

CHAPTER 5: KEY POLITICAL EVENTS IN THE DARFUR CONFLICT FROM 2003 UNTIL 2007 (THE ESTABLISHMENT OF UNAMID)

5.1 INTRODUCTION

In Chapter Five, a synopsis and a timeline of key events are provided for the period from the beginning of the Darfur conflict in February 2003 to 31 December 2007 which was when the UNAMID took over peace operations from AMIS. The aim is to provide a timeline of key political decisions taken by the international community (especially the United Nations and African Union) in response to the conflict which led to the adoption of UN Security Council Resolution 1769 on 31 July 2007 which established UNAMID. Highlights are therefore given of primary political events, such as peace agreements and significant interactions and exchanges among the antagonists of the conflict. As such, it is not intended to provide a day-to-day military account of the conflict itself but rather to point out the political decisions which were taken, and the circumstances in which they were taken, which eventually led to the establishment of UNAMID. The Darfur political arena, however, cannot be isolated from its security situation, as the political account is merely a response to the security situation. Therefore, a close review of the security situation in Darfur and the region will also be given in Chapter Five. In so doing, it is expected to partly meet the following specific research objective of the study: *“To investigate and identify the political factors which prompted the need for an African Union/United Nations hybrid operation in Darfur, Sudan”*.

While providing the timeline of key events, detailed information and analysis is also given on the more significant events, such as the creation and performance of the AMIS and referral to investigate the allegations of genocide in Darfur to the IICC. It should be noted that statistics quoted in this chapter on the number of people who have died or were affected by the conflict constantly vary, depending on the source and/or timeframe. Burnley (2010:3), for example, notes that for Darfur, from 2003 to 2010, death estimates range from 178 258 to 400 000 people, while the Bashir

government still claims no more than 10 000 people have died as a result of the conflict. Burnley (2010:3) also points out that when a figure is reported it is not always clear whether it is referring to ongoing inter-tribal conflict that had its roots in the formation of Darfur in 1956, or southern Sudan, or both. For Darfur, it is also almost impossible to identify exactly when the government began backing one tribe against another; however, 2003 seems to be the date that is generally accepted. If one includes Darfur as part of southern Sudan before the 1956 demarcation, then, in line with Burnley (2010:3), between 1983 and 2005, estimates are that anywhere between 1 000 000 to 2 000 000 people were killed in southern Sudan. Similarly, Williams and Black (2010:6) agree that the number of excess deaths between 2003 and late 2005 varied from the GoS' official figure of 9 000 people to various external institutions, such as Africa Action or the Washington Post, claiming the number of 450 000 people. In one of the detailed studies of the US State Department, quoted by Williams and Black (2010:6), the conclusion was that between 63 000 and 146 000 people died in Darfur in the 23 months between March 2003 and January 2005. Overall, this chapter serves as background to UNAMID which will be discussed comprehensively in *Chapter Six*. It starts with an overview of the key political events until the deployment of UNAMID, followed by a section on AMIS.

5.2 KEY POLITICAL EVENTS IN THE CONFLICT IN DARFUR UNTIL THE DEPLOYMENT OF UNAMID

The timeline of key events is given in yearly overviews. Every overview includes a 12-month synopsis and elaborations on significant events. The section starts with the present conflict in Darfur which began in February 2003, when the SLM/A and the JEM rebel groups emerged to challenge the NIF government in Darfur (Dagne, 2004:1).

5.2.1 Synopsis of key political events in 2003

In 2003, the SLM/A and JEM rebel movements led an insurgency against government targets in Northern Darfur and in the process destroyed 89 police stations and killed up to 400 police officers as well as destroying a number of government aircraft (Hurrell, 2009). The GoS responded with a brutal counter-insurgency, in the process

arming tribal militia - the Janjaweed (Hurrell, 2009). Successively, Human Rights Watch (2004:1) remarks that the Janjaweed implemented a scorched earth campaign that depopulated and burned hundreds of villages across the region, seeking to destroy any potential support base for the rebels. The sudden upsurge in the humanitarian crisis in the Darfur conflict by mid-2003 attracted unusual global attention and varied responses (Appiah-Mensah, 2005:7-8). Under the auspices of the Government of Chad (GoC) two ceasefire talks were brokered between the parties to the conflict, namely the GoS, the SLM/A and the JEM (Appiah-Mensah, 2005: 7-8). The first ceasefire agreement was reached in Abéché, Chad, in September 2003 and the second in April 2004 (Appiah-Mensah, 2005: 7-8). Ekengard (2008: 13-14) confirms that following the influx of refugees from Darfur into Chad, Chadian President Idriss Déby initiated the first foreign-led negotiations over Darfur which led to the signing of the Abéché Agreement by the GoS and the SLM/A on 3 September 2003. The agreement set up a Tripartite Commission with five members of the parties to the conflict and five Chadian military officials to monitor ceasefire violations (Amnesty International, 2004:2). The agreement further resulted in an exchange of prisoners between the SLM/A and the GoS; however, both sides accused each other of violating the cease-fire (Amnesty International, 2004:2). Hoile (2005:34) reveals that in subsequent Chadian-brokered peace talks, the rebels proved to be intransigent and talks were suspended in December 2003 due to a breakdown in negotiations and “unacceptable” rebel demands. Furthermore, the Chadian mediation lost credibility among both the rebels and the Sudanese government due to its perceived partiality, and the agreement was indeed violated by both sides (HSBA, 2008:2). The summary of the key political events for the year is provided next.

5.2.1.1 Concluding summary of the key political events in 2003

In 2003 and 2004 the Sudanese government launched several major military offensives, including in July-September 2003, December 2003, and January to March 2004 (HRW, 2007:6). These offensives included repeated bombing and strafing attacks by Antonov aircraft and helicopter gunships, which frequently targeted civilians or attacked indiscriminately; aerial attacks were often coordinated with ground assaults by the military and Janjaweed militias that involved the killing of civilians, rape and other forms of sexual violence, torture, abduction, looting of

property and livestock, and deliberate destruction and burning of villages (HRW, 2007:6). According to Human Rights Watch (2007:6), the rebel groups in Darfur also carried out direct and indiscriminate attacks that resulted in civilian injuries and deaths, albeit on a lesser scale.

As the conflict progressed into 2004, the African Union decided to step in to aid the peace process and sent in protection troops, reports Gulf News (2009). In the following section, it will become evident that the African Union through its AU PSC, in addition to Chad, became a major player in the peace process in Darfur. This is in line with the role of the African Union PSC as laid out in *Chapter Three, section 3.5.1.1*, and explained by the ISS (2009b:6), which had the primary responsibility for peace, security and stability in Africa, and subsequently undertook an oversight monitoring role with regard to the implementation of the peace agreements in Sudan, and the operations of UNAMID. In 2004, the impact of the conflict resulted in the United Nations calling the situation in Darfur ‘the world’s worst humanitarian disaster’ and the USA calling it “genocide” (Flint & De Waal, 2005:xii). These assessments and terminology used by the United Nations and the USA proved to be highly contentious as will be seen in the next section. More details will also be given in the following section on other key events in 2004, including the first of many UN Security Council resolutions issued in response to the conflict in Darfur.

5.2.2 Synopsis of key political events in 2004

In 2004 the second ceasefire agreement brokered under the auspices of the Government of Chad (GoC) led to the signing of the more comprehensive Humanitarian Ceasefire Agreement (N’Djamena Agreement) in N’Djamena on 8 April 2004 (Appiah-Mensah, 2005: 7-8). It was during the negotiations for the N’Djamena Agreement that the African Union gained prominence which led to the setting up of the AMIS, as will be elaborated on next.

5.2.2.1 The N'Djamena Agreement

Hottinger (2006) points out that the GoS had objected to the participation of the USA, EU and the United Nations and eventually compromised on the African Union as mediators, with international observation only for talks on humanitarian issues. Even though the N'Djamena Agreement came into effect on 11 April 2004, Janjaweed and rebel attacks continued (Amnesty International, 2011a). Youngs (2004:16) continues that under the N'Djamena Agreement, the parties to the conflict agreed to allow the deployment of observers to monitor the ceasefire. Following the N'Djamena Agreement, the first Round of the Inter-Sudanese Peace Talks on the Conflict in Darfur organised by the African Union, bringing together the Sudanese Parties (the GoS, the SLM/A and JEM), started in July 2004 in Addis Ababa (Niang, 2006:1). Subsequently, six rounds of negotiations took place in Abuja, Nigeria, under the leadership of President Olusegun Obasanjo, the then Chairman of the African Union (Niang, 2006:1). The 7th Round opened in the Nigerian capital, on 29 November 2005 (Niang, 2006:1). There was very little substantive progress in the first rounds of talks, notes Lanz (2008b:78), and it was only in July 2005 that the parties adopted the Declaration of Principles defining the core principles for the settlement of the Darfur conflict. The Inter-Sudanese Talks on Darfur were aimed to move from a ceasefire to negotiating a more comprehensive agreement, including political dimensions, emphasises Lanz (2008b:79-80). The Agreement on the Modalities for the Establishment of the Ceasefire Commission and Deployment of Observers, signed in Addis Ababa in May 2004, acknowledged the African Union as the leading international body in Darfur (Hottinger, 2006). According to Hottinger (2006), this was followed by the protocols on security and the humanitarian situation, both signed in the Nigerian capital, Abuja, in November 2004, and the Declaration of Principles, signed in May 2005 (Hottinger, 2006). In 2004 alone, four rounds of talks were held under the auspices of the African Union and international observers with the last one for the year in December (AU, 2004a:1). With regard to the African Union's role as a mediator, Lanz (2008b:79-80) points out that the prominent role of the African Union partly resulted from the momentum of the previous peace processes, in addition to two structural factors:

- i. African leaders had promoted the idea of “African solutions for African problems”, and wanted to establish the newly founded African Union as an effective conflict manager in Africa. Darfur was an opportunity for the African Union to match rhetoric with action.
- ii. The most important concern of the GoS was to prevent Western powers from interfering in the Darfur conflict, which the GoS feared would happen if the United Nations became involved. The African Union was seen as the least ‘bad’ alternative and therefore acceptable to the GoS as a mediator.

The N’Djamena Agreement also paved the way for an agreement signed in Addis Ababa on 28 May 2004 opening the door for 80 AU monitors to be deployed to Darfur to observe the ceasefire, supported by a protection force of 300 Nigerian and Rwandan troops (Amnesty International, 2007a; Powell and Baranyi, 2005:3). This small military Protection Force which aimed to provide security and logistical support to the unarmed African Military Observers in Darfur came to be called AMIS (AMIS DPPI, 2007:1). AMIS was further set up to monitor the agreement and bring under control the worsening humanitarian catastrophe (Appiah-Mensah, 2005:7-8). The first contingents of AMIS arrived in Darfur at the beginning of June 2004 (AMIS DPPI, 2007:1). AMIS will be discussed more comprehensively in *section 5.3: The African Union Mission in Sudan: An Overview*. The humanitarian situation in Darfur will be discussed next.

5.2.2.2 The humanitarian situation in Darfur in 2004

Regarding the worsening humanitarian catastrophe, the United Nations (UN News, 2004b) reported by May 2004 that more than a million people had been internally displaced within Darfur. Approximately 150 000 refugees had fled to Chad and at least another 700 000 people had been severely affected in Darfur (UN News, 2004c). Moreover, repeated attacks by militia, including the burning of villages, widespread looting and the systematic destruction of livelihoods, resulted in destitute displaced people and collapsed social services such as health care and education (UN News, 2004b). HRW (2004:2) pointed out that food security, always precarious in Darfur, became seriously affected by the events. The bulk of the region’s farming community

were internally displaced, and there were increasing signs that Darfur could face a man-made famine if there was no intervention. By late 2004, however, it became clear that despite the escalation of war and the massive increase in human rights violations, the United Nations would not be able, or willing, to deploy a protection force in Darfur. This was mainly due to opposition by Khartoum and a number of other African leaders, as well as divisions within the UN Security Council (Powell and Baranyi, 2005:3). An overview of UN Security Council resolutions adopted in 2004 highlighting these divisions in the UN Security Council will be given next.

5.2.2.3 UN Security Council resolutions in 2004 regarding Darfur

Between June and December 2004, the UN Security Council became more deeply engaged with Darfur and passed three particularly important resolutions (numbers 1547, 1556, and 1564) (Amnesty International, 2007a). Amnesty International (2007a) explains that these resolutions called, *inter alia*, for a political agreement to end the fighting, gave the GoS 30 days to disarm the Janjaweed and to start bringing its leaders to justice, and established a Commission of Inquiry to determine whether or not acts of genocide had occurred. These three resolutions and, in addition, Resolution 1547 (2004) will be discussed next, with a special focus on the reactions of the members of the UN Security Council in support of international intervention in Darfur. In total four UN Security Council resolutions regarding Darfur were adopted in 2004.

5.2.2.3.1 UN Security Council Resolution 1547 (2004)

From early 2003 until mid-2004, the conflict in Darfur was escalating and stronger measures directed at the GoS were justified and necessary, but such motions in the UN Security Council were not adopted because China and the Russian Federation (both permanent members of the UN Security Council) would have vetoed any resolution that included sanctions against the government or authorised direct United Nations intervention (Clough, 2005). Bellamy and Williams (2006:150) state that in the case of Resolution 1547 adopted on 11 June 2004, Pakistan, China, and the Russian Federation believed that the scale of the human suffering in Darfur was insufficient to provoke serious reflection on whether Sudan was fulfilling its

responsibilities to its citizens, and the resolution was toned down not to emphasise sanctions. Nonetheless, the UN Security Council unanimously adopted the scaled down Resolution 1547 (2004), to establish, for an initial period of three months and under the authority of a Special Representative, an advance team in the Sudan to prepare for a future United Nations peace-support operation following the signing of a comprehensive peace agreement (UNSC, 2004a). The resolution, however, barely even mentioned Darfur (Clough, 2005) and was not adopted under Chapter VII of the UN Charter (Youngs, 2004:16). The second resolution adopted in 2004 was Resolution 1556 (2004).

5.2.2.3.2 UN Security Council Resolution 1556 (2004)

On 30 July 2004, the UN Security Council adopted Resolution 1556 which called on the Sudanese government to abide by its commitment to disarm the Janjaweed, and bring to justice those responsible for atrocities and declared its intention to consider further actions, including measures as provided for in Chapter VII, Article 41 of the Charter (Ulich, 2005). Worth (2007) elaborates that through Resolution 1556 (2004b), the UN Security Council gave the GoS 30 days to disarm the Janjaweed, bring its leaders to justice, and allow humanitarian assistance, but the threat was not enforced.

This was the first resolution to directly confront the Darfur crisis (Morgan, 2009:1), and furthermore to impose an arms embargo with immediate effect on all non-governmental entities and individuals, including the Janjaweed, operating in the states of North Darfur, South Darfur and West Darfur (Security Council Committee, 2011a); however, this excluded the Sudanese government, highlights Ulich (2005). Notably, the resolution also expressed full support for the African Union-led ceasefire commission and monitoring mission in Darfur (AMIS) (UNSC, 2004b:5).

The resolution was adopted by a 13-0 vote, with China and Pakistan abstaining (HRW, 2005:30). Bellamy and Williams (2006:150) emphasise that in the attempt to pass Resolution 1556 (2004), China, Pakistan, and Sudan all rejected any talk of intervention on the ground of Sudanese sovereignty, while Brazil and the Russian Federation were reluctant to contemplate the notion that Sudan was not fulfilling its

responsibilities to its citizens in Darfur. Bellamy and Williams (2006:151) make it clear that China and the Russian Federation specifically opposed any sanctions due to a mix of principled and economic interests.

Chapter VII, Article 41 of the UN Charter (UN, 2009g) provides authority to the UN Security Council to decide what measures, excluding the use of armed force, will be employed to give effect to its decisions. These measures could include the complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio and other means of communication, and the severance of diplomatic relations (i.e. sanctions). This threat of sanctions, Ulich (2005) notes, even though the term itself was not used in the resolution, was the most controversial provision and a primary reason for the abstention of Pakistan and China. The third resolution to be passed in 2004 was Resolution 1564 (2004).

5.2.2.3.3 UN Security Council Resolution 1564 (2004)

On 18 September 2004 the UN Security Council passed Resolution 1564, which called for a Commission of Inquiry on Darfur to assess the conflict (Amnesty USA, 2010). Resolution 1564 (2004) was passed by an 11-0 vote, with Algeria, China, Pakistan, and the Russian Federation abstaining (HRW, 2005; UN News, 2010a). Resolution 1564 requested the UN Secretary-General to “*rapidly establish an international commission of inquiry*” in order to investigate reports of violations of international humanitarian law and human rights law in Darfur to determine whether or not acts of genocide had occurred. It expressed “*grave concern*” that Sudan had not fully complied with its previous resolution on Darfur (Resolution 1556 (2004)). It further indicated that the UN Security Council would consider taking “additional measures” such as an oil embargo or sanctions against individual members of the government should the GoS not comply with United Nations demands (US Department of State, 2004; UN News, 2004a). This threat of sanctions against the GoS, however, would only last until the next resolution, which will be discussed next.

5.2.2.3.4 UN Security Council Resolution 1574 (2004)

From 18-19 November 2004 the UN Security Council held a special session on Sudan in Nairobi, Kenya, with the main purpose of putting pressure on the GoS and the SPLM/A to promote a North-South settlement; during this session the UN Security Council watered down its earlier commitment to end the suffering of civilians in Darfur (HRW, 2005). As a result, UN Security Council Resolution 1574 was adopted on 19 November 2004 (UNSC, 2004c) and passed unanimously, but failed to include any specific criticism of the GoS for failing to meet the demands to disarm and bring to justice the Janjaweed, as in the Resolution 1556 (2004) and 1564 (2004), and it replaced the mild threats of sanctions in those resolutions with a vague warning that, in the future, it might consider taking “*appropriate action against any party failing to fulfil its commitments*” (HRW, 2005). In addition, it called on the United Nations and the World Bank to provide development aid, including debt relief to the GoS which, just months earlier, had been labelled genocidal by the USA and others (HRW, 2005).

The aforementioned UN Security Council resolutions clearly show that little consensus existed in 2004 within the UN Security Council on how to approach the conflict in Darfur. This would become a major impediment to a speedy response as will become evident in this chapter. The summary of the key political events for the year is provided next.

5.2.2.4 Concluding summary of the key political events in 2004

By the end of 2004, some 200 000 Sudanese had fled across the border to neighbouring Chad and an estimated 1.6 million were displaced within Darfur (UNGA, 2007b:13). The year was marked by lackadaisical and uncoordinated support from the international community outside of Africa regarding the crisis in Darfur with inadequate financial assistance for humanitarian operations. Political statements such as “a genocide is being committed in Darfur” without concrete evidence to back up such statements, only added to the tensions in the region. In 2005, the international community started to look for evidence that genocide was being committed in Darfur. Furthermore, as the year progressed, it became clear that the African Union and the United Nations were taking the Darfur crisis seriously,

conducting several rounds of Inter-Sudanese Peace Talks on Darfur. More details on the perpetuating conflict in 2005 will be provided in the following section.

5.2.3 Synopsis of key political events in 2005

In 2005 the international community significantly increased its support for African Union efforts and by April 2005, international pledges to AMIS amounted to USD248 million (Powell and Baranyi, 2005:3). Powell and Baranyi (2005:3) elaborate that by June 2005 this included offers from both the NATO and the EU for airlift support and headquarters and intelligence training. Furthermore in 2005, the African Union continued with the Inter-Sudanese Peace Talks on Darfur between the GoS, the JEM and the SLM/A, hosted by Nigeria in Abuja, with the aim of facilitating a comprehensive peace settlement (Nathan, 2008:14). Three more rounds of the Inter-Sudanese Peace Talks on Darfur were launched in 2005, with the seventh one held in November (Niang, 2006:1). Rebel allegiances, however, shifted and started notably to split. In November 2005, the SLM/A had split into two factions, and split once again following the signing of the Darfur Peace Agreement (DPA) in May 2006 (HRW, 2008).

The release of the report of the UN Commission of Inquiry (established on 7 October 2004 through Resolution 1564 (2004)), on 25 January 2005 intensified debate about the most appropriate way to respond to the violence in Darfur (Amnesty International, 2007a). In its final report, the Commission concluded that while the GoS had not pursued a policy of genocide, its forces and allied militia had “*conducted indiscriminate attacks, including killing of civilians, torture, enforced disappearances, destruction of villages, rape and other forms of sexual violence, pillaging and forced displacement*” (UN DPI, 2007b:4). The panel concluded that “*international offences such as the crimes against humanity and war crimes that have been committed in Darfur may be no less serious and heinous than genocide*” (UN DPI, 2007b:4). It urged the Security Council to act not only against the perpetrators but also on behalf of the victims (UN DPI, 2007b:4). Subsequently, on 31 March 2005, the UN Security Council adopted Resolution 1593 (2005), referring the situation in Darfur to the ICC for investigation and opening the way for international prosecutions of those most responsible for the violence in Darfur (Darfur

Consortium, 2011). The question of genocide and the cases of those who were accused will be discussed in *Chapter Six, section 6.4.1: The alleged genocide in Darfur and the indictment of al-Bashir by the ICC*.

With regard to the accusations of genocide, Sudan's foreign ministry acknowledged that some human rights violations had occurred in the western Darfur region but denied that these were part of systematic ethnic cleansing or genocide (Aljazeera, 2010a). In response to the referral to the ICC, Khartoum established its own tribunal (Gulf News, 2009) seeking to head off international action. Horowitz and Krishnan (2008:190) explain the Special Criminal Courts on the Events in Darfur (SCCED), which the Chief Justice of Sudan established on 7 June 2005, aimed to address serious human rights crimes. It did not, however, live up to its mandate. Almost all of the cases which came before the SCCED involved crimes unrelated to any of the large-scale attacks that characterised the Darfur conflict, state Horowitz and Krishnan (2008:190). The UN Security Council, nonetheless, still urged the prosecutor of the ICC to probe individuals suspected of having committed atrocities in Darfur (Gulf News, 2009). After a period of debate on the Commission's findings, the UN Security Council passed three resolutions on Sudan (1590, 1591, and 1593), which included authorisation for a United Nations peacekeeping operation to help implement the CPA in southern Sudan; calling on the GoS to stop conducting offensive military flights in and over the Darfur region; and referred the situation in Darfur, from July 2002 forward, to the ICC (Amnesty International, 2007a; Powell & Baranyi, 2005:3). The UN Security Council took note of the situation in Darfur and addressed it through resolutions. These UN Security Council Resolutions in 2005 relevant to the Darfur conflict will be discussed next.

5.2.3.1 UN Security Council resolutions in 2005 regarding Darfur

Four UN Security Council resolutions pertaining to Darfur were adopted in 2005. They were Resolutions 1590, 1591, 1593 and 1651 and will be elaborated on in the following sections. These resolutions were still affected by the divisions in the UN Security Council as seen in 2004.

5.2.3.1.1 UN Security Council Resolution 1590 (2005)

On 24 March 2005 the UN Security Council passed Resolution 1590 creating UNMIS, mandated to work towards implementation of the CPA in Sudan (UNSC, 2005a). The resolution was passed unanimously by the UN Security Council and underscored the immediate need to rapidly increase the number of human rights monitors in Darfur (UN, 2005c). Included in the mandate of UNMIS was a request to liaise with AMIS to foster peace in Darfur (Darfur Consortium, 2011; Udombana, 2007:104). UNMIS was discussed in more detail in *Chapter Four, section 4.2.2.2.6.1.1*. Resolution 1590, it should be pointed out, was adopted under Chapter VII of the UN Charter and, as such, was intended to be enforcing in nature (Abass, 2007:430). In paragraph 16, the UN Security Council authorised UNMIS to take the necessary action, in the areas of deployment of its forces and as it considered to be within its capabilities, to protect United Nations personnel, facilities, installations, and equipment, ensure security of freedom of movement of United Nations personnel, and to protect civilians under imminent threat of physical violence (Abass, 2007:430). Inexplicably, the UN Security Council proceeded to ask for consent from the GoS to deploy what was effectively a Chapter VII operation to Darfur, notes Abass (2007:431). This said, Resolution 1590's focus was not primarily Darfur, unlike Resolution 1591 (2005), which will be discussed next.

5.2.3.1.2 UN Security Council Resolution 1591 (2005)

The UN Security Council adopted Resolution 1591 on 29 March 2005 (UNSC, 2005b). Morgan (2009:2) points out that the resolution passed with abstentions from Algeria, China, and the Russian Federation. This resolution pertained to sanctions and embargos on Sudan as will be noted next.

5.2.3.1.2.1 *The Security Council Committee and Panel of Experts concerning the Sudan*

The UN Security Council first imposed an arms embargo on all non-governmental entities and individuals, including the Janjaweed, operating in the states of North Darfur, South Darfur, and West Darfur, on 30 July 2004 with the adoption of

Resolution 1556 (Security Council Committee, 2011b). Resolution 1591 (2005) expanded the arms embargo to include all the parties to the N'Djamena Agreement, and any other belligerents in North Darfur, South Darfur and West Darfur (Security Council Committee, 2011a). It established a Committee to monitor the measures and to designate those individuals subject to the assets freeze and travel ban imposed by the resolution and further established a Panel of Experts to assist the Committee in monitoring implementation and to coordinate its activities, as appropriate, with the on-going operations of AMIS (Security Council Committee, 2011a). The travel ban and an assets freeze on individuals initially included two rebel leaders, a former Sudanese air force chief and the leader of a pro-government militia (UN DPI, 2007b:2). Later, the enforcement of the arms embargo was further strengthened by Resolution 1945 (2010) (Security Council Committee, 2011b) which will be discussed in Chapter Six. Two noteworthy effects of Resolution 1591, according to Abass (2007:424), are, firstly, that by not explicitly excluding any parties, as it did previously, the UN Security Council implicitly extended the sanction to the GoS. Secondly, the UN Security Council left it to the Sanction Committee to decide who should be excluded from the embargo instead of its previous automatic exemption of the GoS from the sanction regime, mentions Abass (2007:424). The second resolution adopted in 2005, focused on criminal conduct and liability of parties to the conflict in Darfur.

5.2.3.1.3 UN Security Council Resolution 1593 (2005) and the International Criminal Court

On 31 March 2005, acting under Chapter VII of the UN Charter, the UN Security Council passed Resolution 1593 reflecting its decision to refer the situation prevailing in Darfur to the Prosecutor of the ICC (UN, 2005b). The resolution was adopted by a vote of 11 in favour, none against and 4 abstentions: Algeria, Brazil, China, and the USA. CBC News (2008) reported that the USA agreed not to use its veto power to overthrow the ruling, although the country opposed the UN court in The Hague. More details on this and the ICC will be given in *Chapter Six, section 6.4*. The final resolution relating to Darfur was adopted in December 2005 and will be highlighted next.

5.2.3.1.4 UN Security Council 1651 (2005)

On 21 December 2005 UN Security Council Resolution 1651 was unanimously adopted which extended the mandate of the Panel of Experts appointed pursuant to resolution 1591 (2005) until 29 March 2006 (Morgan, 2009:3; Security Council Committee, 2011a). Following Resolution 1591 (2005) which apparently brought the GoS within the sanction regime, relations between the United Nations and Sudan degenerated when, during the UN Security Council's 5158th meeting leading to the adoption of Resolution 1593, the Sudanese envoy to the UN Security Council accused the UN Security Council of double standards, of ignoring the African position, and threatened the United Nations with violent confrontation (Abass, 2007:429). Abass (2007:430) argues that from this moment, the UN Security Council had two options in Darfur: it could either step up its march towards Chapter VII ultimate measures, already commenced with the sanctioned regime, and risk confrontation with Sudan; or it could soften up and placate Sudan while Darfur unravelled. In this case, the UN Security Council chose the latter under the facade of requiring the consent of Sudan before it could deploy to Darfur (Abass, 2007:430). The relevant question to be asked, therefore, is whether or not the United Nations really needed Sudan's consent to deploy to Darfur under international law (Abass, 2007:430). The summary of the key political events for the year is provided next.

5.2.3.2 Concluding summary of the key political events in 2005

For a period in early 2005, the number of government attacks on civilians decreased, partly because the majority of targeted villages had already been destroyed and their inhabitants displaced from the rural areas, but in late 2005, the situation dramatically worsened in some respects (HRW, 2008). For instance, further peace talks did little to end the campaign of destruction in Darfur and in one documented incident, the Janjaweed murdered 75 people in eastern Chad with many of those killed being civilians (Gulf News, 2009). Prendergast (2007:4) also reveals that in the second half of 2005, bilateral relations dramatically worsened between the GoS and Chad, as Déby openly started to support the Zaghawa-based rebel groups in Darfur. As a consequence, the GoS and its military and security structures aimed to weaken the Darfur rebels and appeared determined to topple the Déby regime (Prendergast,

2007:4). This led to a wave of defections of high-level Zaghawa, a spate of hit-and-run attacks by Janjaweed in eastern Chad, and a major attack on an armoury in N'Djamena in the last three months of 2005. The situation reached crescendo, states Prendergast (2007:4), in December 2005 when the Sudan-backed RDL rebels, led by the GoS-supported Chadian dissident Mahamat Nour, attacked the town of Adre. On 23 December 2005, Chad declared a “state of belligerence” against Sudan, and the two countries began massing troops on the border between Sudan and Chad in late December 2005 and early January 2006 (HRW, 2006b:5). Security forces from the GoS allowed the violence to continue virtually unchecked, resulting in widespread human rights violations in eastern Chad (HRW, 2009b:9).

The year 2005 was marked by the genocide investigations which essentially cleared the GoS at large and instead pointed to individuals within the GoS. Also in 2005, however, the GoS was brought into the sanction regime which caused more tension between the United Nations and the GoS. Three rounds of peace talks occurred in 2005 which would eventually culminate in the signing of the DPA in May 2006 after which the security situation, according to Human Rights Watch, further deteriorated (HRW, 2008). More information on the DPA and other major key events in 2006 will be provided in the following section.

5.2.4 Synopsis of key political events in 2006

The widespread militia attacks which followed in eastern Chad left hundreds of civilians dead and forced at least 180 000 into IDP camps, mostly in the south eastern border region of Dar Sila (HRW, 2009b). An overview of the Sudanese-Chadian conflict and the impact it had on the security in Darfur region will be provided in the following section.

5.2.4.1 The regional security situation

Shortly after the attack on Adré, Chad presented evidence to Libya of the GoS’s involvement in the attack which led al-Gaddafi to convene a summit with the GoC and the GoS in Tripoli on 10 February 2006 to halt support to each other’s rebels (Prendergast, 2007:4). Prendergast (2007:4) reveals that the accord brokered at this

summit between the affected parties only lasted until April 2006 when rebel forces in Chad (still backed by the GoS), led a new offensive against N'Djamena. The attack failed, partly due to the French government providing intelligence and airlift capabilities to help Déby fend off the attack, and partly because JEM fought side by side with Déby's forces (Prendergast, 2007:4). Following the attack in April, Chad broke off diplomatic relations with Sudan and openly accused Sudan of backing insurgents trying to overthrow Chad's president (Reliefweb, 2011:160). Similarly, Kagwanja and Mutahi (2007:4) assert that by May 2006, Chadian government backing for Sudanese rebel movements was increasingly overt, as the SLA and JEM established bases in eastern Chad and recruited militia from the Sudanese refugee camps. Reactively, the GoS retaliated by stepping up aerial bombings in north-western Darfur and Chad, often targeting civilians and refugees (Kagwanja and Mutahi, 2007:4).

Overall, in 2006, the UN Secretary-General reported to the UN General Assembly (UNSG, 2006:3) that rebel and criminal activities, as well as inter-ethnic clashes, increased in eastern Chad. Such activities included attacks by Janjaweed militia based in southern Sudan, which had launched raids into Chad, looting and pillaging (UNSG, 2006:3). On 13 November, Chad declared a state of emergency in the eastern part of the country, in particular in the prefectures of Ouaddaï, Wadi Fira and the Salamat Hadjer Lamis, Borkou-Ennedi-Tibesti, Moyen, and Chari; and extended the state of emergency, preventively, to the prefectures of Hadjer Lamis, Borkou-Ennedi-Tibesti and Moyen Chari and N'Djamena (UNSG, 2006:3). Following the occupation of Abéché (in eastern Chad) by rebels on 25 November, the upsurge of rebel activities around Biltine as well as rebel threats to attack N'Djamena, the GoC declared on 28 November that it was in "a state of war" with the Sudan, and accused both the Sudan and elements in Saudi Arabia of providing support to the rebels (UNSG, 2006:2). The UN Refugee Agency (UNHCR, 2006:201) argues that these events narrowed humanitarian space and heightened insecurity while internal displacement continued unabated (UNHCR, 2006:201).

By 30 November 2006 Chad was hosting approximately 232 000 refugees from Darfur, and an additional 48 000 refugees from the CAR; altogether, some 92 000 Chadians have been internally displaced as a consequence of the recent upsurge in

fighting, out of a total population of about 1.1 million in the eastern part of Chad, noted the UN Secretary-General (2006:4) to the UN General Assembly. The UN General Assembly (2007b:14) recorded additional cross-border attacks into Chad by Janjaweed and retaliations by rebels and Chadian forces which resulted in a further increase in Chadian IDPs to more than 113 000 by the end of 2006. In December 2006, the GoC alleged that genocide was being committed at the Chadian-Sudanese border and accused the GoS of instigating a “scorched-earth” policy in Darfur and eastern Chad (UNSG, 2006:4). The UN Secretary-General (UNSG, 2006:6) acknowledged that Chad was experiencing a multifaceted humanitarian crisis linked to the conflict in Darfur and the instability in the northern CAR. The internal security situation in 2006 will be discussed in the following section.

5.2.5 The security situation in Darfur in 2006

Throughout 2006 attacks between the antagonists in Darfur continued and the security situation deteriorated, also affecting the United Nations presence in Darfur. The African Union (AU, 2007:5) reported for the period from July 2006 to January 2007 the prevalence of increased insecurity, the militarisation of IDP camps, and a sharp reduction in humanitarian access. Similarly, the African Union (AU, 2007:5) noted an increase in targeted attacks on non-governmental organisations and AMIS personnel and property, and cases of abduction of AMIS personnel, carjacking and banditry along major supply routes. As a result, in March 2006, the Office of the United Nations High Commissioner for Refugees (UNCHR) cut 44% of its operations in Darfur because of heightened security risks (Article 1, 2009a). In August 2006, the World Food Programme (WFP) could not reach as many as 350 000 people of the conflict-affected population, 70% of whom were considered to be food insecure (AU, 2007:5). In December 2006, Oxfam International noted that a third of Darfur’s conflict-affected population could not be reached by aid agencies (Article 1, 2009a).

Between October and November 2006, the UN High Commissioner for Human Rights, Louise Arbour, released two reports condemning the GoS’s support for attacks carried out on civilian populations in Darfur as *“the attacks clearly took place with Government blessing and tangible backing, such as the support of the Sudanese armed forces in the form of vehicles and weapons”* (Article 1, 2009a). Amnesty

International (2006c) also reported that from November to December 2006 attacks by Janjaweed militia linked to the Ma'ariya ethnic group as well as the SLA Free Will Movement under the leadership of Adam Saleh, had occurred in South Darfur in the area south east of Muhajaria, progressing steadily from the Mutawrat area towards Muhajaria. On 6 December 2006, the United Nations evacuated its staff from Al-Fasher because of the growing threat from armed groups, such as the Janjaweed (Amnesty International, 2006c).

The African Union (2007:5) documented that in December 2006 and January 2007 the GoS, on a number of occasions, had bombarded the planned locations of the SLM/A reunification conference north of Al-Fasher, thwarting the efforts of SLA commanders to consolidate their groups, and all the while attacks by the Janjaweed against areas under rebel control continued, with severe consequences for the civilian population. Other efforts for peace and unity, such as the Darfur Peace Agreement (DPA), did little to stabilise regional strife. The following section will explore the DPA and its repercussions in greater depth.

5.2.5.1 The Darfur Peace Agreement

As an outcome of the seven Inter-Sudanese Peace Talks on the conflict in Darfur, the GoS and the Minni Minawi faction of the SLM/A signed the DPA on 5 May 2006 in Abuja, Nigeria (Braud, 2006:1; Lanz, 2008a:216), but it was rejected by JEM and Abdel Wahid al-Nur, the leader of the other major SLM/A faction (Nathan, 2008:14). The DPA covered three main issues: power-sharing, wealth-sharing, and security (Lanz, 2008b:78). Nathan (2008:14) states the DPA was roundly denounced by communities in Darfur, and fighting in the region only intensified. A few months later, Lanz (2008a:216) points out, it was clear that the DPA was a complete failure. Not only was the agreement never implemented, it actually made matters worse which could be, as Ekengard (2008:14) highlights, because it had not included all the parties to the conflict and was only signed by the GoS and the Minnawi faction of the SLM/A. Mini Minnawi's inducement to sign the DPA was the promise of the post of Chief Advisor to the Presidency in the GoS, a position created by the agreement, making him the number four in the hierarchy in Khartoum and also the top man in the region, heading a future provisional government of Darfur (AC, 2006b:5). Not

wanting to be left out, Abdel Wahid al-Nur also wanted a similar post and compensation of about USD300 million for Darfur's war victims, but could not get agreement and he refused to sign the DPA (AC, 2006b:5). The African Union (2007:3) stated that those who refused to sign objected to certain provisions of the power-sharing, wealth-sharing and final security arrangement protocols of the DPA, including the provisions on senior Darfuri representation in the national Government, the creation of a Darfur region, the amount allocated for compensation to victims of the conflict and the disarmament of the Janjaweed. The following section will highlight some of the other reasons why the DPA failed.

5.2.5.1.1 The failure of the Darfur Peace Agreement

Other problems plaguing the effective functioning of the DPA ceasefire mechanisms include the increasing fragmentation of the rebel parties (as explained in *Chapter Four, section 4.3.2.2*); the high cost of providing a large number of representatives with allowances; and the unpredictable funding for AMIS (AU, 2007:8). This resulted in backlogs of unpaid mission subsistence allowances, not only to military observers and the protection force, but also to the party representatives on the Ceasefire Commission (AU, 2007:8). Significantly, Lanz (2008a:216) underscores that the DPA also compromised the neutrality of the African Union peacekeepers, who were obliged to defend a deeply unpopular agreement that most rebels vehemently resisted. For example, Africa Confidential (AC, 2006b:5) notes that Mini Minnawi often stayed at the AMIS headquarters in Al-Fasher, his men were allowed to drive AMIS cars, and at least on one occasion, his wounded fighters were airlifted by AMIS helicopters. In addition, following the DPA, the SAF also appeared to support Minnawi's side and the fighting shifted from a mainly two-way conflict between central government and rebels to a more complex war also involving heavy fighting between various rebel factions (TRF, 2011).

To compound matters, Lanz (2008a:216) emphasises that violence significantly increased after the DPA, resulting in more attacks on peacekeepers. Signatory and non-signatory rebel groups fought each other instead of uniting against the GoS, adds Lanz (2008a:216). The UN General Assembly (2007:13) confirms that fighting between signatories and those opposed to the DPA, escalated in violation of the

ceasefire agreements and that the security situation in the region only deteriorated. The UN General Assembly (2007b:13) further confirms that following the signing of the DPA:

- Non-signatory rebel factions splintered;
- Attempts by rebel factions to meet and develop common positions for renewed efforts to open the DPA to new negotiations were thwarted by the GoS;
- Violations of human rights and international humanitarian law increased by all parties to the conflict; and
- Armed banditry and other criminal activity also increased.

Furthermore, there were now two ceasefire agreements in force: the N'Djamena Agreement and the DPA, each with different signatories (UNSC, 2006c:14). The GoS and SLM/A-Minnawi are the only two signatories to the DPA compared with four signatories to the N'Djamena Agreement, namely the GoS, SLM/A-Minnawi, SLM/A-Wahid and JEM. As a result of this strange situation, the GoS and SLM/A-Minnawi refused to allow SLM/A-Wahid and JEM to attend the ceasefire meetings envisaged in the DPA (UNSC, 2006c:14). As explained in *Chapter Four, section 4.3.2.2.3.1*, the newly formed non-signatory rebel group, the NRF, which represented a substantial portion of the fighting forces in Darfur, was not recognised as legitimate by the African Union, the GoS and other international bodies party to the DPA, and was excluded from participating in the implementation of the DPA, and also had no option to take part in further negotiations (Amnesty International, 2006a:3). The exclusion of the NRF further applied to other ceasefire mechanisms set up before the DPA and on 16 August 2006 the GoS declared the NRF to be a terrorist organisation which led to the expulsion of the NRF's representatives on the Ceasefire Commission and Joint Commission, the key bodies overseeing previous ceasefire agreements in Darfur (Amnesty International, 2006a:3-4). In response, the non-signatories, the NRF, elected to keep fighting (Amnesty International, 2006a:3).

Amnesty International (2007a) mentions that as international actors slowly came to recognise that the DPA could not be implemented with such limited support, the UN

Security Council passed Resolution 1706 on 31 August 2006 which expanded UNMIS's mandate to move into Darfur in order to support implementation of the DPA and the N'Djamena Agreement of April 2004. This, however, did not stop the GoS from continuing launching military offensives against the rebels. Amnesty International (2006c:1) mentions that in August and September 2006 new offensive attacks were launched by SAF aimed at the rebel groups not signed up to the DPA. In November 2006, the GoS used the Janjaweed either on its own or in conjunction with the SAF, to attack civilian populations (Amnesty International, 2006c:1). The United Nations continued to monitor the peace agreement and violence in Darfur in 2006 and made several official decisions and statements, notably through its UN Security Council resolutions. The applicable UN Security Council resolutions pertaining to Darfur adopted in 2006 will be discussed next.

5.2.5.2 UN Security Council resolutions in 2006 regarding Darfur

Five UN Security Council resolutions pertaining to Darfur were passed in 2006 (UNSC, 2006d). These resolutions focused mainly on the transition of AMIS into a United Nations-led operation and the continuation of mandates of the bodies set up by previous resolutions, such as the Panel of Experts mandated through resolution 1591 (2005). As will be seen in the following section most of the resolutions were also passed unanimously.

5.2.5.2.1 UN Security Council Resolution 1663 (2006)

On 24 March 2006 the UN Security Council determined that the situation in the Sudan continued to constitute a threat to international peace and security, and extended the mandate of UNMIS until 24 September 2006, by unanimously adopting Resolution 1663 (2006) (UN DPI, 2006a). Due to struggling African Union efforts, the UN Security Council requested the UN Secretary-General to expedite the necessary preparatory planning for transition of AMIS to a United Nations operation, including options for how UNMIS could reinforce the effort for peace in Darfur through additional appropriate transitional assistance to AMIS (UN DPI, 2006a). The UN Security Council extended its support for embargos in 2006, as will be seen in the following resolution.

5.2.5.2.2 UN Security Council Resolution 1665 (2006)

On 29 March 2006 the UN Security Council unanimously passed Resolution 1665 (Security Council Committee, 2011a). This resolution extended the mandate of the Panel of Experts (on the Sudan), until 29 September 2006 (Morgan, 2009:4; Security Council Committee, 2011a). The Panel of Experts, which had been established pursuant to Resolution 1591 (2005) and extended by Resolution 1651 (2005), released three reports in 2006 (Security Council Committee, 2011a). The first and second reports of the Panel of Experts will be discussed next. The third report is discussed in *Chapter Five, section 5.2.5.2.6.1*.

5.2.5.2.2.1 *The first and second reports of the Panel of Experts*

In the first report released on 30 January 2006, the Panel of Experts found that owing to Sudan's permeable borders, arms continued to flow into Darfur with relative ease. The Panel also found that the GoS had broken the arms embargo by, *inter alia*, sending new troops and attack helicopters to Darfur (UNSC, 2006b:3-5). Regarding the failure to disarm the Janjaweed, the Panel of Experts noted in its first report (UNSC, 2006b:3):

“...it appears that the Security Council's intent to deny arms to the so-called Janjaweed militia, through the adoption of resolution 1556 (2004), was circumvented by the fact that many of the militias were already formally part of the Government security organs or were incorporated into those organs, especially the Popular Defence Force (PDF), the border intelligence guard, the central reserve police, the popular police and the nomadic police, after the adoption of the resolution”.

Shortly after Resolution 1665 (2006) was adopted, the Panel of Experts released their second report on 19 April 2006 (Security Council Committee, 2011c). In the report, the Panel noted:

- There was continued flow of arms, especially small arms and ammunition, into Darfur from a number of countries and from other regions of the Sudan;

- The Janjaweed maintained their stock of weapons, ammunition and other equipment through support from entities of the GoS;
- The GoS continued to move armed troops and supplies into the Darfur region; and
- Adjacent States had ignored their legal obligation to abide by the arms embargo enacted by the Security Council and failed to implement measures to ensure that persons within their jurisdiction also complied with the embargoes.

Recognising the failure of the arms embargo, the Panel of Experts reacted by recommending the strengthening of the arms embargo, stated the UN Security Council (UNSC, 2006e:3). Having little choice, the Panel of Experts recommended that the arms embargo be extended to the whole of Sudan, and that a verification component (end-use certification) be made mandatory (Article 1, 2009a). These measures had little impact and the Panel of Experts reported that the GoS continued throughout 2006 to violate the arms embargo and carried out offensive military flights over Darfur, and that it was still supporting the Janjaweed with the supply of vehicles and weapons (Article 1, 2009a). Noting the failure of the arms embargo, the UN Security Council adopted a resolution which called for actions to be taken against certain individuals who were party to the conflict in Darfur, as will be discussed next.

5.2.5.2.3 UN Security Council Resolution 1672 (2006)

UN Security Council Resolution 1672 was adopted on 25 April 2006 (UNSC, 2006f:1) by 12 votes in favour to none against, with three abstentions from China, Qatar, and the Russian Federation (UN DPI, 2006b). The resolution called on all member states to implement the measures outlined in Resolution 1591 against four individuals thought to be involved in violations of their commitments: one from the government of Sudan, one from the Janjaweed, and two minor rebel commanders (Amnesty International, 2007a). Consequently, in a Chapter VII decision, the UN Security Council decided to impose the travel restrictions and financial sanctions specified in Resolution 1591 (2005) on four Sudanese individuals (UN DPI, 2006b):

- Major-General Gaffar Mohamed Elhassan (Commander of the Western Military Region for the SAF)
- Sheikh Musa Hilal (Paramount Chief of the Jalul Tribe in North Darfur)
- Adam Yacub Shant (Sudanese Liberation Army Commander)
- Gabriel Abdul Kareem Badri (National Movement for Reform and Development Field Commander).

Through a press release, the United Nations (UN DPI, 2006b) asked Member States to prevent these four people from entering into or transiting through their territories, and to freeze all funds, financial assets and economic resources on their territories that were owned or controlled by those individuals (UN DPI, 2006b). The third resolution adopted by the UN Security Council in 2006 focused on extra support to AMIS.

5.2.5.2.4 UN Security Council Resolution 1679 (2006)

Enforcing the DPA which was adopted on 5 May 2006, the UN Security Council unanimously adopted on 16 May 2006 Resolution 1679 which called on the African Union and the United Nations to agree upon requirements necessary to strengthen the capacity of AMIS to enforce the security arrangements of the DPA with a view to a follow-on United Nations operation in Darfur (Udombana, 2007:104; CBC News, 2008). Furthermore, through adopting the resolution, the UN Security Council expressed its intention to consider taking strong and effective measures, such as a travel ban and assets freeze, against any other individuals or groups that violated or attempted to block the implementation of the DPA (Security Council Committee, 2011a).

Even though the resolution was adopted unanimously, China still had reservations about invoking Chapter VII of the Charter, on the basis of its political support for the African Union and the inclusion of some elements in the resolution outside of Chapter VII (UN DPI, 2006c). Through a United Nations press release on 16 May 2006 (UN DPI, 2006c), China made it clear that their support for the resolution should not be construed as constituting a premise for the UN Security Council's future discussions

or adoption of its future resolutions on Sudan and that deploying a United Nations peacekeeping operation in Darfur would require the agreement and cooperation of the GoS. In the following resolution, China again abstained even though Resolution 1706 (2006) ensured that the GoS had to grant permission for a United Nations peacekeeping mission to be deployed in Darfur. It seemed as if China would not support Chapter VII resolutions calling for United Nations intervention in Darfur regardless of the situation. The probable reasons for China not supporting UN Security Council resolutions regarding Darfur will be discussed in *Chapter Six, section 6.4.4*.

5.2.5.2.5 UN Security Council Resolution 1706 (2006)

Acting under Chapter VII of the UN Charter, the UN Security Council expanded the mandate of UNMIS to include deployment to Darfur to support the implementation of the DPA and the N'Djamena Agreement by adopting Resolution 1706 on 31 August 2006, through a vote of 12 in favour with three abstentions from China, Qatar, and the Russian Federation (UN DPI, 2006d). The resolution was co-sponsored by Argentina, Denmark, France, Ghana, Greece, Slovakia, United Kingdom, Tanzania and the USA (UN DPI, 2006d). Although adopted under Chapter VII, it contained some elements outside of the Chapter VII mandate: it envisaged a peacekeeping, as opposed to an enforcement mandate which in real terms means Resolution 1706 (2006) invited the consent of the GoS to deploy a United Nations peacekeeping mission (Udombana, 2007:107, 108; Worth, 2007). The GoS, nonetheless, strongly opposed the resolution, evidently, according to Wiharta (2007:106), because it had little input into the resolution. The following section will elaborate on the progression of the acceptance of the UN (hybrid) peacekeeping mission in Darfur which was strongly highlighted in the UN Security Council Resolution 1706 (2006).

5.2.5.2.5.1 *From UNMIS and AMIS to UNAMID*

Resolution 1706 (2006) expanded UNMIS's strength to 17 300 military personnel, an 'appropriate' civilian component including up to 3 300 civilian police personnel and up to 16 Formed Police Units (UN DPI, 2006d). Accordingly, UNMIS was authorised under Chapter VII of the UN Charter 'to use all necessary means' to

protect UN personnel, implement the DPA, protect civilians, and seize or collect prohibited arms in Darfur (Amnesty International, 2007a). Furthermore, the UN Security Council requested the UN Secretary-General to consult jointly with the African Union and the parties to the DPA on a plan and timetable for a transition from AMIS to a United Nations operation in Darfur (UN DPI, 2006d). This request followed the support from the AU PSC which at its 45th meeting held on 12 January 2006 showed support in principle, for a transition from AMIS to a United Nations operation, within the framework of the partnership between the AU and the United Nations, highlights the African Union (AU PSC, 2006a).

During the subsequent AU PSC meeting in Ethiopia on 10 March 2006, however, the GoS angrily refused a United Nations deployment in Darfur and threatened an ‘Islamic holy war’ in Darfur if the United Nations was deployed, as stated by Africa Confidential (AC, 2006d:1). The GoS further declared they would accept a United Nations take-over from the AMIS only after a peace deal (AC, 2006d:1). During the AU PSC meeting, the African Union not only agreed ‘to consider’ handing over to the United Nations but also extended the AMIS mandate until September 2006 (AC, 2006d:1). Udombana (2007:98) explains that although the AU PSC welcomed the proposed transition, the GoS viewed the move as an encroachment on its sovereignty, an attempt at ‘recolonisation’ and the climax of efforts to undermine the DPA. Notwithstanding the promise that such a mission should have a strong African participation and character, al-Bashir threatened an all-out war against the United Nations should it attempt forcible deployment of peacekeepers in Darfur (Udombana, 2007:98).

As a direct consequence, The New York Times (2006) reported that, on 20 October 2006, the GoS accused the SRSG in Sudan, Jan Pronk, of abusing his position by trying to force Sudan to accept the United Nations operation in Darfur and declared him *persona non-grata*. In an effort to accommodate al-Bashir’s objections, the United Nations, the African Union, the EU, the LAS, the GoS, and 13 states including the USA, reached agreement on 16 November 2006 at the High-Level consultations in Addis Ababa on a ‘hybrid’ African Union/United Nations force under which the United Nations would help fund and reinforce the AMIS operation in Darfur (Amnesty International, 2007a; UN DPI, 2007c:2). The three-phased United Nations

support package proposal (as explained in *section 5.3.3*) was subsequently taken forward at the AU PSC meeting held in Abuja on 30 November (UNSC, 2007d:8). At this meeting the AU PSC endorsed the United Nations support package for AMIS and extended the mandate of AMIS for a further six months, from 1 January 2007 to 30 June 2007 (UNSC, 2007d:8).

On 19 December 2006 the UN Security Council issued a presidential statement in which it endorsed the above provisions and called for their implementation and on all parties to facilitate the immediate deployment of the United Nations' light and heavy support packages for AMIS and a hybrid operation in Darfur (UNSC, 2006g:1). Backstopping and command and control structures and systems would be provided for by the United Nations for this operation (UNSC, 2006g:1). The AU PSC (2007a:3) noted a positive response from the GoS on 23 December 2006. In a letter addressed to the UN Secretary-General, al-Bashir confirmed that these provisions "*constitute a viable framework for peaceful settlement of the conflict in Darfur*" and reaffirmed the readiness of the GoS to implement the provisions (AU PSC, 2007a:3). The GoS also informed the African Union of its acceptance of the decision of the AU PSC (2007a:3). Resolution 1713 (2006) proved to be the fifth and final resolution in 2006 pertaining to Darfur.

5.2.5.2.6 UN Security Council Resolution 1713 (2006)

On 29 September 2006 the UN Security Council unanimously adopted Resolution 1713 and thereby extended the mandate of the four-member Panel of Experts originally appointed pursuant to Resolution 1591 (2005), until 29 September 2007 (UN DPI, 2006e). In an official press release following the adoption of Resolution 1713 (2006), the UN DPI (2006e) stated that Resolution 1591 (2005) called on all Member States to take measures to prevent the sale or supply of weapons and military equipment to belligerents in the conflict in Darfur. The UN DPI (2006e) estimated at the time that at least 400 000 people had been killed and some 2 million people displaced since fighting broke out in early 2003. On 3 October 2006, the Panel released its third and final report for 2006 (Security Council Committee, 2011a).

5.2.5.2.6.1 The third report of the Panel of Experts

In the third report, the Panel of Experts (UNSC, 2006c:3) established that the GoS continued to support the Janjaweed through the provision of weapons and vehicles which enabled the Janjaweed/armed militias to upgrade their modus operandi from horses, camels and AK-47s to land cruisers, pickup trucks and rocket-propelled grenades. The Panel of Experts (UNSC, 2006c:3) also found a definite cross-border delivery pattern of arms from Chad into Northern and Western Darfur. Furthermore, Chadian insurgents were joining the SAF and Janjaweed in their operations against the rebel forces and simultaneously served as a source of supply of weapons by virtue of defecting with their weapons and ammunition. In turn, the GoS resupplied the Chadian rebels with weapons and vehicles, which also served to support their own cause in Chad (UNSC, 2006c:3).

The chronology of the key events in 2006 will be provided in the following table, including the progress of the investigation by the Prosecutor of the ICC into the situation in Darfur, Sudan. The summary of the key political events for the year is provided next.

5.2.5.3 Concluding summary of the key political events in 2006

In 2006, the number of people killed in Darfur rose to an estimated 400 000. As was described in the aforementioned sections, the GoS ignored the sanctions which were imposed by the UN Security Council and arms continued to flow into Darfur unabated. The African Union accepted and endorsed a transition from an African Union mission to a United Nations-led mission in Darfur, although the GoS vehemently rejected the notion. As a response the SRSG was expelled, attacks intensified, and humanitarian access was restricted. At the end of 2006, the GoS accepted a peacekeeping mission as long as it was a hybrid mission (African Union/United Nations) with a predominantly African character. Throughout the year, the GoS continued to receive support from countries such as China and the Russian Federation that used their powers in the UN Security Council to either water down or block resolutions proposed or taken under Chapter VII of the UN Charter. Although the resolution steadily paved the way for the concept of a United Nations hybrid

mission in Darfur, attempts for a comprehensive peace agreement (the DPA) failed because all-round support from parties could not be attained. Lastly, the relationship between Chad and the GoS reached breaking point with the declaration by the GoC that they were in a “state of war” with the GoS, following several attacks by GoS backed Chadian rebels in eastern Chad. The following section will elaborate on the key events in 2007 which saw the establishment of UNAMID.

5.2.6 Synopsis of key political events in 2007

In 2007 rebel movements in Darfur became increasingly fragmented and human rights abuses continued even after the signing of the DPA and despite efforts by the international community to end the conflict (UNGA, 2007b:2). The UN Secretary-General (UNSC, 2007e:1) likewise confirmed that violence increased during the first half of 2007, also against AMIS and UNMIS, as well as the broader United Nations and international non-governmental organisation community in Darfur. The calls for a more robust peacekeeping mechanism following the deteriorating regional security situation involving Chad, Libya and the GoS will be discussed next.

5.2.6.1 The regional security situation

By February 2007, explains Borger (2007b), 120 000 Chadians had been forced from their homes and more than 200 000 refugees from western Sudan were located in Chad. Although Déby indicated in December 2006 that he would accept international troops to protect civilians caught up in the fighting and to curb the violence, the international community was no longer sure in 2007 that he would still accept such a force (Borger, 2007b). The AU PSC (2007c:2), however, welcomed the establishment of a multi-dimensional presence on the Chad/Sudan border which could contribute to the implementation of agreements between the Sudan and Chad. To weaken the argument for a UN mission, in March 2007, al-Gaddafi sent troops to the volatile border between Chad and Sudan as a regional alternative to UN peacekeepers, but their presence failed to prevent clashes (Borger, 2007c). With no improvement in the security situation, in July, the Council of the European Union (2007:3) emphasised the urgent need to address the destabilising impact of the Darfur crisis on the humanitarian and security situation in neighbouring countries, and

reiterated its support for the deployment of a multidimensional UN presence in eastern Chad and north-eastern CAR. Gow (2007) mentions that the EU wanted to send a mission of 3 000 troops to Chad to protect refugees and help demobilise thousands of children who were forced to take up arms. Shortly thereafter, on 25 September 2007, the UN Security Council passed Resolution 1778 authorising a European Union mission in eastern Chad and north-eastern CAR (EUFOR) supported by a small UN peacekeeping mission (MINURCAT) (Amnesty International, 2007a) which will be explained next.

5.2.6.1.1 MINURCAT and EUFOR

Through UN Security Council Resolution 1778 (2007) (UNSC, 2007f:2), the UN Security Council approved a multidimensional presence provided by the United Nations (the United Nations Mission in the Central African Republic and Chad (MINURCAT)) and the EU (EUFOR). These were intended to help create the security conditions conducive to a voluntary, secure and sustainable return of refugees and displaced persons, *inter alia*, by contributing to the protection of refugees, displaced persons and civilians in danger, by facilitating the provision of humanitarian assistance in eastern Chad and the north-eastern CAR, and by creating favourable conditions for the reconstruction and economic and social development of those areas. Both the EU and UN multidimensional presence was established for a period of one year (UNSC, 2007f:3,4). The goal of MINURCAT and EUFOR, according to the French Ministry of Foreign and European Affairs (2008), was to speed up the arrival of peacekeepers while seeking to ease the reluctance of the GoS to accept peacekeepers and to provide support to African peacekeeping troops. As such, concludes Ehrhart (2008:2), EUFOR, which came before MINURCAT, was a bridging operation for MINURCAT and was envisaged to act as a stabilising complement to UNAMID. The French Ministry of Foreign and European Affairs (2008) admitted that along with the United Kingdom, France was behind the initiative of Security Council resolution 1769 (2007), which resolved to send UNAMID to Darfur, and paid 7% of UNAMID's budget out of a total of USD 1.3 billion the first year. Despite all these actions, the conflict waged by armed proxies between Chad and Sudan remained on the verge of escalation and diplomatic relations remained unrestored (Ehrhart, 2008:2).

On 25 October 2007, under the auspices of the Libyan Arab Jamahiriya in Sirte, four of the main rebel groups in Chad signed a peace agreement with the GoC which called for an immediate ceasefire (UNSC, 2007g:2). The agreement was signed by Chad's infrastructure minister Adoum Younousmi, and by the heads of the UFDD (Union of Forces for Democracy and Development), UFDD-F (UFDD-Fundamental), Rally of Democratic Forces (RaFD) and CNT (Chadian National Concord) rebel groups (Baybak, 2007). Baybak (2007) further reported that the peace deal included a call for an immediate ceasefire, the release of prisoners, and "total respect for the Chadian constitution." Reuters (2007) reported that while the peace deal did not remove the military threat to Déby from rebels from the eastern Chad and Sudan, it gave some relief to his government ahead of the dry season, when fighting was most intense, and before the planned deployment of EUFOR in eastern Chad. The peace deal did not, however, restrain the UN Secretary-General from reporting to the UN Security Council in November 2007 (UNSC, 2007g:2) that the security on the Chadian side of the Chad-Sudan border was deteriorating and beginning to spill over into Darfur in a series of clashes between armed elements from the Tama and Zaghawa tribes. An outline of the security situation in Darfur will be provided in the following section.

5.2.6.2 The deteriorating security situation in Darfur

A lull was experienced in the direct engagement of the SAF in Northern Darfur from 11 January to early April 2007. However, the presence of proxy militias and the GoS's inability to contain them continued to create insecurity, noted the AU PSC (2007d:5). From January 2007, there was an increase in violent clashes between Arab armed groups, particularly in South Darfur, which left people dead and forced thousands to flee (HRW, 2008). As AMIS was largely seen as the international force in Darfur responsible for security, it will be elaborated on in the next section how the security situation in Darfur was affected by the presence of AMIS.

5.2.6.2.1 The security situation and AMIS

With regard to AMIS, the United Nations (UNSC, 2007h:15) reported that although the number of attacks against the United Nations and AMIS generally decreased after

January 2007, the severity and lethality of these attacks increased. For AMIS, in particular, altogether 17 AMIS soldiers had been killed since AMIS deployed in 2004, but 10 of those were killed in 2007, with all but one of those in March and April 2007. These attacks, along with other issues, resulted in significantly scaled back AMIS operations in Darfur (UNSC, 2007h:15). In concurrence, the African Union agreed insecurity continued in 2007 and confirmed that attacks on AMIS resulted in several casualties, including an attack on the AMIS Deputy Force Commander, who came under fire in the general area of Kurni, which is an SLM/Wahid-controlled area, but managed to survive (AU PSC, 2007d:5-6). On 30 September 2007, unspecified rebels overran an AMIS base and at least 12 peacekeepers died during an attack on AMIS I at the end of the Ramadan season (Darfur Consortium, 2011). This was the largest attack against the AMIS (Article 1, 2009a).

Although the security situation continued to deteriorate in Darfur, preparations continued for peace talks (UN DPI, 2007d). New peace talks towards progress towards a new settlement to replace the failed DPA started in Sirte, Libya, on 27 October, but the talks were paralysed from the start and were not seen as making quick progress (Nathan, 2008:14; EIU, 2007a:3). The Economist Intelligence Unit (EIU, 2007a:9) revealed that three key rebel groups (JEM, SLM/AW and the SLM-Unity) had announced that they were boycotting the talks and accused the United Nations and African Union mediators of bias, and complained that unrepresentative rebel splinter groups had been invited. During 2007, UNMIS continued to provide assistance to the AMIS through the support packages, and preparations were under way for deployment of UNAMID in Darfur (UN DPI, 2007d). In addition to AMIS, the humanitarian situation was particularly affected; this will be discussed next.

5.2.6.2.2 The deteriorating humanitarian situation in Darfur

The UN Secretary-General (UNSC, 2007d:6) reported to the UN Security Council in February 2007 that as a result of the on-going conflict, 70% of the war-affected population in Darfur was dependent on external food aid. Agencies like WFP delivered food aid to over 2.6 million people every month. In April, the UN Secretary-General (UNSC, 2007i:11) reported to the UN Security Council that

approximately 107 000 civilians had been newly displaced by insecurity and fighting between 1 January and 1 April 2007. At the same time, humanitarian access in Darfur continued to be curtailed by a mixture of insecurity, targeted attacks on humanitarian workers and their assets, and bureaucratic impediments (UNSC, 2007i:11). On 28 March, the GoS signed a joint communiqué with the United Nations, which represented a recommitment to the moratorium on restrictions for humanitarian access that entered into force in 2004 (UNSC, 2007i:11). Despite the recommitment by the GoS, according to the Human Rights Council (UNGA, 2007b:14), humanitarian aid was consistently restricted by the GoS with delays in the issuing of visas, travel permits to go to Darfur, daily travel permits to leave the capitals in Darfur, and fuel permits to travel around Darfur. The Human Rights Council (UNGA, 2007b:14) points out that with the spiralling violence since the DPA, humanitarian access to populations in need became increasingly difficult and in some areas it ceased entirely. In fact, argues Cohen (2007:2), most of the gains made in 2005-06 in reaching civilians with humanitarian aid and providing a modicum of protection were sharply reversed by the overwhelming violence as civilians came under renewed assaults by the SAF, Janjaweed militias, and rebel forces fighting among themselves, as well as by bandits and inter-Arab tribal fighting. As a consequence, the number of IDPs from Darfur rose to more than 2.5 million while at least 4.7 million people in Darfur and eastern Chad had become dependent on international food aid (Cohen, 2007:2).

Between January and mid-June 2007, 61 humanitarian vehicles were carjacked, 69 staff were temporarily abducted and 37 convoys were ambushed and looted, with assaults and injuries increasingly common during those ambushes (UNSC, 2007e:2). In January 2007, five United Nations staff members, three AMIS personnel and 13 non-governmental organisation workers were arrested and detained by Government security forces on charges of misconduct all were physically assaulted, and one female staff member was sexually assaulted (UNSC, 2007e:2). As a result, fourteen UN agencies operating in Darfur stated that unless the security situation improved they would no longer be able to provide humanitarian assistance to those in need and warned that humanitarian workers were increasingly being targeted (Article 1, 2009a). In addition, the UN Secretary-General expressed grave concern in a letter to the UN Security Council dated 24 December 2007 (UNSC, 2007c:6) that

humanitarian workers were increasingly becoming targets of violence and armed robberies and noted that in October 2007 alone, seven humanitarian personnel were killed in Darfur, the highest number in a single month since July 2006. The UN Secretary-General also highlighted the following (UNSC, 2007c:6):

- In 2007 a total of 12 humanitarian workers were killed, 15 wounded, 59 physically assaulted and 118 abducted during hijackings, while armed men invaded 75 humanitarian premises.
- Owing to general insecurity or targeted attacks, humanitarian organisations had to relocate on 31 occasions in 2007.
- Several United Nations staff members and convoys were robbed en route to office premises and humanitarian sites and 142 vehicles of United Nations and humanitarian agencies were stolen throughout Darfur in 2007.

Article 1 (2009a; 2009b) reported that by December 2007, humanitarian aid workers were increasingly targeted by rebel groups which resulted in the ICC Chief Prosecutor aiming to open two new cases in Sudan over attacks on humanitarian workers and peacekeepers in Darfur. Despite this, the United Nations continued its efforts to address the situation in Darfur as evidenced through its resolutions. The applicable UN Security Council resolutions pertaining to Darfur will be discussed next.

5.2.6.3 UN Security Council resolutions in 2007 regarding Darfur

In total in 2007, the UN Security Council passed two resolutions directly pertaining to Darfur (UN, 2007b). The first of the two resolutions, UN Security Council Resolution 1769 (2007), concretised the idea of an African Union/United Nations hybrid operation. Resolution 1769 (2007) will be discussed along with the first agreements paving the way for UNAMID. The section starts with an introduction of the action paving the way for Resolution 1769 being adopted. The next resolution pertaining to Darfur adopted in 2007, Resolution 1779, will also be discussed in this section.

5.2.6.3.1 Events leading to the adoption of Resolution 1769 (2007)

As was explained in *section 5.2.5.2.5*, Resolution 1706 (2006) called for a transition from AMIS to a United Nations-led peacekeeping operation in Darfur (UN DPI, 2006d). Consequently, the AU PSC (2006b:1), at its 66th meeting held in Abuja, Nigeria, on 30 November 2006, at the level of Heads of State and Government, endorsed a proposal for a three-phased United Nations support to AMIS: 1) a light support package, 2) a heavy support package, and 3) a hybrid operation. These support packages are explained in *section 5.3.3*.

On 19 December 2006 the UN Security Council (2006g:1) endorsed the proposals above made by the AU PSC and called for their immediate implementation, and on 23 December 2006, al-Bashir formally communicated his acceptance of the hybrid proposal to both the African Union and the United Nations. The events which followed al-Bashir's acceptance are elaborated on in *section 5.2.5.2.5.1*. The U.S. Department of State (2007:45) summarised that Resolution 1706 (2006) authorised the transition of AMIS into UNMIS. Despite their concurrence with the hybrid proposal, according to the U.S. Department of State (2007:45), the GoS repeatedly refused to permit such a transition. Following a series of negotiations between the United Nations, the African Union, the GoS, and the international community, all parties agreed in November 2006 to create a more robust peacekeeping force in Darfur and agreed upon a three-phase approach to strengthen AMIS and peacekeeping efforts in Darfur (as discussed in *section 5.2.5.2.5.1*).

On 12 June 2007 after intense diplomatic and technical discussions, the GoS agreed to an African Union/United Nations hybrid operation (US Department of State, 2007:45). Subsequently, on 31 July 2007, the UN Security Council acted under Chapter VII of the UN Charter and unanimously adopted Resolution 1769 which set up an African Union/United Nations force hybrid operation (UN DPI, 2007e). This is a typical reaction and type of decision taken by the UN Security Council as explained in *Chapter Two, section 2.3.2.4.1* and in *Chapter Three, section 3.3.2.4.4*: 'in taking action against threats to international peace and security, the Security Council may consider non-coercive measures (diplomacy) or coercive measures (sanctions or the use of force)'. In UNAMID's case the United Nations tried both these avenues. All

these actions were taken in an attempt to quell the violence in Darfur, where the United Nations by that time reported that more than 250 000 people had been killed since 2003 (UN DPI, 2007e). The founding resolution, the resulting mandates and the first agreements of the mission will be discussed next.

5.2.6.3.2 UN Security Council Resolution 1769 (2007) and UNAMID's mandate

Resolution 1769 (2007) authorised a 26 000-strong joint African Union/United Nations force hybrid operation (UNAMID) consisting of up to 19 555 military personnel, including 360 military observers and liaison officers, a civilian component including up to 3 772 international police and 19 special police units with up to 2 660 officers (UN DPI, 2007e). UNAMID's mandate followed from the report of the Secretary-General and the Chairperson of the African Union Commission [S/2007/307/Rev.1] of 5 June 2007, as follows (UN, 2011):

- To contribute to the restoration of necessary security conditions for the safe provision of humanitarian assistance and to facilitate full humanitarian access throughout Darfur;
- To contribute to the protection of civilian populations under imminent threat of physical violence and prevent attacks against civilians, within its capability and areas of deployment, without prejudice to the responsibility of the Government of the Sudan;
- To monitor, observe compliance with and verify the implementation of various ceasefire agreements signed since 2004, as well as assist with the implementation of the Darfur Peace Agreement and any subsequent agreements;
- To assist the political process in order to ensure that it is inclusive, and to support the African Union-United Nations joint mediation in its efforts to broaden and deepen commitment to the peace process;
- To contribute to a secure environment for economic reconstruction and development, as well as the sustainable return of internally displaced persons and refugees to their homes;
- To contribute to the promotion of respect for and protection of human rights and fundamental freedoms in Darfur;

- To assist in the promotion of the rule of law in Darfur, including through support for strengthening an independent judiciary and the prison system, and assistance in the development and consolidation of the legal framework, in consultation with relevant Sudanese authorities;
- To monitor and report on the security situation at the Sudan's borders with Chad and the Central African Republic.

The resolution also set the following benchmarks for the deployment of UNAMID (UNSC, 2007g:1):

- i. UNAMID had to establish by no later than October 2007, an initial operating capability for its headquarters and established financial arrangements to cover troop costs for all personnel deployed to AMIS;
- ii. By October 2007, UNAMID had to complete preparations to assume operational command authority over the light support package, personnel currently deployed to AMIS, and heavy support package and hybrid personnel by the transfer of authority; and by
- iii. No later than 31 December 2007, UNAMID must have assumed authority from AMIS.

The U.S. Department of State (2007:45-46) confirmed that by October 2007 the first two benchmarks had been successfully achieved, and by 31 December 2007 UNAMID was able to assume authority from AMIS. Disagreeing that UNAMID had met its deadlines, Article 1 (2009a) pointed to the lack of funding, equipment and military resources which failed to arrive by the end of 2007. Article 1 (2009a) underscores the failure to obtain 24 helicopters requested for UNAMID's sufficient deployment and noted that only 9 000 of the agreed 26 000 troops were stationed in Darfur, and concluded that UNAMID missed its operational deadline of 31 December 2007. St. Pierre (2007:2) took another view, and stated the "full deployment" objective for UNAMID was rather to complete the transfer of authority from AMIS to UNAMID by 31 December 2007. UNAMID's full deployment, argued St. Pierre

(2007:2), was not expected until mid-2008. Roland-Gosselin and Tinsley (2007:12) elaborated that UNAMID was established for an initial period of 12 months and UN Member States had to finalise their contributions to the force within 30 days. The ‘Darfur Australia Network’ (2008?:2) stressed that in the first few months of 2008, UN Member States failed to contribute critically needed equipment, including dozens of heavy transport trucks, 22 helicopters and other crucial resources. The deployment progress and other initial agreements will be discussed next.

5.2.6.3.2.1 Other initial agreements and the SOFA

In December 2007 the UN Secretary-General noted that the progress made to deploy UNAMID was still modest and stressed that UNAMID essentially only had AMIS’s assets at its disposal and would therefore have a limited capacity to quickly make a positive impact on the population of Darfur (UNSC, 2007c:10). Also, by the end of 2007, certain matters or agreements with the GoS remained unresolved, such as (EIU, 2007b:9):

- Getting authorisation for the deployment of six helicopters in Al-Fasher;
- Getting permission for UNAMID to make night flights;
- Allocation of land to UNAMID in El Geneina and Zalingei;
- Ensuring the release of UNAMID communications equipment; and
- Setting out the details of the Status of Forces Agreement (SOFA) – the agreement under which UNAMID could operate in Darfur. A stickler to signing the SOFA became the requirement by the GoS to include in the agreement to have the authority to ‘temporarily disable the communications network’ during ‘national security operations’, and to require UNAMID to give advance notice of all troop and asset movements.

Without the SOFA in place, the UN Security Council (2007a:5) decided that the model SOFA dated 9 October 1990 (A/45/594) would provisionally apply with respect to UNAMID personnel operating in Darfur. Progressively, on 10 February 2008, the formal SOFA was signed by Rodolphe Adada, the Joint Special Representative of the United Nations and African Union to Darfur, and Sudanese

Foreign Minister Deng Alor (UN News, 2008a). Aboagye (2008) specified that the SOFA established the legal basis for the existence, deployment, and operations of UNAMID. This was critical, according to Aboagye (2008), in a Sudan in which Government had from the onset of the conflict strongly asserted the country's sovereignty over Darfur and its right to set the course of the war with the rebels. Aboagye (2008) explained that the SOFA was significant for the reported large scale freedom of movement the agreement provided for UNAMID, which if the mission had not been accorded such unhindered movement and access, would have thrown the whole operation of UNAMID into jeopardy. The UN News (2008) elaborated that the SOFA covered not only the activities of the military, police and civilian personnel of the mission but also dealt with UNAMID funds, property and communications facilities, as well as the safety and security of mission personnel, their privileges and immunities, and their ability to enter and exit Sudan.

With the SOFA in place and the 'unconditional' acceptance by the GoS of the deployment of a hybrid African Union-United Nations mission in Darfur (UNSC, 2007h:17), it might have seemed that UNAMID would have little, if any, resistance from the GoS. Not so, the GoS indicated that it had preconditions on the composition and cultural or ethnical character of the mission (as explained in *section 5.2.5.2.5.1*) which resulted, for example, in the GoS opposing the inclusion of an infantry battalion from Thailand, a Special Forces unit from Nepal, and an engineering unit from the Nordic countries in UNAMID (EIU, 2007b:8). This precondition will be further explored in *Chapter Six, section 6.2.1.1*. The second and final resolution pertaining to Darfur will be discussed next.

5.2.6.3.3 UN Security Council Resolution 1779 (2007)

The UN Security Council noted 'with strong concern the deteriorating humanitarian situation in the strife-torn Darfur region of the Sudan' and unanimously adopted resolution 1779 (2007) on 28 September 2007, and thereby extended for one year, until 15 October 2008, the mandate of the four-member Panel of Experts originally appointed pursuant to Resolution 1591 (2005) to monitor the arms embargo in Sudan (UN DPI, 2007f). The Panel of Experts released one report in 2007, its fourth since its inception (Security Council Committee, 2011c).

5.2.6.3.3.1 The fourth report of the Panel of Experts and other sanctions

In its report dated 3 October 2007, the Panel found that on-going hostilities by parties to the conflict in Darfur impeded the peace process, particularly actions by the GoS, the NRF, the SLA/MM faction, and Arab militia groups; and the actions of Abdul Wahid Mohammed al-Nur, by placing expansive preconditions on the involvement of members of the SLA/AW faction in the AU/UN mediated pre-negotiation consultations (UNSC, 2007h:4). Specially, the Panel of Experts noted that the GoS exacerbated intertribal conflicts, mostly in southern Darfur by consistently failing to identify, neutralise and disarm armed militia groups. Moreover, the Panel found that the SAF and members of the People's Defence Forces (PDF) and the Border Intelligence Guard continued to participate in unitary or coordinated attacks while the NRF and SLA/MM actively targeted personnel of AMIS (UNSC, 2007h:5). According to Human Rights Watch (HRW, 2008), the Panel of Experts described breaches of international humanitarian law and human rights and blatant violations of the arms embargo by all the warring parties, including the unlawful use of UN-marked planes by the GoS for military operations and breach of the ban on offensive military overflights, as well as its failure to implement existing sanctions. The arms embargo was violated by the GoS and non-State armed groups continued to send and allow heavy weapons (artillery pieces), small arms, ammunition and other military equipment to enter the Darfur states from other countries and from the region of the Sudan (HRW, 2008). Furthermore, the Panel of Experts noted (UNSC, 2007h:3-4), with regard to progress of the enforcement of sanctions against the four individuals, specified in UN Security Council Resolution 1672 (2006):

- The GoS stated that Major-General Gaffar Mohamed Elhassan (Commander of the Western Military Region for the Sudanese Air Force) had not left the Sudan and, being a retired officer with a not inconsiderable account in Sudanese banks, his account was not being monitored;
- Regarding Sheikh Musa Hilal (Paramount Chief of the Jalul Tribe in Northern Darfur), the GoS maintained that he had not left the Sudan and, being a Bedouin nomadic leader, his accounts could not be monitored, although he continued to act in a manner that impeded the peace process;

- In respect of Adam Yacub Shant (Sudanese Liberation Army Commander), no action had been taken, as officials of the GoS and the GoC had consistently denied that he was a national of their respective countries; and that
- Gabril Abdul Kareem Badri (also known as General Gibril Abdul Kareem Barey), the leader of the National Movement for Reform and Development, was actively interacting with other non-State armed groups in the Chad-Sudan border area.

In response to the on-going humanitarian crisis in Darfur, the Economist Intelligence Unit (EIU, 2007b:12) reveals that in May 2007 the USA tightened its economic sanctions on Sudan and also imposed sanctions on around 130 local firms and three individuals, resulting in the freezing of a number of foreign bank accounts. Over subsequent months, this complicated Sudan's access to international financial markets as almost all of the country's export revenue came from crude oil, priced in US dollars (EIU, 2007b:12). Through much of 2007 the Sudanese currency was also in effect pegged to the dollar (EIU, 2007b:12). In late September, the Bank of Sudan (the central bank) decided to convert all of its foreign reserves into euros and other denominations due to the tightening of US economic sanctions (EIU, 2007b:12). The summary of the key political events for the year is provided next.

5.2.6.4 Concluding summary of the key political events in 2007

In 2007 it was evident that the DPA was a complete failure as attacks on the international community in Darfur and AMIS escalated in frequency and severity. Clashes also continued along the Sudan/Chad border despite efforts by Libya to attain a peace agreement and following the establishment of EUFOR and MINURCAT. The ICC issued two arrests warrants for two people on war crimes in Darfur, but just as with the sanctions imposed by the UN Security Council on four individuals and monitored by the Panel of Experts, the GoS provided no support to arrest, detain, or hand these perpetrators over to the courts. Furthermore, the GoS kept on instigating violence and breaking the arms embargo imposed by the UN Security Council leaving arms to flow unabated to the Janjaweed and rebels in Chad. In addition, the GoS frustrated international efforts for peace by not allowing humanitarian access to

people in need, or much needed equipment to reach international missions in Darfur. Two resolutions were passed in 2007: Resolution 1769 (2007) which set out the structure of UNAMID following the transition from AMIS; and Resolution 1779 (2007) which extended the mandate of the Panel of Experts. Human rights violations and violence continued in Darfur into 2008 as will be discussed in Chapter Six. The highlights of the key political events from 2003 to the end of 2007 are provided in the following section in a chronological fashion for ease of reference.

5.2.7 Chronology of highlights of the key political events (2003-2007)

The following table encapsulates a summary of the key political events noted in *section 5.2*. It also, however, provides some additional information which allows for a more comprehensive account of political actions and decisions taken by the international community.

2003	EVENTS
26 February 2003	The SLM/A attacked the small town of Golu in the Jebbel Marasif. In response, the GoS gave the rebels 10 days to surrender or “to suffer the consequences”, according to Prunier (2008a:92, 97). Depoortere <i>et al.</i> (2004:1) allude to this event as being the start of the current conflict.
25 April 2003	The SLM/A attacked the airport of the city of Al-Fasher reportedly killing some 70 government soldiers and destroying planes (Amnesty International, 2004:2). The SLM/A declared the attacks were in protest at the perceived failure of the government to protect villagers from attacks by nomadic groups and the underdevelopment and marginalisation of the region (Amnesty International, 2004:2).
July 2003	The Government-supported Janjaweed offensive began in earnest, causing thousands to flee their homes (Worth, 2007).
3-4 September 2003	The Abéché Agreement was signed by the GoS and the SLM/A, according to Ekengard (2008: 13-14).
October 2003	Following the devastating conflict, the United Nations urged for worldwide support to end the conflict, calling on donors to send aid for the thousands of refugees crossing the border from Darfur into Chad (Gulf News, 2009).
November 2003	The Janjaweed launched at least six raids on refugees camped near the Chadian-Sudanese border and refugees reported they had fled similar attacks in Darfur (UN News Centre, 2004).
December 2003	The Janjaweed militias launched a fresh round of attacks, including the burning of villages and the murder and rape of civilians, which prompted at least 10 000 new refugees to stream into Chad (UN News Centre, 2004a). In December, the GoS also began a policy of restricting humanitarian access by refusing or

	delaying travel permits to Darfur (UN News Centre, 2004a). By then, the ceasefire agreement was no longer in place and new waves of people in Darfur fled their homes (HRW, 2004:12).
5 December 2003	The UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Jan Egeland, stated Darfur “has quickly become one of the worst humanitarian crises in the world” (UN News, 2004).
9 December 2003	UN Secretary-General Kofi Annan expressed alarm over human rights violations and the lack of humanitarian access as more than a million people were estimated to need aid, including about 600 000 displaced persons (UN News, 2004).
2004	EVENTS
January 2004	Sudan sent its army to Darfur, causing thousands more to seek refuge in neighbouring Chad; the fighting escalated (CBC News, 2008)
13 January 2004	At least 18 000 refugees entered Chad in one week as militia attacks inside Darfur intensified (UN News, 2004a).
February 2004	Estimates of displaced persons from Darfur were of more than 750 000 people, in Chad the number of refugees almost doubled to more than 110 000, with close to 30 000 new refugees arriving in December 2003, and more than 18 000 arriving in late January following the government offensive (HRW, 2004:12).
March 2004	The Aljazeera (2010c) reported that the Janjaweed militias were carrying out systematic killings of African villagers in Darfur.
April 2004	According to The New York Inquirer (2006), Egeland reported to the UN Security Council a coordinated “scorched-earth” campaign by the Janjaweed who were are burning villages amounting to nothing short of ethnic cleansing of Darfur’s non-

	Arab population.
8 April 2004	The N'Djamena Agreement was signed between the GoS, the SLA and the JEM (Amnesty International, 2007a).
17 May 2004	The UN Secretary-General met Sudan's Permanent Representative to the United Nations to raise concerns about obstacles to humanitarian access such as visa delays and slow customs clearances (UN News, 2004a).
24 May 2004	The N'Djamena Agreement was broken as the government and the rebel factions blamed each other for an attack killing 45 people in a village south of the state capital of Nyala (CBC News, 2008).
25 May 2004	The UN Security Council made its first statement on the situation in response to a report by the UN High Commissioner on Human Rights, highlights Amnesty International (2007). Expressing its deep concern about reports of human rights abuses, the UN Security Council issued a presidential statement calling on Khartoum to neutralise and disarm the Janjaweed (UN News, 2004a).
26 May 2004	The Sudanese government and rebels from Darfur agreed on sending the first international observers to the region; eventually, up to 120 observers from the EU, the USA, the GoS, the rebel movements and the Chadian mediators were deployed to Darfur (CBC News, 2008).
28 May 2004	The Addis Ababa agreement opened the door for 80 African Union monitors to be deployed to Darfur to observe the ceasefire, supported by a protection force of 300 Nigerian and Rwandan troops (Amnesty International, 2007a).
3 June 2004	The UN News (2004c) reported that the United Nations, donor countries and aid agencies described the humanitarian and

	human rights crisis in Sudan's Darfur region as being "of extraordinary gravity, magnitude and urgency," and they appealed for at least USD236 million to help an estimated 2.2 million victims of the war and forced ethnic displacement to survive until the end of the year.
9 June 2004	The first six African Union military observers were deployed to the Ceasefire Commission in Darfur (Darfur Consortium, 2011) to monitor and report on the N'Djamena Agreement between the GoS and rebels groups in Darfur (Article 1, 2009a).
11 June 2004	The UN Security Council adopted Resolution 1547 (2004) (Youngs, 2004:16).
15-17 July 2004	The 1 st Round of the Inter-Sudanese Peace Talks on the Conflict in Darfur organised by the African Union commenced in Addis Ababa, Ethiopia, and brought together the GoS, SLM/A and JEM (Algabid, 2004:1).
18 July 2004	The SLM/A and JEM left the Inter-Sudanese Peace Talks on the Conflict in Darfur in Addis Ababa, Ethiopia, refusing to negotiate unless the Sudanese government agreed to leave Darfur and to disarm the Arab Janjaweed militias (CBC News, 2008).
22 July 2004	In a unanimous vote, both houses of the USA Congress declared that "the atrocities unfolding in Darfur, Sudan, are genocide" (CBC News, 2008).The resolution was passed 422-0 in the House of Representatives and passed without dissent in the Senate, reports CBC News (2008).
30 July 2004	The UN Security Council endorsed the deployment of AMIS 1 (Darfur Consortium, 2011) by adopting Resolution 1556 (2004) (Morgan, 2009:1).
August 2004	The New York Inquirer (2006) summarised the key events for August as follows:

	<ul style="list-style-type: none"> • the United Nations found that the Janjaweed carried out most of the extrajudicial killings; • the African Union ceasefire monitors confirmed atrocities by the Sudanese military; • more peace talks took place in Nigeria; and • international funding lagged. <p>By mid-August, the UN Refugee Agency (UNHCR, 2004:8), reported approximately 180 000 Darfurians had fled to neighbouring Chad, where it had established refugee camps.</p>
23 August 2004	The 2 nd Round of the Inter-Sudanese Peace Talks on Darfur was held in Abuja, from 23 August to 17 September 2004, focusing on humanitarian, security, and socio-economic issues (AU, 2004b:1). Also during the Talks, a Protocol on the Improvement of the Humanitarian Situation in Darfur was agreed upon but was not signed; and the Parties furthermore initiated discussions on the Protocol on the Enhancement of the Security Situation in Darfur, in accordance with the N'Djamena Agreement, summarised the African Union (AU, 2004b:1).
25 August 2004	Declaring that its operations in Sudan were “grossly under-funded,” United Nations humanitarian agencies said they had received only USD288 million of the USD722 million they needed (UN News, 2004a).
30 August 2004	The UN deadline for the GoS to disarm militias and pull them back expired (CBC News, 2008).
September 2004	<ul style="list-style-type: none"> • USA President George W. Bush declared that what was happening in Darfur was ‘genocide’, reports Worth (2007). • The EU Parliament acknowledged that the actions of the Sudanese Government in Darfur were ‘tantamount to

	<p>genocide’; however, by including the qualifier that Khartoum’s actions were <i>virtually</i> genocide, the EU put itself on the record as deploring the crimes, yet avoided the contractual obligation under the UN Genocide Convention to act (Article 1, 2009a).</p>
9 September 2004	<p>The UN Security Council held consultations on Darfur while the USA circulated another draft resolution among UN Security Council members, while the number of Sudanese refugees in Chad was by then rising beyond 200 000, reported the UN News (2004a).</p>
14 September 2004	<p>Under pressure from China, the USA eased its threat of oil sanctions against Sudan in the draft resolution circulated on 9 September and revised its motion to the UN Security Council to say the United Nations “shall consider” punitive action, rather than “will take”, reports the CBC News (2008).</p>
18 September 2004	<p>The UN Security Council adopted Resolution 1564 (2004) (UN News, 2004a) which instituted an International Commission of Inquiry for Darfur and threatened the GoS with sanctions (Darfur Consortium, 2011).</p>
October 2004	<p>The African Union expanded its mandate to protect civilians and sent in a peacekeeping force of, ultimately, 7 000 troops (Worth, 2007).</p>
7 October 2004	<p>The UN Secretary-General announced the establishment of a Commission of Inquiry to determine whether acts of genocide had occurred in Darfur (UN DPI, 2007b:4).</p>
21 October 2004	<p>The 3rd Round of the Inter-Sudanese Peace Talks on Darfur was held in Abuja, Nigeria, from 21 October to 9 November 2004, under the auspices of the African Union (AU, 2004b:1). In attendance were the representatives of the GoS, the JEM and the SLM/A, and in an observer capacity, the following African</p>

	Union partners: the United Nations, the EU Presidency and Commission, League of Arab States (LAS), France, the UK and the USA. Canada, Germany and Italy attended as invited guests (AU, 2004b:1).
9 November 2004	Ending the 3 rd Round of the Inter-Sudanese Peace Talks on Darfur, Sudan signed two peace deals with rebels, the Humanitarian and Security Protocols, banning military flights over Darfur and covering security and humanitarian access (AU, 2004c:1).
19 November 2004	The UN Security Council adopted Resolution 1574 (2004) (UNSC, 2004c).
8 December 2004	The forces of the GoS launched a military operation on 8 December at Bilel and Isham. The Chairperson of the Commission of the African Union, Alpha Oumar Konaré, condemned the attack as <i>“serious and unacceptable violation of the Ceasefire Agreement and the two Protocols, especially as it has been undertaken on the eve of the resumption of the Inter-Sudanese Peace Talks in Abuja”</i> (AU, 2004c:1).
11 December 2004	The 4 th Round of the Inter-Sudanese Peace Talks on Darfur between the GoS, the JEM and the SLM/A commenced under the auspices of the African Union with the support of the international community, in Abuja, Nigeria (AU, 2004a:1).
18 December 2004	The Chairperson of the Commission of the African Union, Alpha Oumar Konaré, reiterated his deep concern over the serious deterioration of the situation in Darfur, due to large-scale violations of the ceasefire by all the Parties (AU, 2004d:1)
2005	EVENTS
12 January 2005	The SRSG in Sudan calculated that the civil war in Darfur had killed up to 100 000 people and warned that a period of ‘intense’

	violence might follow unless swift action is taken and new approaches were considered, reported CBC News (2008).
30 January 2005	The International Commission of Inquiry mandated by UN Security Council Resolution 1564 (2004) released its first report (Darfur Consortium, 2011).
15 March 2005	CBC News (2008) reported that the number of people who died from disease and malnutrition in Darfur could be as high as 350 000.
24 March 2005	The UN Security Council adopted Resolution 1590 (2005) (UNSC, 2005a).
29 March 2005	The UN Security Council adopted Resolution 1591 (2005) (UNSC, 2005b).
31 March 2005	The UN Security Council adopted Resolution 1593 (2005) (UN, 2005b).
28 April 2005	The African Union increased its deployment in Darfur to a capacity of 7 731 troops (Darfur Consortium, 2011).
6 June 2005	The ICC announced that it would launch a formal investigation into suspected war crimes in Sudan's Darfur region; it was expected to be the largest investigation handled by the court since it was established in June 2002 (CBC News, 2008).
7 June 2005	The GoS established the Special Criminal Court on the Events in Darfur (Darfur Consortium, 2011).
10 June 2005	The 5 th Round of the Talks were held in Abuja, Nigeria, from 10 June to 5 July 2005, ending with the Parties signing the Declaration of Principles on the Political issues which paved the way for substantive further discussions (AU, 2005b:1).
29 June 2005	The Prosecutor submitted a first report to the UN Security

	Council informing it of his decision to open an investigation into the situation in Darfur (ICC, 2007a:1)
15 September 2005	The 6 th Round of the Inter-Sudanese Peace Talks on the conflict in Darfur convened in Abuja, Nigeria, on 15 September 2005 (Reliefweb, 2005). It entailed negotiations on the substantive issues of Power Sharing, Wealth Sharing and Security Arrangements (Reliefweb, 2005).
29 November 2005	The 7 th Round of the Inter-Sudanese Peace Talks on the conflict in Darfur convened in Abuja, Nigeria (Niang, 2006).
13 December 2005	The Prosecutor of the ICC submitted a second report to the UN Security Council, informing them that the Prosecution had selected a number of alleged criminal incidents for full investigation and that the establishment of an effective system for protection of victims and witnesses was a precondition to the conducting of investigation activities in Darfur, documents the ICC (2007a:1).
18 December 2005	Chadian rebels, the Rally for Democracy and Liberty (RDL), attack the town of Adré but are defeated and Chad exposes the GoS' direct involvement by capturing and killing Sudanese army personnel during the attack (Prendergast, 2007:4; Darfur Consortium, 2011).
21 December 2005	UN Security Council Resolution 1651 (2005) was adopted (Morgan, 2009:3).
23 December 2005	N'Djamena declared a 'state of belligerence' with Sudan, states the Africa Confidential (2006d:1).
2006	EVENTS
12 January 2006	The AU PSC (2006a) at its 45 th meeting showed support in principle for a transition from AMIS to a United Nations-led

	operation. The AU PSC (2006a) also extended the mandate of AMIS until 31 March 2006.
16 January 2006	According to Totten and Markusen (2006:xxxix), the SRSR for Sudan, Jan Pronk, warned that the present peacekeeping force, AMIS, was inadequate to end the violence.
30 January 2006	The Panel of Experts established pursuant to Resolution 1591 (2005) released its first report (Security Council Committee, 2011c).
24 March 2006	The UN Security Council adopted Resolution 1663 and extended the mandate of UNMIS until 24 September 2006, according to the UN DPI (2006a).
10 March 2006	During its 46 th Meeting, the AU PSC reiterated support for a transition for AMIS to a United Nations peacekeeping force in Darfur and extended the AMIS mandate until September 2006 (AU PSC, 2006c:1; AC, 2006d:1).
29 March 2006	UN Resolution 1665 (2006) was unanimously adopted by the UN Security Council (Morgan, 2009:4).
14 April 2006	Chad broke diplomatic ties with Sudan following a rebel attack on 13 April on N'Djamena which left 350 people dead, and accused the Sudanese government of supporting rebels in the capital, reported CBC News (2008).
19 April 2006	The Panel of Experts established pursuant to Resolution 1591 (2005) released its second report (Security Council Committee, 2011c).
25 April 2006	UN Security Council Resolution 1672 (2006) was adopted (UNSC, 2006f:1).
25 April 2006	The UN Security Council passed Resolution 1672 (2006) naming the first four individuals to whom the sanctions provided for in

	Resolution 1591 of March 2005 would apply, noted the Darfur Consortium (2011).
28 April 2006	The head of WFP said rations to Darfur would be cut in half as a funding shortfall was to blame (CBC News, 2008).
5 May 2006	The GoS and one faction of the SLM/A, headed by Mini Minnawi, signed the DPA in Abuja, Nigeria (Darfur Consortium, 2011). Lanz (2008b:78) elucidates that following the meeting, the SLM/A split into two factions, the first led by the original SLM/A chairman Abdel Wahid al-Nur from the Fur tribe, the second led by Mini Minnawi from the Zaghawa tribe.
16 May 2006	The UN Security Council issued Resolution 1679 (2006) requesting an assessment mission to evaluate the possibility of a transition from AMIS to a United Nations-led operation (Darfur Consortium, 2011) and to strengthen AMIS prior to such a transition, reported Braud (2006:1).
25 May 2006	According to Totten and Markusen (2006:xl), the GoS rejected the proposal by the UN Security Council of deploying a peacekeeping force to Darfur under Chapter VII of the UN Charter, and instead, the GoS suggested that the United Nations should take on a “watchdog” role to monitor the implementation of the DPA. The GoS, nonetheless, accepted a “technical assessment” team into Sudan (Totten and Markusen, 2006:xl).
31 May 2006	SLM/A al-Nur and SLM/A Minnawi failed to meet the May 31 st deadline to sign the DPA (Totten and Markusen, 2006:xl).
1-2 June 2006	Article 1 (2009a) recalled that the African Union at its Summit in Banjul, The Gambia, decided to extend AMIS’s mandate for an additional six months, despite warnings by Alpha Konare, the African Union Commission Chairman that the African Union had neither the capacity nor the resources to continue with the

	mission.
4-10 June 2006	The UN Security Council visited Sudan and Chad (UNSC, 2006h:2). During the visit, al-Bashir made it clear that a United Nations force in Darfur with a Chapter VII mandate was unacceptable and stressed it was the GoS' prerogative to disarm the various militias, including the Janjaweed (UNSC, 2006h:2). Tribal leaders in Darfur also spoke out strongly against such a United Nations force, claiming that the United Nations was a front for colonialism and/or US interventionism, mentioned the UN Security Council (2006h:2).
13 June 2006	A joint United Nation-African Union team arrived in Darfur to assess the situation in preparation for an international force, reported Totten and Markusen (2006:x1).
14 June 2006	The Chief Prosecutor of the ICC, Luís Moreno-Ocampo, submitted a third report (following the second report on 13 December 2005) to the UN Security Council informing it that the Prosecution had selected several incidents for further investigation and analysis, and that the continuing insecurity in Darfur was prohibitive for effective investigations inside Darfur, particularly in light of the absence of a functioning and sustainable system for the protection of victims and witnesses (ICC, 2007a:2). As a result, the ICC Chief Prosecutor informed the UN Security Council that he would carry out his investigations from outside of Darfur because of his office's inability to protect the witnesses (Article 1, 2009b).
31 August 2006	The UN Security Council adopted Resolution 1706 (2006) (UN DPI, 2006d). Deemed to be a pioneering resolution, Reuters (2008) reported that among other things it paved the way for a UN peacekeeping force of 26 000 United Nations troops and police in Darfur, but Sudan rejected the idea of foreign troops.

6 September 2006	The French Foreign Minister Philippe Douste Blazy referred to the crisis in Darfur as “genocide” (Darfur Consortium, 2011).
3 October 2006	The Panel of Experts established pursuant to Resolution 1591 (2005) released its third report (Security Council Committee, 2011c).
6 October 2006	The AU PSC met in New York and extended the mandate of AMIS to 31 December 2006 (Darfur Consortium, 2011). UN Security Council Resolution 1714 (UNSC, 2006i:2) was adopted by the UN Security Council and extended the mandate of UNMIS until 30 April 2007.
20 October 2006	The SRSG in the Sudan, Jan Pronk, was asked to leave Sudan within 72 hours (Darfur Consortium, 2011).
3 November 2006	Al-Bashir, on the occasion of a summit of Chinese and African leaders in Beijing, reiterated his refusal to accept United Nations peacekeepers, arguing such a deployment would be equivalent to the USA invasion of Iraq (Darfur Consortium, 2011).
16 November 2006	The United Nations implemented a three-phased approach to bolster AMIS and deploy a robust peacekeeping force in Darfur (UN DPI, 2007c:2).
17 November 2006	At an international summit in Addis Ababa, the GoS agreed in principle to a hybrid operation with a predominantly African character though backstopping and command and control structures could be provided by the United Nations (Darfur Consortium, 2011).
23 November 2006	The ICC Chief Prosecutor announced that he had enough evidence to prosecute on the Darfur dossier (Africa Confidential, 2006e:5)
30 November 2006	The African Union extended AMIS’s mandate for a further six

	months and endorsed an African Union-United Nations hybrid force, but it conceded ground to the GoS by stating that the United Nations would only have a supportive role (Article 1, 2009a).
14 December 2006	The Chief Prosecutor of the ICC submitted a fourth report to the UN Security Council, providing them with an update on the situation in Darfur, and informing them that he had nearly completed an investigation into some of the worst crimes committed in Darfur (ICC, 2007a:2; Article 1, 2009b).
3 December 2006	The former UN Secretary-General, Kofi Annan, blamed the GoS for the continuing violence and stated: “They are refusing to let the international community come in and assist. They will be held individually and collectively responsible for what is happening and what happens”, reports the CBC News (2008).
23 December 2006	AI-Bashir accepted UN involvement in Darfur under certain conditions (AU PSC, 2007d:3).
2007	EVENTS
27 February 2007	The Chief Prosecutor of the ICC filed an application for arrest warrants for the first two war crimes suspects in Darfur; Sudan said the ICC had no jurisdiction and rejected the notion (Reuters, 2010; ICC, 2007b:2).
9 March 2007	The Report of the High-Level Mission on the situation of human rights in Darfur pursuant to Human Rights Council decision S-4/101 was released (UNGA, 2007b) which stated that “the situation in Darfur is characterised by gross and systemic violations of human rights and grave breaches of international humanitarian law” (Save Darfur, 2007).

28 March 2007	The GoS signed a joint communiqué with the United Nations, which represented a recommitment to the moratorium on restrictions for humanitarian access that entered into force in 2004 (UNSC, 2007i:11).
16 April 2007	The GoS formally confirmed its agreement with the jointly developed African Union/United Nations proposal for the heavy support package through a letter addressed to the UN Secretary-General and the Chairperson of the African Union Commission (AU PSC, 2007d:10).
27 April 2007	The ICC issued two warrants of arrests for Ahmad Harun and Ali Kushayb (ICC, 2007b:1).
30 April 2007	The UN Security Council unanimously passed Resolution 1755 and extended the mandate of UNMIS until 31 October 2007 and also called for a new SRSG to be appointed (UN DPI, 2007g). Though not focusing on Darfur, the resolution called on all parties who had not done so yet to sign the DPA; and the UN Security Council commended the African Union for the successful deployment of AMIS (UN DPI, 2007g).
2 May 2007	The ICC issued arrest warrants for suspected Sudanese war criminals, including Ahmed Haroun, the former Minister of State for the Interior of the GoS and current Minister of State for Humanitarian Affairs (Save Darfur, 2007).
8 May 2007	The UN Secretary-General, Ban Ki-moon, and the Chairperson of the African Union Commission, Alpha Oumar Konaré, appointed Rodolphe Adada of the Congo as Joint African Union/United Nations Special Representative for Darfur (UN DPI, 2007h).
29 May 2007	USA President George W. Bush imposed new USA sanctions on Sudan and asked for support for an international arms embargo

	to end what he called genocide in Darfur (Reuters, 2008).
11-12 June 2007	The GoS agreed to an African Union/United Nations hybrid operation after intense diplomatic and technical discussions (U.S. Department of State, 2007:45) with the condition that the troops must be primarily from African countries (Darfur Consortium, 2011).
21 June 2007	UNEP reported that there was evidence of long-term regional climate change in several parts of Sudan, manifested by a decline in rainfall, most noticeably in the Kordofan and Darfur states (UN DPI, 2007b:4). The scale of climate change as recorded in Northern Darfur was almost unprecedented, and its impacts are closely linked to conflict in the region, reports UNEP (UN DPI, 2007b:4).
22 June 2007	The AU PSC at its 79 th Meeting in Addis Ababa decided to extend the mandate of AMIS for an additional period not exceeding six months, until 31 December 2007 (AU PSC, 2007b).
31 July 2007	The UN Security Council, acting under Chapter VII of the UN Charter, unanimously adopted Resolution 1769 (UN DPI, 2007e) authorising the deployment of UNAMID in Darfur (HRW, 2008).
18 September 2007	JEM stated that if the peace talks with Khartoum failed, they would step up their demands from self-determination to independence for the Darfur region (Darfur Consortium, 2011).
25 September 2007	The UN Security Council passed Resolution 1778 (2007) authorising a European Union mission in eastern Chad and north-eastern CAR supported by a small UN peacekeeping mission (Amnesty International, 2007a).
28 September 2007	The UN Security Council unanimously adopted Resolution 1779,

	extending until 15 October 2008 the mandate of the four-member Panel of Experts appointed to monitor the arms embargo on Darfur, and requested the panel to coordinate its activities with UNAMID (Bodell, 2008b:569).
30 September 2007	The rebels overran an AMIS base, killing at least 12 peacekeepers during an attack on the African mission at the end of the Ramadan season (Darfur Consortium, 2011) noted as the largest attack against the African Mission (Article 1, 2009a).
3 October 2007	The Panel of Experts established pursuant to Resolution 1591 (2005) released its fourth report (Security Council Committee, 2011c).
8 October 2007	OCHA (United Nations Office for the Coordination of Humanitarian Affairs) reported an estimated 160 000 newly displaced people since January 2007 (Article 1, 2009a). The number of civilian IDPs in Darfur rose to 2.2 million, leaving nearly two-thirds of Darfur's population, 4.2 million people, to be dependent on relief aid (Article 1, 2009a).
25 October 2007	Under the auspices of the Libyan Arab Jamahiriya in Sirte, four of the main rebel groups in Chad signed a peace agreement with the GoC which called for an immediate ceasefire (UNSC, 2007g:2).
27 October 2007	Darfur peace talks opened in Libya and the government declared an immediate unilateral ceasefire, but key rebel groups were absent (Reuters, 2008).
27 November 2007	The UN Under-Secretary-General for Peacekeeping, Jean Marie Guehenno, warned the UN Security Council that obstructions by the Sudanese government threatened to jeopardise the deployment of UNAMID which should have been well under way by the end of 2007, but government resistance and delays in procuring helicopters meant that it was now unlikely to be fully

	deployed until the second half of 2008 at the earliest (EIU, 2007b:8).
31 December 2007	The U.S. Department of State (2007:45-46) confirmed that on 31 December 2007, UNAMID assumed authority from AMIS.

Table 5.1: The chronology of the key political events with regards to the Darfur conflict (2003-2007)

A full chronological account of the political events from 2003 to the end of 2007 is provided in *section 5.2*. So far in the chapter, a full account of AMIS has not been given. AMIS, however, had a direct influence on UNAMID, the extent of which will become clearer in *section 5.3*. The next section will therefore provide a better understanding of this unique African Union peacekeeping mission in Darfur and its performance. This is designed to recognise the need to transition from AMIS to UNAMID.

5.3 THE AFRICAN UNION MISSION IN SUDAN (AMIS): AN OVERVIEW

The N’Djamena Agreement which was signed on 8 April 2004 acted as the catalyst for the formation of AMIS (see *section 5.2.2.1*) although it was the Addis Ababa Agreement of 28 May 2004 that paved the way for the African Union to deploy a small military observer/protection force to support unarmed military observers in Darfur (AMIS DPPI, 2007:1). As will be explained in the following sections, AMIS went through several stadia of development and expansion broadly categorised as AMIS I and II.

5.3.1 AMIS I and its mandate

To elaborate on the above, the N’Djamena Agreement provided for the establishment of the Ceasefire Commission (CFC) to monitor its implementation, an African Union monitoring mission as the operational arm of the CFC, and Military Observers

(MILOBS) who ‘may be lightly armed’ (Kagwanja and Mutahi, 2007:5; Udombana (2007:101). Consequently, from 7-13 May 2004, the African Union dispatched an assessment mission to examine the security situation in Darfur and to advise on how to proceed in establishing the CFC (Kagwanja and Mutahi, 2007:5). In line with the mission’s findings and recommendations, in May 2004, the African Union authorised the deployment of AMIS to monitor, verify, investigate and report on violations of the ceasefire (Kagwanja and Mutahi, 2007:6). The first MILOBS contingent arrived in Al-Fasher on 4 June 2004 and marked the start of AMIS I (Kagwanja and Mutahi, 2007:5). Its mandate consisted of:

- planning, verifying and ensuring the implementation of the rules and provisions of the N’Djamena Agreement;
- defining the routes for the movement of forces in order to reduce the risks of incidents; requesting appropriate assistance with de-mining operations;
- receiving, verifying, analysing and judging complaints related to possible violations of the ceasefire;
- developing adequate measures to guard against such incidents in the future; and
- determining clearly the sites occupied by the combatants of the armed opposition and verifying the neutralisation of the armed militias (Udombana, 2007:101).

Kagwanja and Mutahi (2007:5) observe ironically that although AMIS I provided for the protection of MILOBS it did not provide any protection for civilians facing plunder, rapes, killings and other crimes of atrocity. Kreps (2007:102) shows that regardless of AMIS efficiency and dedication, it was unable to provide meaningful monitoring coverage for an area roughly the size of France in a situation where the parties were not complying with the provisions of the N’Djamena Agreement. In October 2004, the AU PSC called for a larger presence and transitioned from AMIS I to AMIS II.

5.3.2 AMIS II and its mandate

AMIS I initially comprised 80 military observers and a protection force of 600 troops (Udombana, 2007:101). As was alluded to above, it soon became clear that the monitors, troops and humanitarian components on the ground were facing a worsening situation and the AU PSC in July 2004 started to enlarge its force level to 3 320 personnel and, on 20 October 2004, the force level was further expanded to around 7 000 personnel, made up of 686 military observers, 4 890 troops, and 1 176 civilian police (Udombana, 2007:101; AMIS DPPI, 2007:1; Powell and Baranyi, 2005:3). This larger force became what was known as AMIS II and, on 28 April 2005, its composition was expanded to include a military component of 6 171 people and 1 560 civilian police (AMIS DPPI, 2007:1; Udombana, 2007:101; Kamidza *et al.*, 2005:52-53) out of an authorised number of 10 000 military and 1 500 civilian police (Security Council Report, Inc., 2007).

AMIS II's mandate included, according to Kamidza *et al.* (2005:52-53):

- Conducting area reconnaissance to determine sector sites and priorities of operation.
- Establishing sector headquarters (HQs) and sites according to the scheme of deployment.
- Liaising with the local authorities of all parties at sector and tactical area of responsibility (TAOR) levels.
- Monitoring and verifying the activities of all parties and the security situation in and around declared safe areas.
- Monitoring and verifying the provision of security for returning IDPs and in the vicinity of existing IDP camps, through the GoS.
- Monitoring and verifying the cessation of all hostile acts by all the parties.
- Monitoring and verifying hostile militia activities against the population.
- Monitoring and verifying the overall security situation within the area of responsibility (AOR).
- Monitoring and verifying attempts of the GoS to disarm government-controlled militias.

- Investigating and reporting allegations of violations of the 8 April 2004 Humanitarian Ceasefire Agreement.
- Protecting African Union personnel, equipment and installations.
- Protecting observer patrols on vehicle and heliborne deployment as required.
- Protecting civilians under imminent threat in the immediate vicinity, within capabilities.
- Protecting both static and mobile humanitarian operations under imminent threat and in the immediate vicinity, within capabilities.
- Providing a visible military presence by patrolling and establishing temporary outposts in order to deter uncontrolled armed groups from committing hostile acts against the population.

The GoS fervently resisted both a larger force and a stronger mandate and actively solicited and received the political backing of sympathetic African Union member states such as Egypt and Libya, Nigeria and South Africa within the AU PSC (Kagwanja and Mutahi, 2007:6-7). Realising the need for co-operation from the GoS' in order to successfully deploy in the country, the AU PSC settled for a smaller force with no civilian protection capacity apart from to 'protect civilians whom it encounters under imminent threat and in the immediate vicinity, within resources and capability' (Kagwanja and Mutahi, 2007:6-7). The composition of AMIS II will be elaborated on in the following section.

5.3.3 Support for AMIS II and its composition

While African countries provided troops and police, Bah and Johnstone (2007:3) are of the opinion that the EU, NATO and other bi-lateral partners contributed financial, logistics and strategic airlift support. In late 2006, the UN began providing a 'light' support package to AMIS II, consisting of about 200 personnel, 36 armed personnel carriers and other equipment. This expanded to a 'heavy' support package of over 3 500 personnel, which paved the way for UNAMID (Bah and Johnstone, 2007:3). The UN DPI (2007c:2) explained that an agreement had been reached with the GoS for a three-stage approach to develop AMIS into a hybrid African Union/United Nations peacekeeping endeavour which was: 1) taking measures to augment AMIS in the

form of the light support package, 2) a 'heavy' support package, and 3) ultimately culminating in UNAMID. The 'light' support package was designed to assist AMIS in the establishment of an integrated command and control structure and to increase the effectiveness and coordination of its operations, and comprised equipment and personnel fully dedicated to supporting AMIS in the following four areas: logistical and material support, military staff support, advisory support for civilian police and civilian support in the areas of mine action, humanitarian liaison, public information, mission support and support for the implementation of the DPA (AU PSC, 2007d:9).

The 'heavy' support package was composed of military, police and mission support personnel and equipment, as well as civilian staff to provide support in a range of areas, including civil affairs, humanitarian liaison, public information, mine action and support for the Darfur political process (AU PSC, 2007d:10). The 'heavy' support package included 2 250 military personnel to be deployed in the areas of transport, engineering, signals and logistics, surveillance, aviation and medical services; 301 police personnel, three formed police units, and 1 136 civilian personnel, including 74 substantive and 78 support staff dedicated to supporting AMIS, as well as 984 mission support staff to support the military and police deployment (AU PSC, 2007d:10, UNSC, 2007d:8). The U.S. Department of State (2007:45) put on record that most of the LSP had arrived by August 2007 but that the security situation, administrative obstacles created by the GoS, logistical difficulties, and lack of readiness by both the United Nations and troop-contributing countries prevented full deployment of the 'heavy support package' in 2007. An analysis of AMIS's performance as the first African Union peacekeeping mission will be provided in the following section.

5.3.4 The performance of AMIS in Darfur

During its deployment to Darfur, AMIS was often the only line of defence between the Janjaweed militia and Darfur civilians, but its efforts to provide effective security were hampered in a variety of ways, notes Kreps (2007:68). The AMIS Department of Press and Public Information (AMIS DPPI, 2007:1) points out, however, that although AMIS II was authorised to protect the African Union monitoring mission, it could not protect civilians or IDPs. It was not permitted to intervene between the

parties on the ground (regardless of their actions) and was only allowed to use deadly force in self-defence if directly threatened (AMIS DPPI, 2007:1). Reeves (2009:23) concurs that AMIS II had no meaningful civilian protection mandate, was ineffective in all ways, and was widely despised by Darfuris as siding with the Khartoum regime. AMIS II merely recorded attacks on civilians, and did nothing to stop them. The reasons highlighted for the African Union's inability to contain the Darfur conflict include, but are not limited to, the restricted mandate of AMIS, piecemeal cooperation of the Sudanese government, rebel activities, lack of adequate logistics and political divisions within the African Union itself (Mansaray, 2009:36). Rankhumise (2006:7) affirms these points and argues that, unlike some other peacekeeping mandates, AMIS's mandate did not allow the use of coercive measures to deal with atrocities against the vulnerable population. This weakness in the mandate was further exacerbated by the insufficiency of its forces, believes Rankhumise (2006:7). Kreps (2007:68) cites the following reasons which hampered the effectiveness of AMIS II:

- i. AMIS II was consistently underfunded leaving AU peacekeepers unpaid for months and continued deficits had gone hand in hand with inadequate equipment for logistics, intelligence, communications, and mobility.
- ii. The relatively low number of peacekeepers in relation to the size of the area: for a region roughly the size of France, a force of between 5 000 and 7 000 soldiers was inadequate for providing meaningful security.
- iii. AMIS II lacked strategic lift capability and armoured forces or high mobility infantry units. Fuel needed for operations and maintenance was also limited, and troops lacked a data management system, including good intelligence on the Janjaweed, as well as an advanced command and control system for distributing information.
- iv. The civilian police component encountered significant challenges due to the militia's numerical superiority and the fact that the African Union had never before employed a police component and therefore lacked any precedent on recruiting criteria, training, operational plans and logistics.

With regard to the low number of peacekeepers, Williams (2006:176) points out two ways to calculate the necessary force size for civilian-protection operations. The first is based on the assumption that 2 to 10 troops are required for every 1 000 inhabitants within the crisis zone, and given Darfur's population of approximately 6 million, AMIS should have had between 12 000 and 60 000 personnel; the second method is based on the protection force being at least the size of the largest indigenous armed force, and the SAF is officially 200 000 men strong, but has a logistical capacity for only 60 000 (Williams, 2006:176). Williams (2006:177) further argues that an estimated 40 000 to 45 000 of these troops were operating in Darfur and in addition, the Janjaweed forces were an estimated 10 000 to 20 000 men strong. On this measure, concludes Williams (2006:177), AMIS should have comprised a minimum of 10 000 and potentially 45 000 troops, and on either of these measures, AMIS was far too small to offer genuine protection to the majority of Darfur's civilians.

Mansaray (2009:40) adds that both the lack of cooperation by the GoS and the activities of the various rebel factions contributing to the violation of human rights undermined the operations of AMIS, and did not help AMIS to achieve any meaningful outcome in Darfur. Ekengard (2008:46) is of the opinion AMIS made an invaluable but insufficient effort in Darfur. In those places where AMIS deployed, its presence prevented attacks on civilians, and thus decreased the level of human suffering; however, the extent of this contribution was limited because of a number of constraining factors, the most important of these factors being poor coordination between political and military tools of statecraft on the behalf of the African Union's member states, and insufficient military capabilities, argues Ekengard (2008:46). Barnidge (2009:103) concludes that despite the efforts of both the United Nations and the African Union to achieve 'peace in our time' in Darfur, the situation on the ground remained dire and the overall security situation in Darfur remained characterised by perpetual violence and insecurity with both AMIS and UNMIS suffering attacks, humanitarian workers being abducted, assaulted and carjacked and civilians being indiscriminately attacked. Barnidge (2009:103) quotes the UN Security Council which noted bluntly in Resolution 1755: "*AMIS had been, despite its best efforts, acting as 'peacekeepers without a peace to keep'*". Lastly, the African Union's eagerness to authorise its first peacekeeping mission (AMIS) is reflected in the wording of Akuffo (2010:76) who calls it the AU PSC's "landmark" decision.

Given the eagerness of the African Union to prove that Africa could provide solutions for Africans without external continental help, it seemed unlikely that the African Union would have asked the UN Security Council to intervene in Sudan on its own, and UNAMID was a logical middle way.

5.4 CONCLUSION

In 2003, the conflict started with relentless assaults by the SAF and Janjaweed militia on rebel groups. Chad immediately became involved trying to negotiate a peace deal between the GoS and the rebels. This resulted in the Abéché Agreement being signed between the GoS and the SLM/A, but fighting continued also affecting neighbouring countries. These three phrases sum up the theme and nature of the conflict over the coming years: regional instability and conflict; repeated attempts to reach peace deals brokered by regional role-players (Libya and Chad) and/or the international community (the African Union and the United Nations); and persistent attempts by the GoS to thwart international involvement.

During the course of this study, it became evident that few facts were available to the international community on what exactly happened during the earlier times of the conflict, especially during 2003/4. This is apparent in the way in which the international community responded to the conflict: the UN Security Council reacted relatively slowly to the allegations of genocide, even though the USA alleged that genocide was being committed and the United Nations present in Sudan saw it as the worst humanitarian disaster in the world, which were all perceptions based on figures and numbers that were nothing more than estimates. Nonetheless, by the end of 2007, it had been assessed that at least 200 000 people from western Sudan had fled into Chad, an estimated 250 000 to 300 000 people had been killed since 2003, between two and three million people were internally displaced in Darfur, and between four and five million people were dependent on international food aid.

The international community, especially the United Nations and the African Union, responded with numerous resolutions and peacekeeping attempts. The African Union first acted in 2004 with a mission to Darfur which later evolved into AMIS, while the United Nations first tried to gather facts through its Commission of Inquiry in 2005,

and based on its findings, expanded UNMIS's mandate to include Darfur and referred the Darfur case to the ICC. When this did not work and opposition came from the GoS, the United Nations decided to strengthen AMIS, and finally to support a full transition from AMIS to UNAMID.

But again, much can be said about the different views of the United Nations and the African Union on what constitutes a threat to international peace and security, and more importantly, on when to become involved (as discussed extensively in *Chapter Three, section 3.5.2*. In this regard, Glanville (2011:462) sums it up adequately: "An examination of the international community's response to the crisis in Darfur between 2004 and 2007 reveals two contradictory developments regarding the responsibilities of sovereign statehood. On one hand, the vast majority of states within the UN Security Council readily endorse the notion that sovereignty entails a responsibility to protect populations. On the other hand, a few states, including two of the permanent-five, continue to insist that the international community cannot legitimately intervene in the affairs of a functioning state, even when the sovereign has manifestly failed to carry out its responsibilities, unless sovereign consent is granted." These two views evidently hampered the response to the Darfur crisis.

To elaborate, the UN Security Council was beset by problems of opposing views from its members on how to take action. Even though it was clear that the problem lay with the GoS, some of the UN Security Council members opted to protect the GoS from strong(er) Chapter VII resolutions, and instead individuals were identified for sanctions and/or issued arrest warrants. In the meantime, the GoS continued its campaign of spreading regional instability by backing Chadian rebels, breaking the arms embargo and did next to nothing to support the ICC decisions. It was quite evident that the UN Security Council would allow everyone and everything to get the blame for the situation in Darfur, except the GoS itself, and accordingly, that the UN Security Council was quite content with the African Union, or Libya, taking the lead with the peace efforts.

It is important here to know that there is a distinction between the actions of the UN Security Council and the broader term "United Nations" (which includes, *inter alia*, the offices of the UN Secretary-General, United Nations Agencies, Programmes and

Funds) because the United Nations as a whole, through its humanitarian agencies, commissions of inquiry, and Panel of Experts, was very vocal about the atrocities being committed mostly by the GoS and its proxies, and the actions which needed to be taken to stop them. It was the UN Security Council, and specifically permanent member states such as China and the Russian Federation which blocked quick and meaningful actions against the GoS. Some of these motives for the abstentions by particular permanent member states of the UN Security Council will be discussed in Chapter Six.

There were two other issues which hampered a quick and effective response to the Darfur crisis. Firstly, the issue of expanded involvement of regional organisations in international peace and security as pursued by the United Nations in the 2000s, and secondly, the creation of the African Union itself. Both of these issues were discussed in Chapter Three. The first issue made it easy for the UN Security Council to propose and endorse the primary involvement of the African Union, while the second issue made it easy for the African Union to accept the proposition and be able to show that Africa can solve its own problems: “African solutions for African problems”. In fact, throughout the chapter it was made clear that the GoS did not want international involvement in the Darfur crisis and even threatened a “holy war” against the United Nations if it authorised a peace mission without consent from the GoS. Taking these two issues into account, it would be reasonable to assume that the GoS had hoped that the African Union, as a brand new organisation, would probably not be able to muster the manpower, bear the financial burden or acquire the necessary skills in time to stop the atrocities. Therefore, the GoS first insisted that they would not let in an international peacekeeping force if it was not from the African Union, and later, when under continued pressure, insisted on an equal, hybrid peacekeeping mission in Darfur, “with a predominantly African character”. Indeed, by the end of 2007, UNAMID had huge manpower and equipment shortages as the GoS delayed the allocation of land to UNAMID, stalled equipment in their ports, preventing it from reaching UNAMID bases, and the African Union had difficulty finding enough troops from African soil. The next chapter will explore these problems of UNAMID in greater depth, and continue to analyse the role which the GoS played in the success of UNAMID.