

# **COMPROMISING WITH EVIL**

AN ARCHIVAL HISTORY OF GREATER SUDAN, 2007 – 2012

## **Annex XIII: UN Security Council Resolutions Concerning Darfur and Sudan**

**Eric Reeves**

**Madeline Zehnder, research and editing**

## Preface

There is of course a great deal to be said about the degree to which the UN Security Council, and the UN more generally, has become hopelessly dysfunctional as a diplomatic and political body. The absurdity of having five veto-wielding Permanent Members—all by virtue of their status immediately following World War II—is continually put on shameful display, whether in Syria, Rwanda, Burma, Tibet, the former Yugoslavia, or Sudan. The failures are in fact more numerous than suggested by votes on actual resolutions: all too often Permanent Members don't force votes on issues—even key issues of conscience—in order not to provoke vetoes by others, since vetoes are generally perceived as harmful to the status of the Security Council as a whole. More broadly, the idea that the United Kingdom, for example, should retain its Permanent Member status (by virtue of a shared military victory in 1945) and India be relegated to an occasional rotating position, without veto-power, is absurd by any geopolitical standard.

It would be difficult to argue that in the wake of Rwanda the UN has failed more badly than in greater Sudan. And as always, the Security Council leaves a paper trail in the form of resolutions that are typically meaningless, often hypocritical, but they have nonetheless been approved—typically after expedient compromises—in sanctimonious style. Given the penchant of the major powers to select as Secretary-General a pliant, indeed spineless candidate—as the one least likely to offend Russia, China, or the U.S.—there is little hope that the Secretariat as a whole can become an effective counter-weight to the Security Council. Ban Ki-moon, who came into office promising to make Darfur a “signature issue,” would seem the extreme example of such selection tendencies.

The UN is a broken mechanism, most conspicuously in taking on the responsibilities of “international peace and security”—certainly insofar as we are speaking about the “responsibility to protect” civilians who are not protected by or are actually attacked by their own government. “R2P,” as it has come to be abbreviated, was cynically—and unanimously—approved by the UN General Assembly at the UN World Summit in September 2005 (“Outcome Document,” paragraphs 138 and 139, September 2005). The Security Council would confirm the “responsibility to protect” in **Resolution 1674** (April 2006).

The roster of UN Security Council resolutions in this Annex bearing directly on Darfur and Sudan is far from complete—only a couple of the renewal resolutions appear. But the failure revealed is comprehensive. The full texts of the resolutions,

here presented in edited form, are largely and often perfunctorily hortatory, rehearsing “findings,” “condemnations,” and various other expressions of “dismay,” “urgency,” “concern,” or the “recallings,” “reiterations,” “reaffirmings,” “expressings.” The concluding sentence—in which the Council declares that it “remains *seized* of the matter”—contains a particularly grim irony, given the more usual meaning of this verb.

The resolutions here have been selected in particular because of what is “demanded” or “decided” under Chapter 7 of the UN Charter (which speaks of UN Security Council responsibility “to maintain or restore international peace and security”). Everything else is glorified throat-clearing, and little of it has been included. A few examples here should make clear the principle of selection and editing in Annex as a whole:

**Resolution 1556**, July 30, 2004 (passed 13-0-2, with abstentions from China and Pakistan):

6. *Demands* that the Government of Sudan fulfill its commitments to disarm the Janjaweed militias and apprehend and bring to justice Janjaweed leaders and their associates who have incited and carried out human rights and international humanitarian law violations and other atrocities;

Khartoum has done nothing to comply with this “demand” of more than eight years ago, even as **Resolution 1591**, March 29, 2005 (passed 12-0-3, with abstentions from Algeria, China, and Russia):

6. *Demands* that the Government of Sudan, in accordance with its commitments under the 8 April 2004 Ndjamená Ceasefire Agreement and the 9 November 2004 Abuja Security Protocol, **immediately cease conducting offensive military flights in and over the Darfur region**, and invites the African Union Ceasefire Commission to share pertinent information as appropriate in this regard with the Secretary-General, the Committee, or the Panel of Experts established under paragraph 3(b).

Here it should be noted that since passage of **Resolution 1591** in March 2005, Khartoum has conducted *more than 500 confirmed aerial attacks on civilian targets in Darfur*, and countless other offensive aerial attacks on supposed rebel targets.

**Resolution 1706:** although invoking the Security Council’s key mandate (“Determining that the situation in the Sudan continues to constitute a threat to international peace and security”) Resolution 1706 passed only because China agreed to abstain from, rather than veto, the resolution vote—and this only because language was included that “invites the consent of the Government of National Unity for this deployment.” The Government of National Unity was never any such thing, and it was the NIF/NCP that of course peremptorily declined this Security Council “invitation,” delaying the deployment of any substantial civilian protection force for almost a year. And even when Khartoum’s demands concerning the make-up of the force had been fully met (**Resolution 1769**, July 31, 2007), the result was the peacekeeping and civilian protection disaster that is UNAMID.

Khartoum’s obdurate rejection of **Resolution 1706** shows the Security Council at its most impotent, and the chief representative of the Secretariat in Sudan—Jan Pronk—seemed eager to capitulate before the regime’s refusal to abide by a Security Council resolution. The resolution authorized a robust force, designed by the UN Department of Peacekeeping Operations earlier in summer 2006 (it is described in details in paragraphs 8, 9, and 12 of the resolution). It was likely the last moment at which the tide of civilian destruction and displacement might have been turned before the violence became the “*chaos by design*” described by Human Rights Watch in a report with that title (2007).

**Resolution 2003**, July 29, 2011 (passed unanimously 15-0-0):

6. *Demands* that all parties to the conflict, including all armed movements engage immediately and without preconditions to make every effort to reach a permanent ceasefire and a comprehensive peace settlement on the basis of the Doha Document for Peace in Darfur (DDPD), in order to bring a stable and durable peace to the region

14. *Demands* that all parties to the conflict in Darfur immediately end violence, attacks on civilians, peacekeepers and humanitarian personnel, and comply with their obligations under international human rights and humanitarian law;

In each case the “demand” articulated meant nothing to Khartoum and did nothing to change conditions on the ground in fundamental ways. To be sure a full assessment of the performance of UNAMID (**Resolution 1769**) will have to wait; but this will only be a more precise measure of its failure to fulfill the Security Council mandate:

Protect[ing] its personnel, facilities, installations and equipment, and to ensure the security and freedom of movement of its own personnel and humanitarian workers;

**Resolution 2003**, invoking the “Doha Document for Peace in Darfur” (July 2011), is yet another example of Security Council expediency, given the radical shortcomings of the agreement and the dangers that it ignores. Signatories to the “Document” included none of the major rebel groups, and the agreement has been roundly, indeed unanimously rejected by Darfuri civil society, which Khartoum has consistently prevented from participating meaningfully in peace negotiations. Even so, the Security Council, as well as other international actors of consequence, including the U.S. and the AU, has welcomed the Doha accord. This reflects nothing so much as a desire to be done with the challenging political, military, and humanitarian crises that continue to define this brutalized region.

Security Council resolutions concerning Darfur and Sudan have become little more than very expensive fig-leaves and do little to confront the fundamental problem driving crises throughout greater Sudan: the brutal, ultimately genocidal tyranny that has had a monopoly on power and wealth in Sudan for 23 years. For Darfur in particular it is simply too shameful to contemplate how these feeble diplomatic exercises will be regarded in the years following the demise of the current Khartoum regime; for once true forensic and demographic investigations can take place in Darfur, and we will gain an even clearer sense of just how devastating the genocidal counter-insurgency war has been, and what violent chaos has been loosed by the evil of these men. As it is, the Security Council failure to respond meaningfully in Darfur has already sounded the death knell for any meaningful commitment to the “responsibility to protect.”

# **UN Security Council Resolutions Concerning Darfur and Sudan**

## **Resolution 1547, July 11, 2004**

Passed unanimously, 15-0-0

First Security Council Resolution to mention Darfur.

“The Security Council today welcomed Secretary-General Kofi Annan’s proposal 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.”<sup>1</sup>

## **Resolution 1556, July 30, 2004**

Passed 13-0-2, with abstentions from China and Pakistan<sup>2</sup>

6. *Demands* that the Government of Sudan fulfil its commitments to disarm the Janjaweed militias and apprehend and bring to justice Janjaweed leaders and their associates who have incited and carried out human rights and international humanitarian law violations and other atrocities, and further requests the Secretary-General to report in 30 days, and monthly thereafter, to the Council on the progress or lack thereof by the Government of Sudan on this matter and expresses its intention to consider further actions, including measures as provided for in Article 41 of the Charter of the United Nations on the Government of Sudan, in the event of non-compliance.<sup>3</sup>

## **Resolution 1564, September 18, 2004**

Passed 11-0-4, with abstentions from Algeria, China, Pakistan, and Russia<sup>4</sup>

9. *Demands* that the Government of Sudan submit to the African Union Mission for verification documentation, particularly the names of Janjaweed militiamen disarmed and names of those arrested for human rights abuses and violations of international humanitarian law, with regard to its performance relative to resolution 1556 (2004) and the 8 April 2004 N’djamena ceasefire agreement;

10. *Demands* all armed groups, including rebel forces, cease all violence, cooperate with international humanitarian relief and monitoring efforts and ensure that their

members comply with international humanitarian law, and facilitate the safety and security of humanitarian staff.<sup>5</sup>

### **Resolution 1574, November 19, 2004**

Passed unanimously, 15-0-0<sup>6</sup>

11. *Demands* that Government and rebel forces and all other armed groups immediately cease all violence and attacks, including abduction, refrain from forcible relocation of civilians, cooperate with international humanitarian relief and monitoring efforts, ensure that their members comply with international humanitarian law, facilitate the safety and security of humanitarian staff, and reinforce throughout their ranks their agreements to allow unhindered access and passage by humanitarian agencies and those in their employ, in accordance with its resolution 1502 (2003) of 26 August 2003 on the access of humanitarian workers to populations in need and with the Abuja Protocols of 9 November 2004.<sup>7</sup>

### **Resolution 1590, March 24, 2005**

Passed unanimously, 15-0-0

“The Security Council today established, for an initial period of six months, the United Nations Mission in Sudan (UNMIS), which will consist of up to 10,000 military personnel and an appropriate civilian component, including up to 715 civilian police personnel...the Council decided that the mandate of UNMIS will be to support implementation of the Comprehensive Peace Agreement, signed by the Government and rebel forces in January ending their 21-year civil war. The Mission is also tasked with facilitating the voluntary return of refugees and displaced persons; providing demining assistance; and contributing towards international efforts to protect and promote human rights in the Sudan.”<sup>8</sup>

### **Resolution 1591, March 29, 2005**

Passed 12-0-3, with abstentions from Algeria, China, and Russia<sup>9</sup>

6. *Demands* that the Government of Sudan, in accordance with its commitments under the 8 April 2004 N’djamena Ceasefire Agreement and the 9 November 2004 Abuja Security Protocol, immediately cease conducting offensive military flights in and over the Darfur region, and invites the African Union Ceasefire Commission to

share pertinent information as appropriate in this regard with the Secretary-General, the Committee, or the Panel of Experts established under paragraph 3 (b).<sup>10</sup>

### **Resolution 1593, March 31, 2005**

Passed 11-0-4, with abstentions from Algeria, Brazil, China, and the US

“Acting under *Chapter VII* of the United Nations Charter, the Security Council decided this evening to refer the situation prevailing in Darfur since 1 July 2002 to the Prosecutor of the International Criminal Court.”<sup>11</sup>

### **Resolution 1627, September 23, 2005**

Passed unanimously, 15-0-0

“Welcoming the formation of the Government of National Unity as a significant and historic step towards lasting peace in the Sudan, the Security Council today decided to extend the mandate of the United Nations Mission in the Sudan (UNMIS) until 24 March 2006, with the intention to renew it for further periods. Unanimously adopting resolution 1627 (2005), the Council welcomed implementation by the Government of the Sudan and the Sudan People’s Liberation Movement/Army (SPLM/A) of the Comprehensive Peace Agreement (CPA) of 9 January 2005, urging the parties to meet their obligation commitments to the Agreement, including, as a priority, the establishment of the Assessment and Evaluation Commission.”<sup>12</sup>

### **Resolution 1672, April 25, 2006**

Passed 12-0-3, with abstentions from China, Qata, and the Russian Federation

“In a *Chapter VII* action this afternoon, the Security Council decided to impose the travel restrictions and financial sanctions specified in resolution 1591 (2005) on four Sudanese individuals [Major General Gaffar Mohamed Elhassan, Commander of the Western Military Region for the Sudanese Air Force; Sheikh Musa Hilal, Paramount Chief of the Jalul Tribe in North Darfur; Adam Yacub Shant, Sudanese Liberation Army Commander; and Gabril Abdul Kareem Badri, National Movement for Reform and Development Field Commander].”<sup>13</sup>

## **Resolution 1674, April 28, 2006**

Passed unanimously, 15-0-0

“The Council condemned in the strongest terms all sexual and other forms of violence committed against civilians in armed conflict, particularly women and children, and undertook to ensure that all peace support operations employed all feasible measures to prevent such violence and to address its impact where it took place.

[ ]

[The Council also condemned] deliberate attacks against United Nations and associated personnel involved in humanitarian missions, as well as other humanitarian personnel, the Council urged States on whose territory such attacks occurred to prosecute or extradite those responsible. Recalling that the deliberate targeting of civilians and other protected persons in situations of armed conflict was a flagrant violation of international humanitarian law, the Council stressed the importance for all, within the framework of humanitarian assistance, of upholding and respecting the humanitarian principles of humanity, neutrality, impartiality and independence. It urged all those concerned to allow full unimpeded access by humanitarian personnel to civilians in need of assistance in situations of armed conflict, and to make available, as far as possible, all necessary facilities for their operations.”<sup>14</sup>

## **Resolution 1679, May 16, 2006**

Passed unanimously, 15-0-0

“Endorsing yesterday’s decision of the African Union Peace and Security Council on the need for concrete steps to effect the transition in Darfur from the African Union Mission in the Sudan (AMIS), to a United Nations operation, the Security Council called today for the deployment of a joint African Union and United Nations technical assessment mission within one week from today.

By unanimously adopting resolution 1679 (2006) under *Chapter VII* of the United Nations Charter, the Council called on the African Union to agree with the Organization, as well as regional and international bodies and Member States, on requirements now necessary to strengthen the capacity of AMIS to enforce the security arrangements of the Darfur Peace Agreement, with a view to a follow-on United Nations operation in that region of western Sudan. [The Council also urged] those parties that had not signed the Darfur Peace Agreement to do so without delay, and to avoid acting in any way that would impede its implementation.”<sup>15</sup>

## **Resolution 1706, August 31, 2006**

Passed 12-0-3, with abstentions from China, Qatar, and the Russian Federation

“Acting under *Chapter VII* of the United Nations Charter, the Council authorized UNMIS to use all necessary means as it deemed within its capabilities: to protect United Nations personnel, facilities, installations and equipment; to ensure the security and freedom of movement of United Nations personnel, humanitarian workers, assessment and evaluation commission personnel; to prevent disruption of the implementation of the Darfur Peace Agreement by armed groups, without prejudice to the responsibility of the Government of the Sudan; to protect civilians under threat of physical violence; and to seize or collect arms or related material whose presence in Darfur was in violation of the Agreements and the measures imposed by resolution 1556, and to dispose of such arms and related material as appropriate.”<sup>16</sup>

## **Resolution 1713, September 29, 2006**

Passed unanimously, 15-0-0

“Acting under *Chapter VII* of the Charter, the Council, by unanimously adopting...[the resolution] decided to extend until 29 September 2007, the mandate of the four-member Panel of Experts originally appointed pursuant to resolution 1591 (2005), and requested the Secretary-General to appoint a fifth member to the team.

Reiterating its deep concern about the security of civilians and humanitarian aid workers, and humanitarian access to populations in need, the Council called upon all parties in Darfur to cease offensive actions immediately and to refrain from further violent attacks. It also urged those parties that have not signed the Darfur Peace Agreement to do so without delay.”<sup>17</sup>

## **Resolution 1769, July 31, 2007**

Passed unanimously, 15-0-0

“The Security Council *authorized* the deployment of a 26,000-strong joint United Nations-African Union force...[to] be known as UNAMID...The Council, acting under *Chapter VII* of the United Nations Charter, *authorized* UNAMID to take the necessary action to support implementation of the Darfur Peace Agreement, as well as to protect its personnel and civilians ‘without prejudice to the responsibility of the Government of Sudan’.

[ ]

Hailing the Council's decision to deploy the hybrid force, United Nations Secretary-General Ban Ki-moon said Member States must provide every support in order to meet the resolution's ambitious goals. Additional troops must be committed, support systems put in place and command structures established. While Governments knew that took time, 'time is not on our side', he stressed."<sup>18</sup>

## **Resolution 1881, July 30, 2009**

Passed unanimously, 15-0-0<sup>19</sup>

1. Decides to extend the mandate of UNAMID as set out in resolution 1769 (2007) for a further 12 months to 31 July 2010;
2. Underlines the need for UNAMID to make full use of its mandate and capabilities, particularly with regard to (a) the protection of civilians across Darfur, and (b) ensuring safe, timely and unhindered humanitarian access, the safety and security of humanitarian personnel and the protection of humanitarian convoys;
7. *Demands* that all parties to the conflict in Darfur immediately end violence, attacks on civilians, peacekeepers and humanitarian personnel, and comply with their obligations under human rights and international humanitarian law; calls for an immediate cessation of hostilities and for all parties to commit themselves to a sustained and permanent ceasefire; requests the Secretary-General to consult with relevant parties with a view to developing a more effective ceasefire monitoring mechanism; and underlines the need for UNAMID to report on major instances of violence which undermines the parties full and constructive efforts towards peace;
8. Reiterates there can be no military solution to the conflict in Darfur and that an inclusive political settlement and the successful deployment of UNAMID are essential to re-establishing peace; reaffirms its full support for the African Union/United Nations led political process for Darfur and the work of Joint Chief Mediator Mr. Djibrill Yipn Bassol; *demands* that all parties to the conflict, including all rebel groups, immediately engage fully and constructively in the peace process without preconditions, including by entering into talks under the mediation of Mr. Bassol with a view to finalizing a Framework Agreement; welcomes the work of Qatar and Libya in this regard and the support of other countries in the region; calls on UNAMID to support the Joint Chief Mediator and the Joint Mediation Team; and underlines the need for the engagement of civil society, including women and women-led organizations, community groups and tribal leaders in order to create a conducive environment for peace and security through constructive and open dialogue;

12. Expresses its serious concern at the continued deterioration of the humanitarian situation in Darfur, calls for the full implementation of the Communiqué between the Government of Sudan and the United Nations on Facilitation of Humanitarian Activities in Darfur; and *demands* that the Government of Sudan, all militias, armed groups and all other stakeholders ensure the full, safe and unhindered access of humanitarian organizations and relief personnel and the delivery of humanitarian assistance to populations in need;

13. *Demands* that all parties to the conflict in Darfur create the conditions conducive to allowing the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons;

14. *Demands* that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution 1820 (2008); and requests the Secretary-General to develop a comprehensive strategy for providing protection to women and girls from sexual violence and gender-based violence and to ensure that the relevant provisions of resolutions 1325 (2000) and 1820 (2008) are implemented by UNAMID and to include information on this in his reporting to the Council;<sup>20</sup>

## **Resolution 1894, November 11, 2009**

Passed unanimously, 15-0-0<sup>21</sup>

1. *Demands* that parties to armed conflict comply strictly with the obligations applicable to them under international humanitarian, human rights and refugee law, as well as to implement all relevant decisions of the Security Council and in this regard, urges them to take all required measures to respect and protect the civilian population and meet its basic needs;

6. *Demands* that all States and parties to armed conflict fully implement all relevant decisions of the Security Council and in this regard cooperate fully with United Nations peacekeeping missions and Country Teams in the follow-up and implementation of these resolutions;

15. Expresses its intention to: (a) Call on parties to armed conflict to comply with the obligations applicable to them under international humanitarian law to take all required steps to protect civilians and to facilitate the rapid and unimpeded passage of relief consignments, equipment and personnel, (b) Mandate UN peacekeeping and other relevant missions, where appropriate, to assist in creating conditions conducive to safe, timely and unimpeded humanitarian assistance.<sup>22</sup>

## **Resolution 1919, April 29, 2010**

Passed unanimously, 15-0-0

“The Security Council today extended the mandate of the United Nations Mission in the Sudan for one year, until 30 April 2011, with the intention to renew it for further periods if required.

[ ]

Regarding the upcoming referendums in 2011, in which the people of South Sudan could exercise their right to self-determination on their future status, the Council requested that UNMIS be prepared to play a lead role in international efforts to provide assistance to support preparations for the referendums, including an advisory role related to security arrangements. It urged the international community to provide technical and material assistance, including observation capacity. Recalling the parties’ responsibility under the Comprehensive Peace Agreement to pursue efforts to make unity attractive, the Council reaffirmed the Mission’s support for such activities.”<sup>23</sup>

## **Resolution 1922, May 12, 2010**

Passed unanimously, 15-0-0

“The Security Council this morning decided to extend the current mandate of the United Nations Mission in the Central African Republic and Chad (MINURCAT) for just two weeks, until 26 May, while options for a revised mandate are thoroughly considered. [ ]

The proposed mandate, arising from the latest round of discussions between the United Nations and the Chadian Government, aims at safeguarding the advances already made and ensuring their sustainability, while allowing for a gradual and phased withdrawal of the military component.

[ ]

Should the Council decide to adopt a new mandate for MINURCAT, says the Secretary-General, a phased approach will enable the Mission to gradually transit from a *Chapter VII* mandate to a *Chapter VI* mandate and allow for the enhanced United Nations staff security regime to be in place before MINURCAT troops commence their final withdrawal in October.”<sup>24</sup>

Resolution 1923 (May 25, 2010; adopted unanimously) extends the MINURCAT mandate until December 31, 2010, calling for a troop drawdown to “ 1,900 military

personnel in Chad and 300 in the Central African Republic, and 25 military liaison officers,” with final withdrawal to begin on October 15, 2010.<sup>25</sup>

### **Resolution 1935, July 30, 2010**

Passed unanimously, 15-0-0

The Security Council this morning renewed the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) for 12 months while *demanding* that the parties to the conflict in the region immediately end the fighting as well as attacks on civilians, peacekeepers and humanitarian personnel.

[ ]

Expressing deep concern at the recent deterioration in security, including attacks by rebel groups, aerial bombardment by the Government of Sudan, increased inter-tribal fighting and attacks on humanitarian personnel, the Council *demanding* that all parties comply with their obligations under international humanitarian and human rights law, calling on them to commit themselves to a sustained and permanent ceasefire.

The Council *demanding*, in particular, that all parties immediately take all possible measures to protect civilians from sexual violence and create conditions conducive to the voluntary return of refugees and internally displaced persons. Strongly condemning attacks on UNAMID, it underlined that they were unacceptable and *demanding* also that there be no recurrence of such crimes, urging the Government to do its utmost to bring the perpetrators to justice.

The Council also *demanding* that all parties—including all rebel factions—engage fully in the ongoing peace talks under the African Union-United Nations Joint Chief Mediator, with a view to reaching a comprehensive agreement to bring a durable peace to the region. It reaffirmed the importance of promoting the political process for Darfur, led by the African Union and the United Nations, underlining the need for systematic and sustained engagement by all Darfur stakeholders in creating an environment conducive to peace and security ‘through constructive and open dialogue.’”<sup>26</sup>

### **Resolution 1982, May 17, 2011**

Passed unanimously, 15-0-0

“The Security Council this morning extended the Panel of Experts that monitors the

arms embargo and sanctions on those who impede peace in Sudan, particularly in the violence-wracked Darfur region, until 19 February 2012.

Unanimously adopting resolution 1982 (2011) under *Chapter VII* of the United Nations Charter, the Council requested the Panel, which was originally appointed by the Secretary-General pursuant to resolution 1591 in 2005 and is complemented by a travel ban and assets freeze on targeted individuals and organizations, to provide a final report no later than 30 days prior to termination of its mandate to the Council with its findings and recommendations.”<sup>27</sup>

## **Resolution 1990, June 27, 2011**

Passed unanimously, 15-0-0

“Deeply concerned by the violence, escalating tensions and population displacement in Sudan’s Abyei region and recognizing that the situation *demand*ed an urgent response, the Security Council today *authorized* the deployment of a peacekeeping force to the disputed area, which straddles Northern and Southern Sudan and is claimed by both.

[ ] [T]he Council formally established, for six months, the United Nations Interim Security Force for Abyei (UNISFA), which would comprise a maximum of 4,200 military personnel, 50 police personnel and appropriate civilian support. *Authorizing* the use of force to protect civilians and humanitarian workers in Abyei, the Council underscored the imperative for the expeditious deployment of UNISFA and urged Secretary-General Ban Ki-moon ‘to take necessary steps to ensure rapid and effective implementation’ of the resolution.

[ ]

By the resolution, UNISFA would monitor and verify the redeployment of any Sudan Armed Forces, Sudan Peoples Liberation Army or its successor from the Abyei area; ‘henceforth, the Abyei area shall be demilitarized from any forces other than UNISFA and the Abyei Police Service,’ it adds. [ ]

Acting under *Chapter VII* of the United Nations Charter, the Council also *authorized* UNISFA, within its capabilities and its area of deployment, to take the necessary actions to protect United Nations personnel, facilities, installations, and equipment; ensure the security and freedom of movement of United Nations personnel, relief workers and members of the Joint Military Observers Committee and Joint Military Observer Teams; and, without prejudice to the responsibilities of the relevant authorities, ‘to protect civilians in the Abyei area under imminent threat of physical violence.’ [ ]

In a related *Chapter VII* provision, the Council requested the Secretary-General and the Sudanese Government, in consultation with the Government of Southern Sudan or its successor, to conclude a status-of-forces agreement immediately on the safety and security of humanitarian personnel and United Nations personnel, and that until such an agreement was concluded, the arrangement for the United Nations Mission in the Sudan (UNMIS) would apply to UNISFA.”<sup>28</sup>

## **Resolution 1996, July 8, 2011**

Passed unanimously, 15-0-0

“Unanimously adopting resolution 1996 (2011) under *Chapter VII* of the United Nations Charter, the Council established, for an initial period of one year, the United Nations Mission in the Republic of South Sudan (UNMISS), which would consist of up to 7,000 military personnel, 900 police and appropriate civilian support.

[ ]

The Council *authorized* UNMISS to use all necessary means, within its capacity and areas of deployment, to assist the Government of South Sudan, including its military and police, in protecting civilians; to deter violence, including through proactive deployment and patrols in high-risk areas; to protect civilians under imminent threat of physical violence, particularly when the Government was not providing security; and to provide security for United Nations and humanitarian personnel, installations and equipment for the implementation of mandated tasks.

[ ]

The Council *demand*ed, by other terms, that South Sudan and all relevant parties cooperate fully in ensuring the Missions functions, in particular by guaranteeing the safety, security and unrestricted free movement of United Nations and associated personnel.

The Council *demand*ed that all parties—particularly rebel militias and the Lord’s Resistance Army (LRA)—immediately cease all forms of violence and human rights abuses against the civilian population in South Sudan, especially gender-based violence and violations and abuses against children. It called for the Government and the Sudan People’s Liberation Army (SPLA) to renew the action plan signed between the United Nations and the SPLA on 20 November 2009, to end the recruitment and use of child soldiers, which expired in November 2010.

[ ]

By further terms, the Council requested the Secretary-General to transfer to UN-

MISS the appropriate functions performed by the six-year-old United Nations Mission in Sudan (UNMIS), together with the appropriate staff and logistics, on 9 July 2011, and to begin the older Missions orderly liquidation. It further *authorized* him to take the necessary steps to ensure inter-Mission cooperation. In that context, and within the new Missions overall troop ceiling, the Council *authorized* appropriate troop transfers from other missions, subject to agreement by the troop-contributing countries and without prejudice to the implementation of their mandates.”<sup>29</sup>

### **Resolution 1997, July 11, 2011**

Passed unanimously, 15-0-0

“The Security Council today decided to close the six-year-old United Nations Mission in the Sudan (UNMIS) and called on Secretary-General Ban Ki-moon to complete the withdrawal of all its uniformed and civilian personnel, except those needed for its liquidation, by 31 August 2011. [ ]

[T]he Council emphasized the need for an orderly withdrawal of UNMIS following the 9 July termination of its mandate to pave the way for the United Nations Mission in the Republic of South Sudan (UNMISS).”<sup>30</sup>

### **Resolution 1999, July 13, 2011**

Adopted without a vote

“The Security Council today recommended to the General Assembly that the Republic of South Sudan be admitted as a Member of the United Nations, adopting resolution 1999 (2011) without a vote.”<sup>31</sup>

### **Resolution 2003, July 29, 2011**

Passed unanimously 15-0-0<sup>32</sup>

6. *Demands* that all parties to the conflict, including all armed movements engage immediately and without preconditions to make every effort to reach a permanent ceasefire and a comprehensive peace settlement on the basis of the Doha Document for Peace in Darfur (DDPD), in order to bring a stable and durable peace to the region; Council on the roadmap in his next 90-day report;

10. Commends the contribution of troop and police contributing countries and donors to UNAMID; strongly condemns all attacks on UNAMID; underlines that

any attack or threat of attack on UNAMID is unacceptable; *demands* that there be no recurrence of such attacks, stresses the need to enhance the safety and security of UNAMID personnel, as well as the need to bring an end to impunity for those who attack peacekeepers, and in this regard urges the Government of Sudan to do its utmost to bring the perpetrators of any such crimes to justice;

11. Commends the credible work of the Tripartite Mechanism but expresses deep concern at continuing restrictions placed upon UNAMID movement and operations, particularly to areas of recent conflict; calls on all parties in Darfur to remove all obstacles to UNAMID's full and proper discharge of its mandate, including by ensuring its security and freedom of movement; and in this regard, *demands* that the Government of Sudan comply with the Status of Forces Agreement fully and without delay, particularly regarding flight and equipment clearances, the removal of all obstacles to the use of UNAMID aerial assets, and the timely provision of visas for UNAMID personnel; deplores the continued delays in the provision of such visas, which threaten seriously to undermine the ability of the mission to implement its mandate and urges the Government of Sudan to deliver on its welcome commitment to clear the backlog of visa applications; and expresses deep concern that UNAMID national staff members were detained by the Government of Sudan in violation of the Status of Forces Agreement, and *demands* that the Government of Sudan respect the rights of UNAMID personnel under the SOFA;

12. *Demands* that UNAMID be given a licence for its own radio transmitter in line with the provisions of the Status of Forces Agreement, so that it can communicate freely with all Darfuri stakeholders;

14. *Demands* that all parties to the conflict in Darfur immediately end violence, attacks on civilians, peacekeepers and humanitarian personnel, and comply with their obligations under international human rights and humanitarian law; affirms, in this context, the Council's condemnation of serious violations of international humanitarian law and human rights law; calls for an immediate cessation of hostilities and for all parties to commit themselves to a sustained and permanent ceasefire; requests the Secretary-General to consult with relevant parties with a view to developing a more effective ceasefire monitoring mechanism; and underlines the need for UNAMID to report on major instances of violence which undermines the parties' full and constructive efforts towards peace;

15. Expresses its serious concern at the deterioration of the humanitarian situation in some parts of Darfur, the continued threats to humanitarian organisations, and the restricted humanitarian access in Darfur resulting from increased insecurity, attacks against humanitarian workers, denial of access by the parties to the conflict, calls for the full implementation of the Communiqué between the Government of

Sudan and the United Nations on Facilitation of Humanitarian Activities in Darfur, including regarding the timely issuance of visas and travel permits for humanitarian organisations; and *demands* that the Government of Sudan, all militias, armed groups and all other stakeholders ensure the full, safe and unhindered access of humanitarian organizations and relief personnel and the delivery of humanitarian assistance to populations in need and underscores the importance of upholding the principles of neutrality, impartiality and independence in the provision of humanitarian assistance;

18. Stresses the importance of achieving dignified and durable solutions for refugees and internally displaced persons, and of ensuring their full participation in the planning and management of these solutions, *demands* that all parties to the conflict in Darfur create the conditions conducive to allowing the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons or their local integration; notes potentially encouraging reports of some voluntary returns of IDPs to their villages and places of origin, as indicated in the report of the Secretary-General, stresses the importance of the Joint Verification Mechanism in verifying the voluntariness of returns and expresses deep concern over some bureaucratic obstacles that undermine its effectiveness and independence;

22. *Demands* that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution 1820 (2008); and requests UNAMID to report on sexual and gender based violence, as well as to assess progress towards the elimination of sexual and gender-based violence, and further emphasizes the need to include protection to women and children from sexual violence and gender based violence, as part of the mission-wide Protection of Civilians strategy identified in paragraph 3 above, and requests the Secretary-General to ensure that the relevant provisions of resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010) are implemented by UNAMID, including the participation of women through the appointment of women protection advisors, and to include information on this in his reporting to the Council;<sup>33</sup>

## **Resolution 2057, July 5, 2012**

Passed unanimously 15-0-0<sup>34</sup>

5. *Authorizes* UNMISS to use all necessary means, within the limits of its capacity and in the areas where its units are deployed, to carry out its protection mandate as set out in resolution 1996 (2011), paragraphs 3 (b) (iv), 3 (b) (v), and 3 (b) (vi);

7. *Demands* that the Government of the Republic of South Sudan and all relevant

parties cooperate fully in the deployment, operations, and monitoring, verification, and reporting functions of UNMISS, in particular by guaranteeing the safety, security and unrestricted freedom of movement of United Nations personnel, as well as of associated personnel throughout the territory of the Republic of South Sudan and in this regard strongly condemns any attack on UNMISS troops and staff and *demands* that there be no recurrence of such attacks;

10. *Demands* that all parties immediately cease all forms of violence and human rights abuses against the civilian population in South Sudan, in particular gender-based violence, including rape and other forms of sexual violence as well as all violations and abuses against children in violation of applicable international law such as their recruitment and use, intentional killing and maiming, abduction and attacks against schools and hospitals and calls for specific and time-bound commitments to combat sexual violence in accordance with resolution 1960;

20. *Authorizes* the Secretary-General to take the necessary steps in order to ensure inter-mission cooperation, and *authorizes*, within the overall troop ceiling set out at paragraph 1 of resolution 1996 (2011), appropriate transfers of troops force enablers and multipliers from other missions, subject to the agreement of the troop-contributing countries and without prejudice to the performance of the mandates of these United Nations missions.<sup>35</sup>

## **Resolution 2063, July 31, 2012**

Passed 14-0-1, with an abstention by Azerbaijan<sup>36</sup>

[The Security Council,]

Expressing concern about reported links between non-signatory armed groups in Darfur and groups outside Darfur, and *demanding* that any form of direct or indirect external support for such groups ceases,

6. Urges the Government of Sudan and the Liberation and Justice Movement (LJM) to implement the DDPD in full, including by ensuring that the Darfur Regional Authority (DRA), National Human Rights Commission and Office for the Special Prosecutor for Darfur, whose establishment by the signatory parties in accordance with the DDPD is welcome, are resourced and empowered to carry out their mandates, *demands* that the non-signatory armed groups refrain from impeding the implementation of the DDPD; and requests UNAMID to support the implementation of the DDPD, by working closely with the United Nations country team on Disarmament, Demobilization and Reintegration and building the capacity of the police, justice and corrections sectors; and requests UNAMID and the United Na-

tions country team to develop an Integrated Strategic Framework for United Nations system-wide support to the DDPD based on a clear division of labour and taking into account the Darfur Joint Assessment Mission, and requests the Secretary-General to present this Framework to the Council in his next 90-day report;

7. *Demands* that all parties to the conflict, including in particular all the non-signatory armed groups engage immediately and without preconditions to make every effort to reach a permanent ceasefire and a comprehensive peace settlement on the basis of the Doha Document for Peace in Darfur (DDPD), in order to bring a stable and durable peace to the region;

9. Commends UNAMID troop- and police-contributing countries; strongly condemns all attacks on UNAMID; underlines that any attack or threat of attack on UNAMID is unacceptable; *demands* that there be no recurrence of such attacks, stresses the need to enhance the safety and security of UNAMID personnel, as well as the need to bring an end to impunity for those who attack peacekeepers, and in this regard urges the Government of Sudan to do its utmost to bring the perpetrators of any such crimes to justice;

10. Commends the credible work of the Tripartite Mechanism but expresses deep concern at increased restrictions and bureaucratic impediments placed by the Government of Sudan upon UNAMID movement and operations, particularly to areas of recent conflict; calls on all parties in Darfur to remove all obstacles to UNAMID's full and proper discharge of its mandate, including by ensuring its security and freedom of movement; and in this regard, *demands* that the Government of Sudan comply with the Status of Forces Agreement fully and without delay, particularly regarding the movement of patrols, flight and equipment clearances, the removal of all obstacles to the use of UNAMID aerial assets, and the timely provision of visas for UNAMID personnel; deplores the continued delays in the provision of such visas, which threaten seriously to undermine the ability of the mission to implement its mandate; *demands* that the Government of Sudan respect the rights of UNAMID personnel under the SOFA;

11. *Reiterates its demand* that UNAMID be given a licence for its own radio transmitter in line with the provisions of the Status of Forces Agreement, so that it can communicate freely with all Darfuri stakeholders;

13. *Demands* that all parties to the conflict in Darfur immediately end violence, attacks on civilians, peacekeepers and humanitarian personnel, and comply with their obligations under international human rights and humanitarian law; affirms, in this context, the Council's condemnation of serious violations of international humanitarian law and human rights law; calls for an immediate cessation of hostilities and for all parties to commit themselves to a sustained and permanent ceasefire and

underlines the need for UNAMID to report on major instances of violence which undermine the parties' full and constructive efforts towards peace;

14. While noting that the overall humanitarian situation in Darfur has not deteriorated, expresses its serious concern at the fact that it has not improved, and at the threats to humanitarian organizations that persist, and the increased restrictions on humanitarian access in Darfur resulting from increased insecurity, attacks against humanitarian workers, denial of access by the parties to the conflict and bureaucratic impediments imposed by the Government of Sudan, calls for the full implementation of the Communiqué between the Government of Sudan and the United Nations on Facilitation of Humanitarian Activities in Darfur, including regarding the timely issuance of visas and travel permits for humanitarian organizations; and *demands* that the Government of Sudan, all militias, armed groups and all other stakeholders ensure the full, safe and unhindered access of humanitarian organizations and relief personnel, and the delivery of humanitarian assistance to populations in need and underscores the importance of upholding the principles of humanity, neutrality, impartiality and independence in the provision of humanitarian assistance;

21. *Demands* that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution 1820 (2008); and requests UNAMID to report on sexual and gender-based violence, as well as to assess progress towards the elimination of sexual and gender-based violence, and further emphasizes the need to include protection to women and children from sexual violence and gender-based violence, as part of the mission-wide Protection of Civilians strategy identified in paragraph 3 above, and requests the Secretary-General to ensure that the relevant provisions of resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010) are implemented by UNAMID, including supporting the participation of women through the appointment of women protection advisers, and to include information on this in his reporting to the Council.<sup>37</sup>

## **Resolution 2024, December 14, 2011**

Passed unanimously, 15-0-0

“The Security Council today decided to broaden the mandate of the United Nations Interim Security Force for Abyei (UNISFA) to include assistance in that process, including supporting the development of effective bilateral management mechanisms, facilitating liaisons and building mutual trust. [ ] The Council also called upon all Member States, in particular Sudan and South Sudan, to ensure the free, unhindered and expeditious movement to and from Abyei and through the Safe Demilitarized

Zone of all personnel, equipment, provisions, supplies and other goods, including vehicles, aircraft and spare parts, for the Mission's exclusive and official use.”<sup>38</sup>

## **Resolution 2046, May 2, 2012**

Passed unanimously, 15-0-0

“Condemning the repeated incidents of cross-border violence between Sudan and South Sudan, including seizure of territory, support to proxy forces and aerial bombing, the Security Council this morning decided that Sudan and South Sudan must immediately cease all hostilities, withdraw forces, activate previously-agreed security mechanisms, and resume negotiations under threat of sanctions.

Acting under the binding *Chapter VII* of the United Nations Charter in unanimously adopting resolution 2046 (2012), the Council decided that the parties must formally convey their commitments to end hostilities, including aerial bombardments, not later than 48 hours from the adoption of the resolution to the African Union and the Security Council. Within one week, they must activate border security mechanisms, including the Joint Border Verification and Monitoring Mechanism, without prejudice to ongoing negotiations on disputed areas.

Within no more than two weeks, the Council decided in addition, Sudan and South Sudan must unconditionally resume negotiations under the auspices of the African Union High-level Implementation Panel to reach consensus on oil and related payments, the status of nationals of one country residing in the other, demarcation of borders and the final status of the disputed Abyei area. If those negotiations failed to result in agreements within three months, the Council requested the Secretary-General, in consultation with African partners, to report on the status of talks.”<sup>39</sup>

## **Resolution 2063, July 31, 2012**

Passed 14-0-1, with an abstention from Azerbaijan

“Deeply concerned by the recent up-tick in violence and insecurity in parts of Darfur, and clashes between Sudanese Government forces and armed groups, the Security Council today extended [UNAMID] for one year. [ ]

Beyond concern over the renewed fighting between the army and rebel groups, the wide-ranging measure expressed the Council's deep concern over a raft of related issues, including aerial bombardment by the Sudanese Government, inter-tribal fighting and banditry, which continued to threaten civilians.

While noting that the overall security situation had improved since UNAMID's deployment in 2008, the Council nevertheless urged Khartoum and the Liberation and Justice Movement (LJM) to fully implement the Doha Document for Peace in Darfur, and *demand*ed that all parties to the conflict, particularly all non-signatory armed groups, immediately and without preconditions, make every effort to reach a permanent ceasefire and comprehensive settlement based on the Darfur accord, in order to bring a stable and durable peace to the region.

The Council underlined the need for UNAMID 'to make full use of its mandate and capabilities,' giving priority in its decisions and use of available capacity and resources to the protection of civilians across Darfur, 'including through the implementation of a mission-wide early warning strategy, proactive military deployment and increased patrols in high risk areas.' Emphasizing UNAMID's *Chapter VII* designation—which allows the joint operation to take the necessary action to prevent armed attacks—the Council urged the operation to deliver its core task to protect civilians without prejudice to the responsibility of the Sudanese Government.”<sup>40</sup>

## Notes

- 1 Press Release: SC/8120
- 2 Press Release: SC/8160
- 3 [S/RES/1556 \(2004\)](#)
- 4 Press Release: SC/8191
- 5 [S/RES/1564 \(2004\)](#)
- 6 Press Release: SC/8249
- 7 [S/RES/1574 \(2004\)](#)
- 8 Press Release: SC/8343.
- 9 (Press Release: SC/8346
- 10 [S/RES/1591 \(2005\)](#)
- 11 Press Release: SC/8351.
- 12 Press Release: SC/8509.
- 13 Press Release; SC/8700.
- 14 Press Release: SC/8710
- 15 Press Release: SC/8721
- 16 Press Release: SC/8821
- 17 Press Release: SC/8845
- 18 Press Release: SC/9089
- 19 <http://www.unhcr.org/refworld/country,,,RESOLUTION,SDN,,4a76a0aa2,0.html>
- 20 [S/RES/1881 \(2009\)](#)
- 21 <http://www.unhcr.org/refworld/docid/4b0550d42.html>
- 22 [S/RES/1894 \(2009\)](#)
- 23 Press Release: SC/9916
- 24 Press Release: SC/9926
- 25 Press Release: SC/9935
- 26 Press Release: SC/9997
- 27 Press Release: SC/10253
- 28 Press Release: SC/10298

- [29 Press Release: SC/10314](#)
- [30 Press Release: SC/10317](#)
- [31 Press Release: SC/10322](#)
- [32 Press release: SC/10349](#)
- [33 S/RES/2003 \(2011\)](#)
- [34 Press release: SC/10701](#)
- [35 S/RES/2057 \(2012\)](#)
- [36 Press Release: SC/10735](#)
- [37 S/RES/2063 \(2012\)](#)
- [38 Press Release: SC/10484](#)
- [39 Press Release: SC/10632](#)
- [40 Press Release: SC/10735](#)