passed in July 2007, it was hoped that Darfur's struggling AU peacekeepers would be rapidly reinforced by UN troops with the capacity to effectively protect civilians in Darfur. Five months later, on the brink of transfer of authority to UNAMID, little if any additional capacity has been deployed or is on the horizon. After five years of suffering in Darfur, this is unacceptable.

The government of Sudan holds primary responsibility for the precarious state of the United Nations/African Union mission. They are obstructing deployment in five major ways, imposing conditions that would render the mission likely to fail. But rather than challenging Sudan to fulfil its commitment to Resolution 1769, politicians and members of the international community are instead wrangling over details and shirking their own responsibilities to support the force.

The credibility of the United Nations, especially the Security Council, is at stake. But far more urgently, the lives of millions of human beings continue to be put at risk by the failure to deploy effectively. Four million people in Darfur rely on humanitarian assistance in some form; more than 2 million men, women and children are displaced from their homes, and at least 500,000 of those in need of aid receive nothing because insecurity prevents aid agencies from reaching them. After years of horrific violence, insecurity, displacement and broken promises, the people of Darfur deserve protection now.

The Context: Five Months of Frustration; Five Years of Futile Efforts
On 31 July 2007 UN Security Council Resolution 1769 authorised a new “hybrid” United Nations/African Union peacekeeping operation (UNAMID) to take over from the under-resourced and ineffective African Union force (AMIS) deployed since 2004 in Darfur. The
resolution called for UNAMID to consist of up to 26,000 military and police personnel, with an annual budget of $1.5 billion. If it were to reach full strength, UNAMID would be more than four times the size of AMIS, would have considerably better equipment and resources, and would be one of the largest peacekeeping missions ever deployed.

Nearly five months after the passage of Security Council Resolution 1769, however, it has become clear that the deployment of this force is in danger of failing. According to the Resolution, UNAMID is to assume control from AMIS on 31 December. Yet, mere weeks away from that deadline, only two battalions totalling 1,800 soldiers have deployed to bolster the AMIS force – one from Rwanda and one from Nigeria – along with important but insufficient support units. These include a 140-member police unit from Bangladesh and 200 members of a Chinese engineering unit. General Agwai, commander of the Darfur force, stated on 2 December that he expects no more than 6,500 troops and possibly 3,000 police to be on the ground in Darfur by the end-of-year deadline, the vast majority of whom will be the existing AMIS personnel.1 This is barely a third of the promised force.

Since 2003, the United Nations has passed 19 Resolutions on Darfur, to little effect so far. Of particular note, in 2006, Security Council Resolution 1706 authorised the existing United Nations Mission in Sudan (UNMIS) – deployed in support of the North-South peace agreement signed in 2005 – to take over peacekeeping in Darfur, but subject to Khartoum’s consent. Khartoum never approved the expanded mandate, and Resolution 1706 was never implemented – the first time that a UN peacekeeping force has been authorized and then failed to deploy. The international community must not permit this to be repeated with UNAMID.

Meanwhile AMIS, poorly resourced and with a weak (and weakly interpreted) mandate, is unable to protect civilians. The Sudanese government and some rebel movements have made AMIS’s all-but-impossible job even harder. The government has caused severe delays in the deployment of vitally needed equipment and resources for the African Union mission. In 2005, it prevented the delivery of 105 Armoured Personnel Carriers (APCs) for three months, allowing them in only after an attack on AMIS, reportedly by government allied militia, left four troops dead.2 In 2007, Sudan refused to allow entry of six AMIS helicopters for five months until it

received assurances that they would not be used for “offensive” purposes. The government has imposed curfews on AMIS, restrictions on patrolling, and a ban on night flights. Government officials have also prevented AMIS police from visiting people in detention facilities. Rebels and former rebels have also played their part, attacking and killing AMIS troops, and preventing them from entering their areas of control.

The Sudanese government’s obstruction of UNAMID is consistent with its response to Resolution 1706 and its hindrance of AMIS. It appears to have no commitment to the deployment and operation of an effective peacekeeping force. Yet the international reaction to this has been muted and inadequate.

**Five Obstructions to the Deployment of UNAMID**

Under Resolution 1769, the government of Sudan is obliged to facilitate UNAMID deployment. However, it has instead adeptly constructed bureaucratic, administrative, and political hurdles to obstruct the mission, and potentially block it entirely.

1. **Approval of troop contributions**

   Specific Obstruction: Failure to approve the list of UNAMID troop contributions

   After the passage of Resolution 1769, many countries responded quickly with troop pledges. On 18 September 2007 an initial list of pledges was transmitted to the government of Sudan, and a final list was sent on 2 October. As of 13 December 2007 the government of Sudan still has not formally approved the list or replied to the UN. Recent public statements by President al-Bashir demonstrate Sudan’s determination to reject certain units (see below), calling into question his willingness to comply with the Security Council Resolution.

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6 Briefing by Assistant Secretary General for Peacekeeping Operations, Edmund Mulet, brief to UN Security Council, December 13, 2007
Once the list has been approved, the AU and UN must complete pre-deployment assessments of each unit to establish if they are qualified and equipped according to UN standards. If the battalions do not meet UN standards, alternative forces or supplementary equipment must be found. Delaying approval of the list means delays in carrying out these assessments, and ultimately delay in deploying an effective force.

2. **Refusal of ‘non-African’ contributions**

Specific Obstruction: The government of Sudan has rejected troop units from Nepal, Thailand, and Nordic countries.

Resolution 1769 notes that ‘the Hybrid operation should have a predominantly African character and the troops should, as far as possible, be sourced from African countries’. This is consistent with similar language in the Report of the Secretary General and the President of the African Union of 5 June 2007,\(^7\) describing proposed arrangements for the force. However, that same report goes on to state that if sufficient numbers of suitable troops and police cannot be obtained from Africa, offers from other countries will be considered.

Despite Khartoum’s consent to these agreements, it is now challenging the inclusion of non-African units on specious grounds. The list of troop contributing countries transmitted to the government on 2 October 2007 was approximately 80 percent African, but on 14 November Jean-Marie Guehenno, UN Under-Secretary-General for Peacekeeping Operations, announced that Sudan had specifically failed to approve certain non-African units – a Thai infantry battalion, a Nepalese force reserve and sector reserve unit, and an engineering unit made up of troops from Sweden, Norway and Denmark. If these units are refused it is not a simple matter of seeking units elsewhere. Guhenno stated, "There is no alternative to those units because to prepare for deployment takes time. We know that these units are ready; we know that they have made the preparation. They need now to deploy, and they are ready to deploy."

According to United Nations sources, the Nepalese Reserve Company is able to operate independently and on very short notice, and also have air capacity – all of which are critical for the force to be able to operate in this highly insecure environment. The Thai infantry battalion, unlike most of the other units pledged, is ready to deploy immediately and would arrive with all the capabilities and equipment required to meet UN standards.

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\(^7\) Report of the Secretary-General and the Chairperson of the African Union Commission on the hybrid operation in Darfur 5 June 2007 (S/2007/307/Rev.1)
The Nordic engineering unit provides technical expertise needed for the preparation of infrastructure to enable the rest of the force to function effectively. These units are all critical if UNAMID is to be more substantial than AMIS at the time of transfer of authority.

There is no valid justification for Khartoum’s decision. Non-African peacekeepers are deployed as part of the UN Mission in Sudan (UNMIS). In a situation where African nations are unable to speedily offer forces with sufficient technical capacity and experience, if Khartoum continues to insist on UNAMID being all-African the result will be further delays in deployment while civilians continue to suffer and die.

3. Allocation of land for bases
Specific Obstruction: The government of Sudan has failed to provide land for bases.

After nearly five months, the government of Sudan has still failed to provide suitable land for a number of bases around Zalingei, one of the four areas of deployment in Darfur. Land was only agreed for bases in a second area (around El Geneina) in early December after more than two months of delay. UNAMID’s success depends upon the provision of appropriate land for headquarters and forward operating bases near population centres and IDP camps. If the force is restricted to a few remote garrisons, it will be totally incapable of projecting force and deterring attacks on civilians. Furthermore, any additional troops will require additional bases and infrastructure. These will take some time to construct, but work cannot even begin until the government has formally allocated land for such purposes.

The Secretary General stated on 30 August that the UN and AU were working with the government towards “speedy conclusion of land-lease arrangements for all UNAMID locations.” However, no agreement was concluded until late October, and then only for an initial parcel of sites that did not include land in El Geneina or Zalingei.

4. Status of Forces Agreement
Specific Obstruction: The government of Sudan has inserted unacceptable provisions into the Status of Forces Agreement.

The relationship between UN peacekeeping forces and host governments is commonly governed by a – reasonably standard - ‘Status of Forces Agreement’ (SOFA). UNAMID's
SOFA was drawn up by the United Nations and African Union and transmitted to Sudan for its approval.

The Sudanese government immediately rejected the draft, and proposed unrealistic and unacceptable alternative provisions, such as a provision that would allow it to temporarily disable UNAMID’s communications network when the government undertook “security operations”, and another that would require UNAMID to give Sudanese authorities prior notification of all movements of troops and equipment. As Mr. Guehenno reported, these egregious demands “would make it impossible for the mission to operate.”

Edmund Mulet, Assistant Secretary General for Peacekeeping Operations, reported on 13 December that - following the dispatch by the Secretary General of two envoys to meet with the government of Sudan in Portugal – Khartoum had finally ‘agreed to start talks’ based on the UN/AU draft. As the government of Sudan has proven repeatedly, the start of talks is no guarantee of a resolution.

5. Night flights and Curfews
Specific Obstruction: The government of Sudan has refused to grant permission for UNAMID forces to fly at night, and continues to impose curfews on peacekeepers in certain areas.

The government has consistently refused AMIS permission to fly at night and is threatening to do the same with UNAMID. After four months of negotiation, in early December the government finally conceded the right for UNAMID to use night flights for emergency medical evacuations only. This is a long way from the blanket authorisation for night flights that the force requires. There are also curfews on peacekeepers imposed in both government and rebel-controlled areas. Peacekeeping does not end at sunset and if the forces cannot operate at night they will be unable to protect civilians when they are most vulnerable.


10 Briefing by Assistant Secretary General for Peacekeeping Operations, Edmund Mulet, brief to UN Security Council, December 13, 2007

The Pattern of Obstructions
These government imposed barriers cumulatively form a steadily-strengthening wall of resistance to UNAMID. The government of Sudan’s obstruction, combined with the failure of the international community to contribute heavy equipment such as helicopters and trucks, means that by 31 December, the force on the ground will not be significantly different than it is today. There are high expectations for the UNAMID force among the people of Darfur, and transfer of authority to a force that is as weak as AMIS – or failure to handover authority at all – could provoke a serious backlash from both armed groups and civilians on the ground, seriously endangering UNAMID’s future and the credibility of future UN peacekeeping operations in other parts of the world.

Sudan denies that it is being uncooperative and blames the slow progress on lack of funding for UNAMID,12 (even though the mission is to be funded through regular assessed contributions to the United Nations) and the failure of the ‘West’ to provide helicopters and transport. The pattern of obstructions suggests, however, that the government of Sudan aims to interminably delay the deployment of UNAMID, and is using these other issues to deflect attention from their primary culpability.

Helicopters still sought in vain
Since early August 2007, UNAMID has been seeking without success three Medium Utility Helicopter Wings and one Light Tactical Helicopter Wing (totalling 18 transport and six attack helicopters, with associated troops), as well as two Medium Heavy Transportation Companies (i.e. Armoured Personnel Carriers). These units are absolutely critical if UNAMID is to be substantially more effective than AMIS in fulfilling its mandate to protect civilians. Without them, UNAMID will have very limited rapid-response capability and will be unable to reach many areas at all, given that it will be operating in a hostile desert environment with only dirt tracks between the major towns.

For those governments that have called so vociferously for an international force in Darfur to now fail to deliver the helicopters and heavy transport trucks it needs to be effective, is disgraceful. In effect the international community is abetting the government of Sudan’s policy of obstruction, handing the Sudanese government an easy excuse to explain delays and a ripe opportunity to direct attention away from its calculated inaction.

Five Reasons for Urgent Deployment

For more than four months, Sudan has blocked the timely and successful deployment of UNAMID. In that same period, the situation of civilians in Darfur has worsened. During October alone, an estimated 120 people were reportedly killed in Darfur, 30,000 were displaced,¹³ seven humanitarian workers were killed, and 10 humanitarian aid vehicles were hijacked.¹⁴

1. Government of Sudan and Rebel Offensives

The government of Sudan and some rebel groups continue to launch attacks against civilians and civilian objects in Darfur. The government attacked the towns of Haskanita and Muhajariya during September and October 2007, killing dozens of people and displacing thousands more. Meanwhile, the rebel group JEM brazenly attacked an oil field in Western Kordofan, taking international oil-workers hostage for weeks before finally releasing them.

2. Continuing Displacement and Problems for Displaced

The UN Human Rights Council Group of Experts stated in their report of 28 November 2007 that between June and mid-November 2007 there were at least 15 air and ground attacks on civilians carried out by government, militia and rebel signatory groups, leading to approximately 170 civilian deaths and mass displacements.¹⁵ In October alone some 30,000 people were displaced in Darfur, bringing the total for the year to over 280,000.¹⁶ These individual human tragedies are overwhelming humanitarian aid agencies in the region and complicating peace negotiations. At the same time, the displaced persons camps themselves are becoming increasingly militarized and dangerous. Recent outbreaks of fighting at Kalma camp, one of the largest in Darfur, have highlighted the need for effective policing and protection of displaced persons camps, and UNAMID must have the resources to effectively provide such protection.

Additionally, UN humanitarian coordinator John Holmes recently reported that government security forces attempted to forcibly resettle residents of Kalma camp, in clear violation of

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existing agreements between the UN and the government.\textsuperscript{17} AMIS was unable to intervene and humanitarian agencies were unable to gain access to the camp to monitor the situation. When the humanitarian coordinator for South Darfur, Wael El-Haj Ibrahim, spoke out about these offences, Sudanese officials responded by expelling him from Darfur.

3. \textbf{Endangered Humanitarian Response}

\textit{Humanitarian operations cannot reach people in need without security.} Twelve humanitarian workers have been killed in 2007. In the months since the passing of resolution 1769 at least five humanitarian workers have been shot and wounded, and 34 others temporarily abducted or physically or sexually assaulted. More than 60 UN or NGO vehicles and 18 trucks delivering humanitarian supplies have been hijacked or held up and looted.\textsuperscript{18} As a result, humanitarian operations are increasingly unable to travel or are forced to relocate staff leaving hundreds of thousands of people in need without access to humanitarian aid.\textsuperscript{19}

4. \textbf{Rape and Gender-Based Violence}

\textit{Throughout the conflict in Darfur, rape and other gender-based violence have been regularly used as weapons of war to systematically degrade, intimidate and destroy communities.} Indictments issued by the International Criminal Court (ICC) in 2005 for crimes against humanity and war crimes cite incidents of targeted sexual violence and wide-scale rape. In 2007, the UN High Commissioner for Human Rights (OHCHR) released a comprehensive report on the December 2006 rebel attack on Deribat and eight other villages in East Jebel Marra, South Darfur, during which approximately 50 women were abducted, systematically raped, tortured and held as sex slaves for nearly one month before escaping. Tragically for Sudanese women, and evidence of failed international efforts, these are not isolated incidents. A strong and suitably trained and equipped UNAMID force could halt the epidemic of rape and other gender-based violence in Darfur.

\textsuperscript{18} Compiled from UNMIS, AMIS and other incident reports.
5. **Attacks on Peacekeepers**

AMIS’s under-resourced troops are currently facing difficulties defending themselves. In October 2007 an attack on the AMIS base outside of Haskanita by an unidentified armed group resulted in the death of ten African Union peacekeepers.\(^2\) Attacks against peacekeepers are unacceptable; in Darfur they threaten the very future of the mission and could discourage countries from volunteering troops for UNAMID.

While the government of Sudan pursues its calculated campaign of obstruction, the people of Darfur continue to suffer from rape and killings, displacement and critical obstacles to humanitarian relief. Without an effective peacekeeping force in Darfur with a mandate for civilian protection, the people of Darfur – along with the humanitarian workers who are delivering life-sustaining support – will be at the mercy of the Sudanese government and rebel forces, the very same players that are responsible for so much death and displacement over the last five years.

The government of Sudan should immediately cease its obstruction of AMIS and UNAMID and facilitate its deployment by:

- Immediately approving the list of troop contributions provided by the United Nations and African Union on 2 October 2007, including troops from non-African countries.
- Urgently allocating sufficient and appropriate land for the construction of bases in all areas of planned deployment in Darfur and ensuring the provision of other resources such as water and fuel. The government should further issue clear instructions to local authorities that they must provide all necessary support to the force.
- Providing a blanket authorisation for the use of night flights by UNAMID in Darfur, and lift all curfews imposed on peacekeepers.
- Immediately expediting the conclusion of the Status of Forces Agreement (SOFA), by disavowing provisions that would prevent the force from operating effectively, including provisions related to the disabling of communications equipment and the requirement for prior notification of troop movements.
- Expediting all procedures for the deployment of personnel and equipment associated with AMIS (including the Light Support Package and Heavy Support Package) and UNAMID.
- Taking any other action necessary to ensure that AMIS and UNAMID can carry out their mandates unhindered, including having freedom of movement and patrol throughout Darfur.

RECOMMENDATIONS

To the United Nations Security Council

- Convene an emergency session to address obstructions and delays to the UNAMID deployment.
- Issue a strong Presidential Statement condemning the government of Sudan’s obstructions and requiring the government to take the explicit actions set out above.
- If the government of Sudan fails to take those actions within 30 days, the Council should immediately impose targeted sanctions on key government officials, including President Omar Al-Bashir, for non-compliance with its obligations under resolution 1769.
- The Council should continue to closely monitor the compliance of all parties with their obligations under Security Council Resolution 1769 to facilitate the expeditious deployment of UNAMID and ensure it can carry out its mandate unhindered, including having freedom of movement throughout Darfur.

To UN and AU member states

- Immediately fill the critical gaps in equipment and capabilities that have already been made public by the United Nations and African Union, especially air and ground transport and helicopter units.
- Respond rapidly and as fully as possible to all further requests for personnel, equipment, technical expertise, training and any other support required by UNAMID.
- Ensure that AMIS has sufficient funding to continue to operate effectively until the transfer of authority to UNAMID.
- Support multilateral targeted sanctions through the United Nations Security Council for Sudan’s failure to take the required actions to facilitate the force.
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The Road to Security in Darfur Blocked by Government Obstructions

A joint report is published on behalf of more than 35 non-governmental organizations from around the world

When the United Nations Security Council authorized a new “hybrid” United Nations/African Union peacekeeping operation (UNAMID) in July 2007, it was hoped that Darfur’s struggling AU peacekeepers would be rapidly reinforced by UN troops with the capacity to effectively protect civilians in Darfur. Five months later—on the brink of transfer of authority to UNAMID—little if any additional capacity has been deployed or is in sight.

This report describes how the government of Sudan is actively obstructing and undermining the ability of the force to protect civilians. Rather than challenging Sudan to fulfil its commitment to Security Council Resolution 1769, politicians and members of the international community are instead wrangling over details and shirking their own responsibilities to support the force.

Photos © 2007 Gary Knight / VII
(back cover) Peacekeepers look out from their bunker in Kutum.