

COMPROMISING WITH EVIL

AN ARCHIVAL HISTORY OF GREATER SUDAN, 2007 – 2012

SECTION 1

Darfur and “Genocide by Attrition”

Part A

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Preface to Section One

To understand how security in Darfur has deteriorated so completely, and why, despite almost nine years of international awareness of the acute threats to civilians, humanitarian access is so limited, one must understand the politics and diplomacy that have produced one expedient decision after another. Instead of deploying a robust UN peacekeeping force, with a primary mandate to protect civilians, the world allowed a small African Union force (the African Union Mission in Sudan, or AMIS) to take on the entire burden of overseeing security for over three years. In fact, all AMIS could do was to give the international community a sense of both the scope of continuing violence against civilians and the genocidal character of the destruction. It had virtually no deterrent effect against the attacks of either Khartoum and its Arab militia proxies or the rebel groups (although the latter rarely attacked civilians early in the war).

Although a meaningful UN peacekeeping force was authorized in August 2006 (UN Security Council Resolution 1706), the authorization came with a critical caveat: deployment would occur only if Khartoum accepted the Security Council “invitation” to allow the force into Darfur. Khartoum declined, producing nine months of international negotiations about what sort of force the regime would accept. The result was a “hybrid,” as it was referred to—a joint UN/African Union Mission in Darfur (UNAMID).

UNAMID is now in the process of beginning to draw down its forces, claiming security has improved sufficiently to allow for such a reduction in personnel. There is no evidence to support this claim—indeed, violence against civilians and humanitarian operations has accelerated dramatically in July and August 2012—but as the world’s largest and most expensive UN peacekeeping operation, UNAMID has clearly not been cost-effective in the broadest context of UN peacekeeping (indeed, it never managed to reach 90 percent of its authorized strength). The African Union, including the present and past heads of UNAMID, as well as the African Union Peace and Security Council, are desperate that UNAMID not be seen as the failure it so conspicuously is. As the AU’s first ever peacekeeping mission, UNAMID will define the history and prospects for future missions, and an honest account of its performance is called for.

Had UNAMID been expeditiously deployed with the adequate resources, the mission could have improved security for aid workers and IDPs. Specifically,

UNAMID could have prevented Khartoum from continuing its long-planned campaign to empty the camps; protected the IDP camps from external assault by the *Janjaweed* and Khartoum's regular military forces; provided both security for returning displaced persons and a growing police presence within the camps; and restored authority to traditional tribal leaders. The mission as proposed also had the strength to protect convoys, especially those of the UN World Food Program, as well as the ability to participate directly and vigorously in monitoring any renewed cease-fire agreements between Khartoum and rebel groups.

UNAMID shortcomings and failures bear critically on the diminishing capacity and access of humanitarian organizations that have to date prevented total catastrophe in Darfur. Their presence is increasingly threatened: organizations continue to face threats, violence, severe denials of access, and bureaucratic obstructionism on the part of Khartoum. The full consequences of this war of attrition against international relief efforts have been increasingly difficult to measure since the regime's expulsion of thirteen of the world's finest humanitarian organizations on March 4, 2009. Khartoum has made the promulgation of data and reports on humanitarian conditions almost impossibly difficult, largely through intimidation and denial of resources. Among other tasks, this section attempts to provide a running account of humanitarian conditions in Darfur at key junctures.

This first part of Section One attempts to give a sense of just how UNAMID came to be accepted as an adequate response to what then-UN humanitarian chief Jan Egeland called "the world's greatest humanitarian crisis"—one clearly marked by "ethnic cleansing." The largest editorial challenge has been selecting those contemporaneous analyses that best suggest the profound connection between human security and humanitarian conditions. This requires a sharp focus on how UNAMID came to be deployed as a successor to AMIS, what assessments of the force were made at the time of deployment, and what options were available to strengthen this first peacekeeping effort by the new African Union, which dominates the leadership and make-up of UNAMID personnel. UNAMID officially took up its mandate on January 1, 2008, and almost immediately began to show critical weaknesses. Its performance over the past four and a half years is reflected in the following analyses, beginning in December 2007.

Views from November 2007 and August 2012

As violence escalates and humanitarian access is at its most attenuated, the July 2012 decision to draw down the police and troop components of UNAMID, made by the UN Department of Peacekeeping Operations and the African Union, needs to be understood in historical context. Part of this context is the view of Darfuris, which I have attempted to render as fully as possible throughout this section. There was no more perspicuous account of what UNAMID represented when authorized in July 2007 than that offered by the distinguished physician Dr. Mohamed Ahmed Eisa, formerly director of the Amal Center in Nyala for treatment of victims of torture and rape. His assessment is an appropriate starting point. In November 2007, shortly before UNAMID took up its mandate, Dr. Mohamed received the Robert F. Kennedy Human Rights Award for his work with the Amal Center and on accepting the award, he spoke forcefully about what a peace support operation in Darfur required in the face of “the final phase of the Sudanese government’s plan to exterminate the African tribes of Darfur:”

During the past few months, there has been an absolute deterioration in the conditions in the Internally Displaced Persons [IDP] camps. There are many people who are now out of reach of humanitarian aid. In the hospital, we are seeing more cases of malnutrition and infectious diseases we have not seen in a long time, such as polio, measles and tuberculosis.

In July [2007] the United Nations passed a resolution to send an international peacekeeping force to Darfur with a strong mandate to protect the people who continue to be attacked by government forces and local militias. Soon after that, the government of Sudan announced to local media that by the time the peacekeeping forces arrive, no IDPs will be left for them to protect. For the past several months since the UN resolution, the Sudanese government has begun to carry out a campaign to forcibly empty the IDP camps. It is testing the international community, and intends to embarrass it once again.

The government has used a two-part strategy to liquidate the IDP camps. First, it has targeted humanitarian organizations so that they will leave... These groups cannot tolerate the deteriorating security conditions, and many have been forced to leave or halt their activities. Their withdrawal creates a disastrous situation, because the civilians depend almost completely on aid from these groups for survival.

The second part of the government's strategy is to attack the people in the IDP camps. Within the past few weeks, government forces have killed people in several different camps. They kill people to intimidate the rest of the survivors in the camps, and also to test whether the international community will respond. In addition to killing, they are using violence or the threat of violence to force others to leave the camps. In the last two weeks, at a camp near Nyala [South Darfur] ... approximately 1,000 IDPs were forced onto trucks at gunpoint and were dumped in the outskirts of the city. Some people have been removed to locations that the African Union forces are prohibited from visiting, so we cannot know their fate. Just two days ago, while I was here, the Kalma camp was surrounded by government forces. We do not know the fate of these people because all lines of communication have been cut.

This is a moment of great possibility and hope. The hybrid UN-African Union forces that are due to be deployed early next year are authorized with a strong mandate to protect civilians. But if the international community does nothing to provide the equipment they need to do their jobs, the result will be absolute disaster—we will have another Rwanda.¹

This grim assessment has proved all too prescient. The full hybrid force that Dr. Mohamed describes failed to deploy, and the hope he speaks of has been crushed by UNAMID's failures and the displacement and destruction that have come in their wake. As the security situation continues to deteriorate and the attacks against humanitarians intensify, the mission that placed the protection of civilians as its core mandate instead has borne witness to increasingly destructive and chaotic violence.

Contemporaneous Analyses

November 2005: AMIS—A Disastrous Precedent

The failures of UNAMID grow out of the radical shortcomings of the preceding African Union Mission in Sudan (AMIS). A close look at the performance of AMIS should have done more to alert the UN Department of Peacekeeping Operations that the AU was far out of its depth in a mission as complex as providing security for

civilians and humanitarians in Darfur. Indeed, many of the personnel of UNAMID were simply re-hatted members of AMIS, with all the same limitations and deficiencies in equipment, training, transport, and logistics. The decision to build UNAMID on AMIS grew out of expediency, not peacekeeping or security logic.

By late 2005 the problems in relying on AU forces were clear. In Rwanda in 1994, the international community had abandoned the clear civilian targets of genocidal destruction, leaving in place only an inadequate remnant of the UN Assistance Mission for Rwanda (UNAMIR).² A decade later in Darfur, the international community chose to rely exclusively on a similarly inadequate African Union observer force to provide human security amidst uncontrolled and accelerating violence. The AU was no more capable of halting the ongoing destruction of primarily African tribal populations than UNAMIR was able to halt the Interahamwe or deter the Hutu extremists of the Rwandan government and military. Yet as a report from Refugees International (RI) reveals, as of November 2005 Darfuri civilians had only the African Union Mission in Darfur to protect them—despite international leaders’ endorsement of their “Responsibility to Protect” precisely such civilians from genocide, war crimes, ethnic cleansing, and crimes against humanity.³

Although this and other reports offer implicit indictments of the international community, the fundamental failings of the AU itself also deserve attention. In 2005, AMIS already faced a highly unstable context for action: Khartoum was seeking to preserve violent conflict, even at lower levels, in order to change the fundamental economic, political, and demographic realities in Darfur. As reported in a document cited by a Brookings Institution/Bern University analysis (BR):

A document seized from a *Janjaweed* official that appears to be genuine orders all commanders and security officers in Darfur to “[c]hange the demography of Darfur and make it void of African tribes.” The document goes on to encourage “killing, burning villages, farms, terrorizing people, confiscating property from members of African tribes and forcing them from Darfur.”⁴

The *Janjaweed*’s role as a proxy force for Khartoum’s NIF/NCP lies at the center of all security issues in the region. None of the reports here reviewed, however, offers the slightest evidence that the AU contemplated, or had the means for, addressing this root cause of insecurity in Darfur.

Indeed, despite these extremely daunting security demands, the AU Peace and Security Council committed to the Darfur mission with considerable—if wholly

unjustified—confidence. Even as AU shortcomings became increasingly clear following initial deployment, AU officials insisted on their ability to “impose peace.”⁵ Ultimately, the character of the AU military mission in Darfur is a reflection of political failure—the unwillingness of AU leadership to confront Khartoum in any meaningful way on the essential issues of mandate for the mission, force and material requirements for the mission, and the NIF/NCP’s own complicity in Darfur’s genocide, including support for the *Janjaweed* militias most responsible for insecurity and ethnically-targeted human destruction.

Though the enhanced mission would eventually consist of 3,320 personnel (2,241 military, including 450 military observers, and 815 civilian police), there was only the very narrowest provision for protection of civilians: AU forces can “protect civilians whom it encounters under imminent threat and in the immediate vicinity, within resources and capability, it being understood that protection of the civilian population the responsibility of the government of Sudan.”⁶

So long as the AU has no mandate to protect civilians or humanitarians, so long as the AU cannot confront or preempt the *Janjaweed* in its brutal predations, Khartoum will not object to larger numbers of personnel. Moreover, the relatively lightly armed AU mission can always be intimidated in a particular encounter with hostile elements. 2005 saw an escalating series of attacks on the AU mission, which the RI report suggests represented attempts to “test” the AU

to see if it is a force to be ignored or respected. As [the AU mission] is tested and found ineffective due to resource, training, and mandate constraints, their deterrence factor will decline and they will more often become targets, as will civilians under their protection. [] Unless this situation is remedied, the violence will thus likely grow in Darfur with more and more civilian and AU casualties.⁷

To date, at least 38 UNAMID troops have been killed and many more wounded. Much of this is a function of inadequate understanding of the mission mandate and rules of engagement.

RI also points out that “the Government of Sudan forces (and the other groups to a lesser extent) have weapons with much greater capabilities than the small arms carried by [the African Union].”

The limited military and transport capabilities that the AU has are often compromised by Khartoum, which has systematically denied reliable fuel resources for

AU helicopters, and imposed gratuitously burdensome restrictions on helicopter pilots. This is crucial, since helicopters are typically the only means by which the AU forces can move rapidly over the great distances of Darfur. Khartoum has even been emboldened to the point of denying such critical equipment such as 105 Armored Personnel Carriers loaned by Canada in June 2005 because the AU has demonstrated it has no political will to confront Khartoum's *génocidaires*.

Additionally, the AU has neither the ability nor the potential capacity—even with substantial transport, logistic, and equipment aid—to protect the vulnerable civilians and humanitarian operations in Darfur. AMIS was severely handicapped in its communications abilities—both in terms of language and cultural barriers and communications and communications monitoring equipment, badly reducing force efficiency and effectiveness. The BR military assessment highlights some of the key deficiencies in AMIS communications abilities: AMIS lacks “fast warning of imminent attack,” “continuous, all-source, and real-time intelligence,” the “ability to distinguish among combatants,” and the “flexible command and control of distributed forces.”⁸ BR also notes that AMIS Civilian Police “suffer from severe communications problems, which, if anything, are worse than AMIS military must endure. [] One AMIS police sector cannot communicate directly with another.”⁹ The report continues:

The AU only belatedly realized the importance of stationing competent, well-trained police officers in and near the IDP camps...The AU had never had a police component before. They had no operational plan or recruiting criteria. The UN Civilian Police Division in the Department of Peacekeeping Operations offered a concept of operations and guidelines on recruiting, training, logistics and deployment. The UN even shared its roster of African police that had peacekeeping experience, but the AU did not take advantage of this valuable resource...AMIS police, who are not armed, arrived slowly and it was only in February 2005 that a significant number started to deploy. Coming from many different countries with different policing traditions, forging a unified team is difficult...Their expertise and experience is not what is required for such a difficult mission.¹⁰

The intelligence capabilities of the AU are also disastrously weak. Human intelligence, aerial and ground surveillance, intercept capability, and analytic capacity are virtually non-existent. RI notes,

Even when AMIS does collect valuable information, RI was told by AMIS officers and advisors that there is a lack of suitably trained per-

sonnel capable of analyzing this information for intelligence value, which hinders any given commander's ability to react.¹¹

An appropriate intelligence capacity cannot be “airlifted” to AMIS by NATO or the EU; it cannot be “purchased” along with appropriate equipment. In this crucial arena, AMIS will be crippled so long as it insists on sole control of the mission in Darfur. Security challenges in Darfur have given the small AU force the task of protecting an enormous and widely scattered civilian population, large and acutely vulnerable rural populations not yet internally displaced, and the more than 12,000 humanitarians in Darfur (including over 1,000 international aid workers), who are increasingly the targets of attacks by the *Janjaweed*, insurgency groups, opportunistic armed gangs, and “banditry” orchestrated by Khartoum's intelligence services.¹²

As Jan Egeland, head of the UN Office for the Coordination of Humanitarian Affairs, said, “my warning is the following: if [insecurity] continues to escalate, if it continues to be so dangerous on humanitarian work, we may not be able to sustain our operation for 2.5 million people requiring lifesaving assistance...It could all end tomorrow—it's as serious as that.”¹³

In the almost two months since Egeland made this warning, however, security continued to deteriorate rapidly. UN High Commissioner for Refugees, Antonio Guterres, declared in a brutally frank assessment of security in Darfur that the “*AU peace force was hopelessly under-manned, under-equipped, and the world appeared to have lost interest.*”¹⁴

December 2007: Operations before UNAMID and the decision to deploy

In a grim irony, UNAMID has its headquarters in el-Fasher, North Darfur, where in April 2003 rebel forces led a successful attack against the largest government military base in Darfur. The attack was the culmination of a string of rebel victories in western Sudan, and following this humiliating loss, the NIF/NCP regime unleashed an avalanche of violence by both regular and Arab militia forces.

April 2003 was also a turning point in what was already the longest civil conflict on the African continent—a war that had escalated into one of the greatest mass atrocities of the past century. The 1983–2005 civil war between Khartoum and the Sudan People's Liberation Movement/Army resulted in the deaths of more than two million people, overwhelmingly African civilians in the South and in the border regions of Blue Nile and South Kordofan; victims were disproportionately women

and children. A signature feature of NIF/NCP conduct during the war was the denial of humanitarian aid to huge conflict areas, including all the Nuba Mountains of South Kordofan in what is now northern Sudan.

In a continuation of the tactics that defined Khartoum's waging of war in the South, the new violence prompted by the el-Fasher attack was not directed against the rebels, but rather against the essentially defenseless African civilians and villages (primarily those of the Massalit, Fur, and Zaghawa) that were perceived as the rebels' base of support. Ultimately, hundreds of thousands were killed or died as a result of violence [see **Annex III**]. Millions more were violently displaced—an estimated 2.5 million people, according to figures offered by the UN Office for the Coordination of Humanitarian Affairs.¹⁵ This figure does not include the almost 300,000 who have fled to eastern Chad, nor those displaced but not in refugee camps. The evolution from this 2003–2005 phase of the conflict into today's "genocide by attrition" is discussed below.

By July 2006 the ongoing attacks on civilians and humanitarian workers led then-Secretary General Kofi Annan to task the UN Department of Peacekeeping Operations with drawing up plans for an effective protection force for Darfur, capable also of working to seal the borders with eastern Chad and Central African Republic in order to staunch the flow of genocidal violence into these countries. The mission proposal was contained in UN Security Council Resolution 1706, passed on August 31, 2006. It called for deployment of 22,500 UN troops, civilian police, and Formed Police Units.

The force was to deploy "rapidly" under Chapter VII of the UN Charter, which confers enforcement authority, with an explicit mandate to protect civilians as well as humanitarians and humanitarian operations. The force was also to establish a "multidimensional presence" to "improve the security situation in the neighboring regions along the borders between the Sudan and Chad and between the Sudan and the Central African Republic." Urgently and robustly deployed, such a force could have done much to avert massive human displacement and destruction.

Instead, by mid-May 2007—eight and a half months after passage of Resolution 1706—fewer than 200 UN technical personnel had deployed to assist the African Union force, the only international military presence then charged with protecting some 4.5 million conflict-affected civilians in the greater humanitarian theater of Darfur and eastern Chad. Some 2.4 million people have been displaced within this ravaged region—almost 400,000 since the passage of Resolution 1706.¹⁶ Tens of thousands of innocent civilians have died in this unconscionably long period of inaction, in addition to the hundreds of thousands who have already perished.

Yet in early September 2006 Jan Pronk, Annan's special representative for Su-

dan, capitulated almost immediately before Khartoum's refusal to accept deployment of the authorized force. In the wake of such capitulation, and as a consequence of the international community's failure to confront Khartoum forcefully—that is, threatening real consequences for non-compliance with Resolution 1706—talk turned to an “African Union-Plus” force as a substitute for the UN operation. This led to yearlong, deferential discussions with Khartoum about a “hybrid” African Union/UN force—the origins of the presently authorized UNAMID mission.

The “hybrid operation” concept first received consideration in Addis Ababa (November 16, 2006), where a three-phase mission was proposed. Notably, this was not a signed agreement, and several critical issues were left undecided. The evident conviction was that Khartoum would eventually accept UN terms of reference for each of the three phases: the “light support package” for the existing AU mission (some equipment and approximately 180 personnel); the “heavy support package” for the AU; and ultimately a large force of some 20,000 troops and civilian police.

But subsequent discussions never moved past phase two, and a March 2007 letter from NIF/NCP President Omar al-Bashir made clear that international assumptions about Khartoum's willingness to see meaningful improvements in security for civilians and humanitarians in Darfur were misguided. In the letter, al-Bashir insisted that

Our understanding of the UN support packages is that the UN will provide technical, logistical, financial expertise, and civil and military consultants with ranks below that of the military commander appointed by the African Union. In phase three, the AU forces implementing that phase, in terms of control or command, must remain forces of the African Union, supported by the UN as per the two [initial support] packages.

Contemporaneous Associated Press reports from the UN, however, stated that the second phase of UN assistance to the AU would consist of the deployment of “more than 3,000 UN military, police and civilian personnel, along with substantial aviation and logistical assets.” And the *Sudan Tribune* reported that

the spokesman for the ministry of foreign affairs, Ali al-Sadiq, said...[that] the second package would cost 45 million dollars which the UN had pledged to provide. Al-Sadiq said the second package involved between 400 and 500 experts and technicians and would take between two to three months to implement.¹⁷

Similar misunderstandings and miscommunications surrounded the question of the UN/AU hybrid force, as various international actors were content to pretend that Khartoum had agreed. In fact, post-Addis Ababa, Khartoum insisted that it had agreed only to a UN/AU “hybrid operation,” which would not include international or non-AU troops. The disconnect in basic assumptions was at times striking: the UN News Service declared that “[Secretary General] Ban’s Special Envoy for Darfur Jan Eliasson noted to reporters yesterday that the Sudanese had accepted in principle the hybrid force” (March 7, 2007).

Yet the Sudan Media Center, representing the views of the Khartoum regime, reported:

Presidential press advisor Mahjoub Fadul Badri told [the Sudan Media Center] that government has agreed on hybrid operations with UN and AU in Darfur and not hybrid forces. That means that there is [the] possibility of international technicians, experts and instructors without deployment of armed troops.¹⁸

And a February 1, 2007 UN Bulletin for Sudan reports an even more divergent view:

On 31 January [2007], local media reported that Presidential Assistant [Nafi’e Ali] Nafi’e reiterated Government of Sudan rejection of any form of what he described as “evil” colonization, saying that the Government of Sudan will categorically refuse deployment of foreign troops regardless of the helmet they wear.

These last two comments—one for international, the other for domestic consumption—are consistent with many other remarks made by the most senior members of the National Islamic Front/National Congress Party, including President al-Bashir. There was no wavering, and certainly nothing that amounted to what Eliasson called an acceptance “in principle [of] the hybrid force.”

Although it was clear well before the letter from al-Bashir that Khartoum had no intention of facilitating or even allowing for significant changes in the current security dynamic in Darfur, international officials such as US Special Envoy for Sudan Andrew Natsios professed themselves “stunned” at its contents.¹⁹

The international community continued its deferential diplomatic colloquy with Khartoum following Addis Ababa until April 2007, five months after talks began and seven months after passage of Resolution 1706, when the regime finally agreed “in principle” to a “hybrid” UN/AU force. It would take another three months for passage of Resolution 1769 on July 31, 2007 authorizing the force that has come to be known as UNAMID.

December 22, 2007: The Year of Authorization

There can be little doubt that the peace support operation authorized by UN Security Council Resolution 1769 is inadequate for the immensely challenging tasks of civilian and humanitarian protection in Darfur. The force has neither the mandate nor resources required for such a difficult mission, and it suffers from a confusingly “hybrid” design, which has serious implications for the command structure of the mission. The security environment in Darfur has deteriorated dramatically since the passage of UN Security Council Resolution 1706 (August 2006), which authorized a robust force that, as mentioned above, failed to deploy—a first in UN history.

A similar fate may very well befall UNAMID. Deployment has been virtually paralyzed by the Khartoum regime’s calculated obstructionism and by the refusal of militarily capable nations to supply critically needed tactical and transport helicopters, as well as ground transport capacity. The likelihood of successful deployment has diminished on a daily basis since the Resolution’s initial passage almost five months ago. And the longer Khartoum delays meaningful deployment, the greater the chances for the mission’s outright failure—or, just as likely, a decision by the UN to abort the mission entirely rather than risk such failure. As Jean-Marie Guéhenno, the UN’s head of peacekeeping operations, asked on November 26, 2007:

Do we move ahead with the deployment of a force that will not make a difference, that will not have the capability to defend itself and that carries the risk of humiliation of the Security Council and the United Nations and tragic failure for the people of Darfur?

Guéhenno’s question forces another: is there an alternative to UNAMID if we are serious about protecting civilian lives in Darfur? Is there another way for the international community to provide security for the humanitarian organizations on the verge of withdrawing from Darfur, due to the absence of a force capable of protecting their personnel and operations from relentlessly increasing violence? Tragically

for the people of Darfur, there is not. Nor is there any chance that a peace settlement will be reached in time to diminish the challenges the “hybrid” UN/African Union force. Laurie Nathan, an advisor to the African Union during the ill-fated Abuja peace talks, which culminated in the failed Darfur Peace Agreement, discussed put the matter with insight and appropriate force:

The UN and the AU insist there is no military solution to the Darfur crisis. They contend that any solution has to be political, in the form of a negotiated settlement. At the very least, the long anticipated deployment of a peacekeeping force requires a ceasefire agreement so that there is a peace to be kept.

While this argument might be correct in principle, it is tragically wrong in practice. A negotiated settlement for Darfur is out of reach. In the absence of clear political agreement, there are only two strategies that hold any prospect of providing relief to the people of Darfur: a robust peace operation that vigorously provides protection to civilians, and concrete pressure on Khartoum to abstain from violence.

This was obvious in 2006, it remains obvious today and it will be no less obvious in 2008. The question that matters most now is whether the UN and the AU have the stomach to pursue these strategies.²⁰

The desperate plight of humanitarian organizations should be borne in mind when discussing the need for civilian security in Darfur. Organizations have begun to draw down their key staff in significant numbers, even as more than 4.2 million people in Darfur are defined by the UN as “conflict-affected” and in need of humanitarian assistance. Many civilians are completely dependent upon aid organizations for food, clean water, shelter, and primary medical care. Particularly in South Darfur and West Darfur, the already terrifying security situation continues to move toward a total meltdown. Oxfam International, one of the largest and most important of the nongovernmental humanitarian organizations operating in Darfur, is close to withdrawing. Oxfam spokesman Alun MacDonald puts the matter bluntly:

“Our staff are being targeted on a daily basis. They are being shot, robbed, beaten and abducted...We can’t use the roads, we have to fly to the majority of our programme locations. In terms of actual violence against aid workers, seven were killed in October.” The security situation, [MacDonald] insisted, “is the worse since the entire conflict began by a considerable way...We can get staff to Darfur then they can’t

move, they can't get to the villages and the camps. These aren't conditions we can keep working in." he says. If aid organisations like Oxfam were forced to pull out of Darfur, the consequences for the four million people who rely on such agencies to survive would be unthinkable. Yet with 75% of the region's roads now too dangerous for them to use, that possibility grows by the day.²¹

In West Darfur, a leading nongovernmental humanitarian organization has also ended all travel for its workers (through at least the New Year) as carjacking reaches unprecedented levels.

Morale among humanitarians in South Darfur has plummeted, partly because of an acute reduction in humanitarian access and a sharp increase in violence against humanitarians. During his recent trip to Darfur, UN undersecretary for humanitarian affairs John Holmes saw "a UN map show[ing] about half of South Darfur had limited access for aid and large swathes were completely no-go."²² Hundreds of thousands of vulnerable human beings cannot be reached. South Darfur—in particular, the Nyala area—is the focus of the regime's efforts to expel displaced populations from the camps where they receive some humanitarian assistance and protection from *Janjaweed* militias. The lead UN humanitarian in South Darfur, Wael al-Haj-Ibrahim, was expelled from his position by Khartoum on November 7, 2007 for opposing these forced expulsions of civilians.

Violence Directed Against Civilians

Violence directed against civilians continues, if not at the same levels that marked the height of genocidal destruction from late 2002 through early 2005. Ethnically-targeted killing also continues, as the fall 2007 attacks on the towns of Muhajeriya (South Darfur) and Haskanita (North Darfur) revealed. The *New York Times*, on the basis of highly informed sources on the ground, reported on the aftermath of an attack on Muhajeriya, east of Nyala on October 17, 2007.

[W]itnesses said Sudanese government troops and their allied militias had killed more than 30 civilians, slitting the throats of several men praying at a mosque and shooting a 5-year-old boy in the back as he tried to run away. According to several residents of Muhajeriya, a small town in southern Darfur, two columns of uniformed government troops, along with dozens of militiamen not in uniform, surrounded the town around noon on October 8, [2007] and stormed the market.

Muhajeriya was a stronghold of one of Darfur's many rebel factions, but witnesses said that there were few rebels there at the time and that government forces turned their guns—and knives—on civilians. Ayoub Jalal, a mechanic, said his father was praying at a mosque when soldiers burst in. "They dragged my father and the others out of the mosque and slashed their throats," said Mr. Jalal, who was interviewed by telephone.

Both the United Nations and the African Union said that dozens of civilians had been killed and that witnesses had consistently identified the attackers as government soldiers and allied gunmen. However, neither entity said it could independently verify who was responsible. The Sudanese government denied any involvement, but witnesses said uniformed troops methodically mowed down anyone who tried to escape, including a group of fleeing children.

The viciousness of the attack, as described by the witnesses and corroborated by aid organizations working in the area, seemed reminiscent of the early days of the conflict in Darfur, when government troops and allied militias slaughtered thousands of civilians, according to human rights groups.²³

In short, this was an attack on an African civilian population by Khartoum's regular and *Janjaweed* militia forces—an attack entirely in character with violence that occurred during the earlier years of the genocide:

James Smith, chief executive of the Aegis Trust, a British anti-genocide group working in the region, said villagers in Muhajeriya "confirmed to us that government and *Janjaweed* forces deliberately attacked unarmed civilians," referring to the Arab militias that are aligned with the government. Solidarités, a French aid organization that distributes food in the area, said three Sudanese aid workers were killed in the attack. In a report, it also said that "many people are wounded and need medical assistance [] Many houses and shops have been looted," it said. "Many families lost everything." In separate interviews, several residents said they watched soldiers cart away their property in government trucks. [] "All the IDPs," internally displaced persons, "believe it was a joint government-militia operation," said Radhia Achouri, a United Nations spokeswoman.²⁴

There are some who, invoking an attenuated version of the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide, argue that genocide is

no longer occurring in Darfur. But it is not only attacks such as that on Muhajeriya that undermine such claims. The Genocide Convention stipulates as genocidal those acts “deliberately inflicting on [national, ethnical, racial or religious groups] conditions of life calculated to bring about [their] physical destruction in whole or in part.” Earlier violence in Darfur, orchestrated by the Khartoum regime, destroyed the livelihoods of millions from non-Arab or African tribal populations. Such violence continues, if on a lesser scale because of the comprehensiveness of former destruction.

In this context, then, Khartoum’s deliberate and well-documented compromising of humanitarian aid extends the regime’s previous violent efforts to “deliberately [inflict] conditions of life calculated to bring about the physical destruction” of African tribal populations. Khartoum’s efforts to impede and delay humanitarian assistance have been sustained, systematic, and sanctioned by the upper reaches of the National Islamic Front hierarchy. Similarly condoned are the regime’s efforts to compel the return of displaced persons who lack both security and the wherewithal to sustain agricultural life; this represents a further extension of genocidal violence, and one that appears to be accelerating dramatically.

Genocide is not simply equivalent to violent mass ethnic slaughter, and the terms of the Genocide Convention continue to be appropriate in characterizing the actions and ambitions of Khartoum’s *génocidaires*.

Those Who Would Argue Against UNAMID

Given the skepticism about whether there is any point to deploying UNAMID, in the face of Khartoum’s clearly prevailing genocidal ambitions, it is important to see what arguments against the idea of trying to secure full and unimpeded access to Darfur for a UN-authorized protection force entail. Even as the success of such a force is increasingly unlikely, with millions of civilian lives at stake, the only alternative to UNAMID is acquiescence.

Some of the arguments against deployment of UNAMID show no comprehension of Khartoum’s role in generating the complex violence in Darfur or the current levels of insecurity confronting humanitarians and civilians. Jeffrey Sachs, a key advisor to Secretary-General Ban Ki-moon and the primary proponent of global warming as explanation for the Darfur conflict, declares that:

the focus on peacekeepers was misplaced because the crisis was fundamentally a development problem, not a political one. [Sachs] said the crisis stemmed from the desperation of poor people in a huge, arid,

underdeveloped region. “You could put the peacekeepers in there, they won’t change one iota on the ground in terms of the grim realities of the harshness of life in Darfur,” Sachs said, pointing to the need for clinics, schools, electricity and water holes. “I’m not against the peacekeepers, I just find them a waste of money,” he said. “Unless the rich world is going to promise \$2.6 billion for the peacekeepers each year, plus \$2.6 billion for development, I’d say keep your peacekeepers.”²⁵

The idea that UN-authorized peace support personnel with a mandate to protect civilians and humanitarians “won’t change one iota on the ground in terms of the grim realities of the harshness of life in Darfur” reflects great ignorance of the situation’s realities. Leaving aside the impossibility of development proceeding amidst Darfur’s chaotic violence, Sachs ignores the most fundamental political and historical dimensions of the current crisis. Darfuris certainly have a radically different perspective, including some of the most distinguished champions from this region, two of whom received prominent human rights awards in 2007.

Salih Mahmoud Osman, Sudanese human rights lawyer and winner of the European Union’s Andrei Sakharov Award for human rights advocacy, offers a forceful response:

Mr. Osman criticised European governments for not exercising their full diplomatic potential towards Sudan’s government and cited as an example the fact that the Darfur issue was not specifically discussed at the EU-Africa summit last weekend (8-9 December [2007]). “We are disappointed,” he said, adding that Europe fears that the [North/South] Comprehensive Peace Agreement might be jeopardized if more pressure is put on Sudan. “But it is at the expense of the lives of people of Darfur,” Mr. Osman concluded.

The Sakharov Prize winner also spoke about a 26,000-strong peace-keeping mission, made up of UN and African Union forces, which is to replace the 7,000 African Union operation this month. “You tell us you are busy in Afghanistan, but without an international component there will never be effective protection of the people in the region,” he said. (EU Observer [Strasbourg], December 11, 2007) []

Despite serious violations of human rights and international humanitarian law, there is no justice. There is an atmosphere of total impunity; all the perpetrators are still beyond the reach of justice. We talk about impunity because our judicial system is incompetent and unwilling to provide justice. []

There will never be peace in Darfur and Sudan without justice. There is no peace without justice. Justice is a very important and basic element of peace, and cannot be compromised for any political reasons. In the south of Sudan more than 2 million people were killed and about 4 million have been displaced. Justice is not for the purposes of revenge; it is for a lasting peace and a possible reconciliation. The nature of the atrocities will never allow the victims and survivors to forget about their suffering. This is why justice is important.

People of Europe brought to victims things to keep them alive, but it is not enough. We want them to think about protecting the lives perishing daily, and help the innocent to go back to their homes with safety and dignity. It is not acceptable to leave people in the camps for more than four years now. We want to see more concern from Europe, rallies for solidarity with the people of Darfur, like in the US.

We want Europe to put pressure on the government of Sudan to allow deployment of hybrid forces. Europe has responsibility to send troops to Darfur. I will be calling on the leaders of Europe to think about their moral, ethical and legal responsibility to protect the lives of people and to prevent the government from destroying our communities. ([European Parliament website](#), December 11, 2007)

UNAMID: Going Forward Or Going Backward?

Presently, Khartoum refuses to accept the proposed UN/African Union roster of countries to provide troops, civilian police, and specialized units. Khartoum refuses to grant adequate land and water rights to UNAMID, or to grant required night flying rights. Khartoum has additionally refused to grant landing rights at Nyala and el-Fasher for heavy transport aircraft, or to expedite off-loading of critical equipment in Port Sudan. The regime has also seized communications equipment destined for UNAMID use in Darfur and has objected to UNAMID forces wearing the UN blue berets and helmets. Recently, Khartoum delayed for three hours the emergency medical evacuation of an African Union soldier who had been shot in the back and very seriously wounded.

During various points in negotiations with the UN and AU, the regime has insisted that UNAMID notify Khartoum in advance of all military movements, and has demanded that it have the power to shut down UNAMID communications during military operations.

This obstructionism is the best measure of the obstacles that UNAMID will face going forward. If there is no international will to confront Khartoum or demand truly unimpeded access for UNAMID, the mission will indeed fail. But it will not be a failure deriving from a lack of practicable tasks: it will be a failure marking international capitulation before the obstructionist efforts of a genocidal regime. It will be a failure stretching back at least to summer 2006, and arguably late 2003, when the genocidal nature of the violence became fully clear.²⁶

Such failure must also be viewed in the context of impending developments in Darfur, in particular the steady deterioration of humanitarian indicators and overall humanitarian security. Global Acute Malnutrition (GAM) is rising ominously. Water shortages are growing as overused camp boreholes go dry, aquifers are depleted at unknown but threatening rates, traditional water storage systems degrade for lack of maintenance, and a general deterioration in sanitation is increasingly in evidence.²⁷ In the extremely hot and arid region of Darfur, water is as precious as life. Management of water supplies for millions of human beings is a critical humanitarian task.

Humanitarian operations also continue to be threatened by Khartoum's bureaucratic machinations. A critically important Moratorium on Restrictions governing the visas, travel papers, and movement of all workers for nongovernmental humanitarian organizations has yet to be renewed by the regime. Until the regime does so, humanitarian operations in Darfur will, in the words of Refugees International, "grind to a halt."²⁸ For one of the most basic fact about relief operation in Darfur is that nongovernmental organizations are atypically the enabling partners for large agencies UN organizations such as the World Food Program. Some 280,000 Darfuris have been newly displaced this year alone, the fifth year of genocidal destruction and displacement. The most recent UN Darfur Humanitarian Profile (No. 29, representing conditions as of October 1, 2007) estimates that the conflict-affected population in Darfur now exceeds 4.2 million. Many, a great many, are poised to die.

The Syllogism of Human Destruction in Darfur

A grim syllogism of human destruction in Darfur remains in force: if UNAMID does not deploy effectively, or if it is aborted, then the African Union nations participating in the present mission in Darfur (AMIS) will withdraw. Currently badly demoralized, conducting almost no patrols or missions, and unable to protect themselves, let alone civilians and humanitarians, AMIS is a portrait of incompetence. Yet withdrawal by AMIS would nonetheless convince humanitarian organizations

that security had entered free fall, leaving aid groups unwilling to accept any longer the already-intolerable attacks and risks, as well as threats from Khartoum.

An alternative to UNAMID? Would that there were one, but there is not. The choice before the international community is stark: Is it prepared to see the mission fail? Or will it rally the resources and exert the pressure on Khartoum, both of which are critical to the mission's success? There are few hopeful signs, and the voices denying that there is any real purpose to UNAMID make it daily less likely that the mission will deploy at all.

September 13, 2008: The Year of Deployment

As of September 2008, fewer than 10,000 personnel of the 26,000 authorized by the Resolution creating UNAMID have deployed, and *only one* of the 19 critical Formed Police Units essential for stabilizing security within the camps has deployed. Khartoum has made it clear that it will use a substantial range of methods to impeded and compromise the deployment of this UN-authorized force. Engineering efforts to prepare for additional military battalions have been badly delayed, in no small measure because of Khartoum's early refusal to permit deployment of a highly trained Swedish/Norwegian engineering battalion. The regime has also refused well-equipped and -trained battalions from Thailand and Nepal.

But it is also true that the international community has allowed UNAMID to fail for lack of resources and the international refusal to provide clear political commitment to ensuring the terms of Resolution 1769. Since July 2006, every militarily capable nation in the world has known the basic demands of a peace support operation for Darfur. It is, then, a moral scandal that these militarily capable nations have yet to contribute any of the required helicopters desperately needed by the mission—24 for active use, entailing the presence of some 70 airframes, given the intense maintenance required for these aircraft operating in the difficult climate of Darfur. Yet it has long been obvious that helicopters would be a critical element in any successful peace support operation in Darfur. UNAMID could do much more with these critical transport aircraft, including investigating the current intense fighting in North Darfur and Jebel Marra.

In fact, helicopters are available: a July 31, 2008 report by aviation specialist Thomas Withington identifies a number of particular countries that might contribute. The report, endorsed by 36 human rights organizations and other non-governmental organizations from around the world:

[S]ets out for the first time which states have the necessary helicopters and estimates how many are available for deployment to Darfur. It identifies a number of countries—including the Czech Republic, India, Italy, Romania, Spain and Ukraine—that have large numbers of helicopters that meet the required specifications and are not on mission or mission rotation elsewhere. Many of these helicopters are gathering dust in hangars or flying in air shows when they could be saving lives in Darfur.²⁹

Most tellingly, in the Executive Summary, the report finds that

NATO alone could provide as many as 104 suitable helicopters for the UNAMID force. Among NATO countries, those countries best placed to provide helicopters to UNAMID are the Czech Republic, Italy, Romania and Spain. In addition, Ukraine and India—both countries that traditionally contribute to UN peacekeeping missions—could together contribute 34 helicopters. Between them, these six countries could provide an estimated fleet of over 70 helicopters—four times the number required by UNAMID.

As culpable as the international community as a whole has been in its failure to provide the necessary resources, equipment, and logistics for UNAMID, it is the Khartoum regime that has done most to eviscerate the force and cripple its deployment. It took many months to secure from Khartoum a Status of Forces Agreement (SOFA) detailing precisely the actions, prerogatives, and responsibilities of the two parties (the regime and UNAMID). Yet even this “agreement” was partial: for example, Khartoum formally agreed to grant night-flying rights to UNAMID only in mid-August 2008—more than a year after Security Council passage of Resolution 1769. Khartoum has also kept key UNAMID supply containers in Port Sudan without cause or explanation. And as noted above, Khartoum has regularly obstructed the movement of UNAMID personnel performing their mission, in clear violation of the SOFA. Indeed, a May 2008 attack on a UNAMID officer reveals complete contempt by Khartoum, whose security forces in el-Fasher (the capital of North Darfur) assaulted a UNAMID investigator in the course of his duties:

The [UNAMID] security officer went to the market area in El Fasher yesterday [May 21, 2008] to investigate a road accident involving a UN staff member, a military vehicle, and a taxi, according to UNAMID. He had just started taking pictures of the scene when a small group of

military personnel assaulted him, despite the intervention of UNAMID civilian staff.³⁰

The African Union has shown no willingness, military or political, to confront Khartoum, and has thereby lost the confidence and support of the Darfuri civilians they are tasked with protecting. For its part, Khartoum—facing no threat of sanctions or punishment—is evermore emboldened in its actions. As a consequence, in little more than eight months UNAMID has descended from the status of welcome successor to the previous AU force to an object of scorn and anger. Much of this derives ultimately from the attitudes in Addis Ababa, AU headquarters, where deference to—and even support for—Khartoum is conspicuous.

African countries that are members of the Arab League are also particularly culpable, especially Egypt. None of this is lost on Darfuris, on the ground or in the diaspora. UN Secretary General Ban Ki-moon's September 12, 2008 celebration of an Arab League-led "peace process" for Darfur, with Qatar nominally taking the lead, reflects a desire to be seen doing something rather than nothing on his self-declared "signature" issue.³¹ In fact, turning to the Arab League for leadership in the Darfur peace process would make any meaningful efforts all the more difficult: Khartoum will welcome the initiative because it is confident of support for its diplomatic posture; Darfuris of all parties and affiliation will reject Arab efforts for the same reason.

UNAMID and Humanitarian Conditions

There is nothing unexpected in the outlines of the force that has become UNAMID. UNAMID did not have to fail, although its weaknesses are highlighted by the various contrasts with the robust force authorized by Security Council Resolution 1706, but refused by a defiant Khartoum. The context for UNAMID's slow deployment also includes key developments of the past two years: this is the period in which the fracturing of the rebel movements was most destructive of the chances for a negotiated peace agreement, the only long-term solution to the Darfur crisis. This is also the period in which humanitarian access began its remorseless decline.

Darfur Humanitarian Profile No. 24 (conditions as of July 1, 2006) reported that humanitarian access stood at 82 percent—with 500,000 fewer civilians internally displaced. But in the wake of the Darfur Peace Agreement, access to needy civilians in Darfur has been dramatically attenuated, many hundreds of thousands of civilians have been newly displaced, and the very meaning of humanitarian assistance has had to be re-defined. Instead of providing primary care, monitoring clinics and

food distribution, overseeing water purification and hygiene, aid workers now must often settle for simply delivering supplies. The quality of humanitarian aid has consequentially plummeted. For populations outside the main towns, humanitarian access now means either people in need who can be reached only by expensive, hit-and-run helicopter transport (perhaps 70 percent of the population in need), or people in need who can be reached by heavily protected convoys delivering supplies (perhaps 40 percent of the population). A June 2, 2008 access map from the UN Office for the Coordination of Humanitarian Affairs shows how tenuous the reach of humanitarian organizations has become.³²

Humanitarian indicators were also improving in summer 2006, whereas the current Darfur Humanitarian Profile (No. 32, conditions as of July 1, 2008) concludes its narrative:

In June [2008], the Sudan humanitarian Country team visited South Darfur [home to approximately half Darfur's total population], and warned that limited time remained to safeguard the Darfur populations against an increasingly unsustainable situation. Although malnutrition rates are currently in line with last year's figures, the prognosis for the humanitarian situation in the coming months is extremely worrisome. (page 15)

As of July 1, 2008 it was clear that malnutrition was poised to rise precipitously in Darfur. August and September are the two heaviest months of rainfall in the region and create a logistical nightmare for humanitarians. Not nearly enough food had been pre-positioned in remote or more inaccessible areas, and not nearly enough food is making its way into Darfur because of insecurity. Food rations have been severely cut for beneficiaries throughout Darfur, and following last fall's disastrous harvests in South and North Darfur, the prospects for harvests this fall (2008) are again extremely grim.

Water supplies and sanitary facilities are also being compromised, not only by the seasonal rains, but by Khartoum's deliberate policies as well. UN officials report that Khartoum-orchestrated violence continues to target waters sources in rural areas, and that regime officials limit fuel supplies to camps—fuel that runs water pumps at key access points, providing the water upon which many hundreds of thousands of people are completely dependent.

There can be little doubt that Khartoum is engaged in a strategic and comprehensive assault on the camps, as well as the humanitarian efforts that sustain them. Thus humanitarian agencies that provide overall management in particular camps

have frequently been the target of Khartoum's efforts, as Clea Kahn finds in "Conflict, Arms, and Militarization: The Dynamics of Darfur's IDP Camps":

[Lack of effective camp management] is more often the result of calculated attacks on those carrying out the day-to-day work of managing and running the camps. More than in any other sector, [nongovernmental humanitarian organizations (NGOs)] and UN agencies involved in camp coordination functions have found themselves closely monitored and harassed by government officials, who have subjected them to bureaucratic restrictions, accusations of inappropriate activities, and sometimes expulsions. The most visible example of this treatment was the suspension on several occasions of the Norwegian Refugee Council, in charge of coordination activities in Kalma; it eventually withdrew completely from Darfur. A growing number of prominent international NGOs followed suit, leaving many camps either without any management at all or managed by organizations with limited capacity and experience. Increasingly, these are national NGOs, which are even more susceptible to government harassment. (page 47)

The largest consequences of this war of attrition against humanitarian efforts should be clear to all. As Darfur Humanitarian Profile No. 32 declares in its introductory overview:

The humanitarian situation in Darfur has become increasingly precarious. The combination of high levels of insecurity, poor harvests, difficulties in bringing supplies into Darfur, reduction in the quality of humanitarian services, reduced food rations, and overcrowded Internally Displaced Persons camps is truly alarming. (page 3)

This assessment is echoed by Doctors Without Borders/Médecins Sans Frontières (MSF), which in August was forced by insecurity to suspend operations serving some 65,000 civilians in North Darfur:

In the last four years, the situation [in Darfur] has not improved. In fact, for most people, things have gotten worse. Conditions in many of the internally displaced persons (IDP) camps and in rural areas have deteriorated, and the insecurity is a major concern for ordinary people. People are living in fear. Every day is a question mark for survival.³³

These conditions derive not from shortcomings in humanitarian commitment or courage, or from a lack of financial resources—although this may soon become an issue. The increasingly desperate situation for civilians and humanitarians in Darfur results from insecurity deliberately exacerbated by Khartoum, as well as from regime policies that threaten the lives of non-Arab populations in the region, both in the camps and in rural areas. Khartoum’s claim that banditry and rebel actions also contribute to life-threatening insecurity is no excuse, particularly given the regime’s intentional sabotaging of UNAMID and its ability to provide and sustain security.

January 1, 2008 to September 13, 2008: Khartoum and UNAMID

Although we cannot know all the ways in which the NIF regime has attacked, obstructed, compromised, and threatened UNAMID operations and deployment, it is clear that there exists a comprehensive policy designed to minimize the capabilities of the UN-authorized force. We can identify key moments that define Khartoum’s attitude toward UNAMID and the ways in which the regime’s actions militarily constrain the UN operation.

Direct military assaults on UNAMID are the most significant of these actions:

[1] At approximately 10pm on January 7, 2008 Khartoum’s regular Sudan Armed Forces (SAF) conducted a deliberate and premeditated attack on a UNAMID convoy. Comprising more than 20 cargo trucks and armored personnel carriers (APC’s), the convoy came under heavy, sustained fire near Tine, West Darfur. One truck was destroyed, an APC was damaged, and a driver was critically wounded with numerous bullet wounds. The SAF assault on the convoy lasted 10 to 12 minutes, during which time UNAMID military personnel did not return fire. The motive for the attack, likely ordered by senior SAF military commanders, was to inhibit the movement of UNAMID ground and air forces during night hours. In other words, the attack was meant to serve warning that UNAMID would be restricted in the same ways that the ineffective African Union mission in Darfur was restricted from the time of its initial deployment in 2004.

Evidence that the SAF attack was indeed deliberate and premeditated was overwhelming, a conclusion shared by then-UN Undersecretary for Peacekeeping Jean-Marie Guéhenno and many others within the UN, including within the Department of Peacekeeping Operations. In his January 9, 2008 briefing of the UN Security Council, Guéhenno offered a number of compelling details about timing, location, and arrangements made with the SAF by UNAMID in advance; these details have been amplified in confidential interviews conducted by this writer. The most basic facts of the attack and its circumstances make unambiguously clear that Khartoum

lied at every step of the way in its account of events, including initially denying that its forces were in any way involved in the attack on the UNAMID convoy.³⁴

[2] On July 8, 2008, at approximately 2:45pm local time, heavily armed *Janjaweed* militia attacked a joint police and military UNAMID patrol in an area approximately 100 kilometers southeast of el-Fasher, near the village of Umm Hakibah (North Darfur). In a firefight that lasted approximately three hours, seven UNAMID troops and police were killed and twenty-two people were injured, seven critically. Ten vehicles were destroyed or seized during the attack. Although there was initial uncertainty about the identity of the attacking force, this uncertainty was eliminated in the course of a preliminary investigation. In addition to various published reports, then-UN Undersecretary for Peacekeeping Guéhenno offered a July 11, 2008 briefing to the UN Security Council in a closed session, making a number of telling observations that point unambiguously to *Janjaweed* forces as those responsible:

[a] Guéhenno told the Security Council that the attack on UN-authorized peacekeepers “took place in an area under Sudanese government control and that some of the assailants were dressed in clothing similar to Sudanese army uniforms. He also said the ambush was ‘pre-meditated and well-organized’ and was intended to inflict casualties rather than to steal equipment or vehicles.”³⁵ The peacekeepers attacked reported seeing approximately 200 fighters, many on horses—a signature feature of the *Janjaweed*.

[b] Agence France-Presse reports: “Guéhenno was quoted as saying that the ambush was designed ‘to inflict casualties and was carried out with equipment usually not used by (rebel) militias.’”³⁶ Separately and confidentially, a UN official went further in confirming to this writer that *some of the arms used, including large-caliber recoil-less rifles, have never been seen in the arsenals of the rebel groups*. This official said that Guéhenno, then on the verge of retirement, had rarely been so explicit in assigning responsibility for attacks in Darfur.

There is additional evidence that the *Janjaweed*—armed and in this case almost certainly directed by Khartoum’s military command—were responsible for the attack on 61 UNAMID soldiers, 10 civilian police officers, and two military observers, who were returning to their el-Fasher base after investigating the killing of two civilians.³⁷

[c] In May it was again the *Janjaweed* that attacked a well-armed UNAMID convoy. The *New York Times* reported at the time:

Militiamen in Sudanese Army uniforms ambushed a convoy of Nigerian peacekeepers in Darfur, robbing them of cash and weapons, United

Nations officials said Friday. No one was wounded in the attack, which took place on Wednesday [May 21, 2008] near Geneina, the capital of West Darfur State, but it was nonetheless a humiliating blow to the hybrid United Nations and African Union peacekeeping force, which is struggling to prove it can do better than the African force it replaced.

³⁸

[d] And again, in an attack revealing remarkable contempt for UNAMID, Khartoum's security forces in el-Fasher (capital of North Darfur) assaulted a UNAMID investigator in the course of his duties:

The [UNAMID] security officer went to the market area in El Fasher yesterday [May 21, 2008] to investigate a road accident involving a UN staff member, a military vehicle, and a taxi, according to UNAMID. He had just started taking pictures of the scene when a small group of military personnel assaulted him, despite the intervention of UNAMID civilian staff. ³⁹

This attitude of complete contempt for and hostility toward UNAMID personnel has been consistent since initial deployment.

March 3, 2009: UNAMID, One Year into Deployment

Nineteen months after passage of UN Security Council Resolution 1769 (July 2007) authorizing the UN/African Union "hybrid" peacekeeping force to Darfur, the mission is failing badly and its capability may be in irretrievable decline. UNAMID's failure is due to poor command-and-control, woefully inadequate logistical capacity, gross deficiencies in military equipment, including communications and transport (particularly helicopters), and a dramatic shortfall in the numbers of qualified and well-trained troops, police, and other personnel. There has been no security improvement in Darfur since the UN took over the mission on January 1, 2008 from the even more inadequate African Union mission in Darfur (AMIS), with UNAMID in the process incorporating most of the 7,000 soldiers from AMIS's ill-equipped and ineffective force.

There is much blame to apportion between the African Union, the UN leadership, and militarily capable nations that have refused to provide critically needed equipment. Most consequential in the first half year of deployment, and continuing into 2009, are Khartoum's obstructionist policies, its many delays of UNAMID

deployment, and its refusal to abide by a belatedly signed comprehensive Status of Forces Agreement (SOFA). Yet the grim truth is that Khartoum can impede UNAMID operations with only modest efforts, although the regime does continue to prevent the free movement of UNAMID troops and investigators, a clear violation of the SOFA. For deployment is so far behind schedule, and deployment throughout Darfur so limited, that Darfuris have largely lost hope in UNAMID. There have been troubling signs that many UNAMID personnel are demoralized and no longer prepared to fulfill the mission mandate, with Chapter 7 authority from the Security Council, to protect civilians and humanitarians (see below).

Excerpts from Secretary-General Ban Ki-moon's "Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur" (February 10, 2009) offer some glimpses into UNAMID's weaknesses, even as it passes silently over some of the most critical problems:

As at 31 January 2009, the total strength of UNAMID military personnel stood at 12,541, including 11,893 troops, 387 staff officers, 181 military observers and 80 liaison officers. This figure represents 64.13 per cent of the mandated strength of 19,555 personnel. (§2)

This figure of 64 percent comes nineteen months after the UN authorized a peacekeeping mission with a mandate to protect critically vulnerable civilians and humanitarians in Darfur. Far from a figure to celebrate, it is a measure of UNAMID's ongoing failure. Many of these troops are not properly trained or effectively tasked when they arrive in Darfur. Morale among many of the troops is reported as dismal, even among troops from militarily capable countries such as South Africa. The actual functioning force is much less than 50 percent of the target figure of 19,555. Even the part of the force capable of functioning effectively is deeply constrained by the lack of transport, especially helicopters. Communications and reconnaissance capability is also extremely weak. The current mission does not begin to have the ability to monitor a cease-fire, were one negotiated, even as this is the essential first element of any meaningful peace process.

It is therefore deeply hypocritical for members of the international community to call for peace talks and a cease-fire without firm and timely commitments to provide the resources, equipment, and personnel required to make of UNAMID a truly capable force. Celebrating agreements signed under the auspices of the Qatari peace process is disingenuous without a willingness to guarantee any security arrangements that may eventually be negotiated (the absence of such a guarantor was the most conspicuous failure of the Darfur Peace Agreement of May 2006).

None of this is acknowledged by Ban Ki-moon in his report to the Security Council, where he merely notes that UNAMID is seriously under strength.

The strength of UNAMID police personnel stood at 2,639 (1,940 police advisers and five formed police units totaling 699 personnel), representing 41.02 per cent of its mandated strength of 6,432. (§3)

This is an especially disturbing set of figures, particularly the lack of Formed Police Units (FPU). Nineteen such armed police units were called for in the authorizing UN resolution, yet only five have deployed (and two Nigerian FPU only very recently). These FPU are essential tools in providing patrols and stability in the more volatile camps for displaced persons, especially those near larger urban areas. The threats to these camps posed by reprisals following the ICC announcement could have been substantially mitigated with a full deployment of FPU, as well as regular (and unarmed) police advisors.

Civilian staff necessary to run a mission as logistically complex as UNAMID have also been exceedingly slow to deploy: currently only about half the civilian personnel required are actually in Darfur. It is hardly surprising that Ban's Report concludes:

Despite the arrival of additional troops and enabling units, the mission's actual operational impact has been limited by logistical constraints, inadequate supply of critical equipment and the continued absence of key military enabling units such as the medium transport units, an aerial reconnaissance unit, a level-II hospital and 18 medium utility helicopters. In this context, the offer of five tactical helicopters by Ethiopia represents a welcome development. (§9) ⁴⁰

Increasingly, UN Department of Peacekeeping Operations (DPKO) and other UN and AU officials speak of UNAMID in terms of "operational impact" rather than numbers of troops and police. But Ban's admission that there has been very limited increase in such impact suggests that the two cannot be separated. Moreover, there are few potential African troop-contributing nations with the capacity to do more or contribute more: here the folly of acquiescing before Khartoum's demand that UNAMID be "predominantly African" in make-up is all too glaring. Without referring directly to African countries, Ban's report notes:

One area of particular concern relates to the readiness to deploy personnel by troop- and police-contributing countries. A wide range of

contingent-owned equipment still needs to be procured by a number of these countries. In addition, personnel need to be adequately trained and prepared prior to deployment and capacity, systems and materials for maintaining contingent-owned equipment in Darfur must be put in place and remain fully operational for units to sustain themselves. In this regard, the state of maintenance of contingent-owned armoured personnel carriers is of particular concern and needs to be improved to provide robust mission force mobility. (§10)

In short, most countries are not ready to send more personnel who meet UN peacekeeping standards for training and equipment. By limiting itself to African countries—already severely over-stretched by peacekeeping demands elsewhere on the continent—and a few Asian countries, UNAMID will never reach its mandated strength. The best the UN DPKO can offer now is an assurance that 80 percent of the force will deploy by November; this represents another significant slippage, as March was to have been the target date for 80 percent deployment.

Even when deployed, UNAMID personnel continue to face attacks on the ground and obstruction by Khartoum. A number of attacks have been authoritatively established as Khartoum's direct or indirect responsibility: for example, the July 8, 2008 attack on a large UNAMID convey, which killed seven and wounded more than twenty, was certainly the work of heavily armed militia allies of Khartoum. Many of the attacks, especially those occurring in urban settings, Ban attributes to "criminal activity."⁴¹ But as one especially well-informed and experienced relief official has repeatedly insisted to this writer, Khartoum not only has the capacity to curtail this "criminal activity," but intentionally allows it; SAF troops often participate directly in a range of unlawful, often violent acts. Ban reports, for example, that SAF troops were responsible for more than two dozen rapes in the two-month reporting period; given the reticence of rape victims in Darfur's traditional Islamic culture, the actual number of victims is very likely much greater.

Where the Khartoum regime is in control, it could dramatically improve security. Yet it chooses not to. Khartoum's most consequential obstruction of UNAMID takes the form of denial of access, something Ban is obliged to note and catalog in his report:

During the reporting period, UNAMID continued to face restrictions on its freedom of movement. On 10 December 2008, a UNAMID patrol was blocked by Arab militia near Kile Kile (30 kilometres south of Muhajeriya, Southern Darfur), who asked to be informed in advance of any patrols in the area. On 31 December, the Sudanese Armed Forces

(SAF) denied a UNAMID patrol access to Abu Surug (30 kilometres northwest of El Geneina, Western Darfur) and prevented it from undertaking a routine assessment mission. On 28 January 2009, a UNAMID water escort patrol in Sharia, Southern Darfur, was stopped at an SAF checkpoint and was not allowed to proceed. It was accused by the SAF commander of providing the Justice and Equality Movement (JEM) with equipment and weapons. In another serious development, on the same day a UNAMID patrol was stopped by members of a Chadian armed opposition group in Manzula village, near El Geneina, Western Darfur, and was told that UNAMID must seek permission from the Government of the Sudan to move through the territory. (§23)

A clear pattern of denial of access emerges here; such obstruction also marks out unambiguous violations of the Status of Forces Agreement (SOFA), yet another agreement the regime has had no compunction about violating. Indeed, Ban explicitly invokes the SOFA in his reporting on the violence around Muhajeriya in late January/early February.⁴² Khartoum had engaged in massive and indiscriminate bombing for many days, killing a significant number of civilians; the bombings were confirmed by UNAMID, which had a 200-man contingent present at the time. The bombing continued even after the JEM had withdrawn some 30 miles from the beleaguered town. Eventually, as many as 100,000 fled from Muhajeriya and surrounding towns and villages, including Labado and Shaeria. UNAMID has been unable to secure the area, and there are a number of reports of continuing *Janjaweed* presence. As a consequence, the non-Arab populations still have no access to humanitarian assistance or have fled to desperately overcrowded camps near Nyala or el-Fasher.⁴³

In this context, Ban notes, UNAMID sought to assess security:

[I]n a disturbing development [on February 3, 2009], a senior delegation led by the UNAMID Deputy Force Commander was prevented from travelling to Muhajeriya by Government security officials on the ground that the security situation was dangerous. The delegation aimed to assess the security situation and reinforcement needs of the UNAMID team site. This represents a clear infraction of the status-of-forces agreement between UNAMID and the Government of the Sudan, which guarantees UNAMID full and unrestricted freedom of movement without delay throughout Darfur. (§43)

The fighting in the Muhajeriya area was the most intense since the violence north of el-Geneina at the beginning of 2008. Yet there are and have been no con-

sequences for these clear “infractions” of the Status of Forces Agreement, which ensures that violations will continue to impede UNAMID in critical situations.

Ban also reports that Khartoum continues to restrict humanitarian movement, in yet another clear violation of a signed agreement with the international community:

At the same time, restrictions on air operations prevented the free movement of life-saving assistance, including on 28 December 2008 when all flights of the World Food Programme were cancelled for the day by the Government’s Humanitarian Aid Commission. In Southern Darfur, state authorities continued to hinder the delivery of fuel needed to power water pumps in camps for internally displaced persons. At the federal level, many non-governmental organizations and United Nations organizations continue to struggle to get visas for their staff within the time agreed under the Government’s General Directorate for Procedures. (§50)

This deliberate, years-long war of attrition on humanitarian operations has taken a severe toll; it has compromised the extent and quality of aid and inevitably has occasioned gratuitous suffering and significant human mortality. Yet again, Khartoum has paid no price for violating the agreement it signed with the UN.

Ban also discusses the acute security threats to humanitarians:

The humanitarian community also continued to be a frequent target of violent acts during the reporting period, when 22 vehicles were hijacked, 4 humanitarian workers were abducted and 11 humanitarian premises were broken into. It is of deep concern that 2008 figures show an almost doubling of the number of violent attacks on humanitarian aid workers compared with the previous year. In 2008, a total of 277 humanitarian vehicles were hijacked (compared with 137 in 2007), 218 humanitarian personnel were abducted (147 in 2007), 192 humanitarian premises were attacked (93 in 2007) and 36 staff members were wounded (24 in 2007). In 2008, 11 staff members were killed, with four still missing (13 died in 2007). (§51)

Here again we must bear in mind the role that Khartoum plays in these grim statistics: not only does the regime continue to arm the *Janjaweed*, who perpetrate a number of these attacks, but it also allows insecurity to flourish in areas under its control, especially Nyala, el-Fasher, and el-Geneina and their surroundings. SAF troops brazenly engage in criminal activities in the very presence of

UNAMID forces. The level of insecurity, the impunity enjoyed by the perpetrators of crimes against humanitarians, and the official harassment of aid workers are all part of this war of attrition on humanitarian operations.

In the course of his summary “Observations” Ban again “urges” Khartoum “to refrain from the use of offensive military flights.”⁴⁴ Scores of such “offensive military flights” occurred during the two-month reporting period of Ban’s report, some noted by the Secretary-General and confirmed by UNAMID.⁴⁵ Ban also mentions in passing that UNAMID observed an aircraft painted white bombing Muhajeriya. White is the color of UN aircraft, and Khartoum’s disguising of its aircraft is intended to deter increasingly effective anti-aircraft weapons in the rebel arsenal. Such disguising is a violation of international law and has previously been reported to the Security Council by the UN Panel of Experts on Darfur. Khartoum’s illegal actions seem likely to produce a tragic mistake that could easily result in the accidental shooting down of a UN or humanitarian aircraft.

Yet Ban makes no mention of the explicit language of UN Security Council Resolution 1591 (March 2005) or Resolution 1841 (passed unanimously, October 2008):

[The UN Security Council, acting under the authority of Chapter 7 of the UN Charter] Demands that the Government of Sudan, in accordance with its commitments under the 8 April 2004 N’Djamena Cease-fire Agreement and the 9 November 2004 Abuja Security Protocol, immediately cease conducting offensive military flights in and over the Darfur region. (Resolution 1591)

[The UN Security Council demands] that there should be no aerial bombings nor the use in Darfur, by any party to the conflict, of white aircraft or aircraft with markings resembling those on United Nations aircraft, and demanding that the parties to the conflict exercise restraint and cease military action. (Resolution 1841)

Khartoum has flagrantly violated these two UN Security Council resolutions without consequence; inevitably, UN “demands” are perceived as meaningless, losing all credibility as a source of potential sanctions against the regime. This has been true for almost five years, certainly since Resolution 1556 (July 2004):

Acting under Chapter 7 of the Charter of the United Nations, [the Security Council]—

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, 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.

“Non-compliance” seems a strange understatement as a characterization of Khartoum’s continuing use of the *Janjaweed* as an instrument of military destruction and civilian terror. International failure to compel Khartoum to take Security Council resolutions seriously is highlighted by the foolishness of making “demands” that will be reiterated but will never occasion action in the event of “non-compliance.”

We should not be surprised when Khartoum confidently violates other agreements. In November al-Bashir announced an “immediate and unconditional cease-fire” as a nod toward the ill-fated Sudan People’s Initiative; the very next day, bombing attacks occurred in North Darfur. On February 17, 2009 the regime signed in Qatar an “Agreement of Good Will and Confidence Building” with the Justice and Equality Movement, designed to “create a conducive environment for reaching a lasting settlement of the [Darfur] conflict.” The next day Khartoum again engaged in large-scale aerial assaults, flouting the spirit of the agreement and, yet again, the explicit “demands” UN Security Council resolutions.

Security for Civilians and Humanitarians in Darfur

UNAMID at its present capacity offers little more than an international presence in Darfur—a partial deterrent to Khartoum’s actions but hardly the robust protection force envisioned in Resolution 1769. There are disturbing signs that some UNAMID units are unprepared to fulfill their mandate. Several reports from the ground indicate that the UNAMID unit in Muhajeriya was prepared to abandon the town along with its civilian inhabitants and displaced persons. Khartoum had asked, in forceful terms, that UNAMID withdraw, and commanders on the ground weakly acquiesced. Only the decision by Alain Le Roy, head of UN peacekeeping (supported by the Secretary-General), reversed this impulse to abandon the very people UNAMID is mandated to protect. One organization on the ground in Darfur reports that during the recent fighting and bombing near the major town of el-Fasher, UNAMID

military personnel were observed simply hunkering down rather than seeking ways to assist civilians in danger. Sheer ineptitude is also too often a problem, especially in ground navigation and coordination (extended and painful examples are narrated by a journalist “embedded” within a UNAMID convoy.⁴⁶

In this context it is hardly surprising that humanitarian organizations are evacuating or preparing to evacuate if Khartoum follows through on any more of its violent threats. In fact, a number of organizations have already withdrawn their expatriate staff, while also making transport and security provisions for their Sudanese national workers, who in many cases fear that they will suffer retribution for aiding their fellow country-people when international organizations leave Darfur. There could hardly be a better illustration of the viciousness that informs Khartoum’s attitude toward international humanitarian assistance.

It has been more than two years since both UN and nongovernmental humanitarian organizations signaled in public letters (January 2007) that they could no longer withstand the chronic and deeply debilitating insecurity prevailing in Darfur. In those two years security has only deteriorated further; this was true long before the ICC Prosecutor made his announcement about seeking an arrest warrant for al-Bashir. It is worth recalling that in March 2005 there was no discussion by the Security Council of the impact of its referral of atrocity crimes to the ICC. The first half of 2008 saw a continuing slide toward greater insecurity and this had nothing to do with the pending ICC referral. Rather, growing insecurity can be traced to Khartoum’s energetic efforts to constrain UNAMID and prevent it from becoming an effective protection force.⁴⁷

Indeed, the greatest and most consequential violence in 2008 occurred for the most part before the ICC Prosecutor’s July 14 announcement that he was seeking an arrest warrant for al-Bashir. In early February 2008 Khartoum mounted a massive scorched-earth campaign north of el-Geneina, capital of West Darfur. Villages that the Justice and Equality Movement had seized were abandoned by the rebel forces before the regime’s onslaught, but this did nothing to mitigate the ferocity of SAF and *Janjaweed* attacks on civilians, which in turn produced another wave of human displacement.⁴⁸

The January 2008 attack by Khartoum’s regular forces on a well-marked UNAMID convoy is another telling example of the regime’s determination to intimidate and thereby control the deployed force; this of course occurred well before the ICC announcement.⁴⁹ Khartoum’s use of aerial bombing attacks against civilians waxes and wanes, but again has reflected no discernible response to the Prosecutor’s announcement.

There is no clear evidence that the ICC announcement of July 14 had any sub-

stantial effect on security in Darfur, which was already in steep decline when the warrant was issued. Humanitarian operations in Darfur became increasingly dangerous for even the most intrepid humanitarian organizations. That is certainly the direction in which the region has been heading since 2007.

One notable example of violence that did occur after the July 14 announcement was the assault on Kalma Camp residents by the regime's security forces on August 25, 2008. Attacks on camps have occurred regularly since September 2005, and this assault had long been contemplated by the regime's security forces. Ban Ki-moon announces the results of a UN investigation in his February 10, 2009 report:

On 23 January 2009, the Office of the United Nations High Commissioner for Human Rights and UNAMID jointly issued a public report on the Government of the Sudan law enforcement operation at Kalma camp on 25 August 2008, which resulted in the killing of 33 civilians and the wounding of 108 others. The report concluded that the indiscriminate and disproportionate use of force by security forces of the Government of the Sudan was in violation of international human rights and humanitarian law.

What will happen to the perpetrators of this attack on defenseless civilians, witnessed by hundreds? What will happen to the men firing automatic weapons into a crowd of displaced persons, none of whom was armed with a firearm? Despite the UN finding, we may be sure that the current UNAMID will not make any arrests, but will simply accommodate Khartoum's whitewashing of events.

The Kalma attack offers us a glimpse at how Darfur might look after the withdrawal of humanitarian organizations. For what must be continually emphasized in discussions of the potential impact of the March 4, 2009 ICC announcement is how close these organizations have been to withdrawal or evacuation for many, many months. Indeed, some have already withdrawn, and as noted above, expatriate staff of many organizations have been evacuated. Though typically not publicized for fear of creating additional security problems for remaining organizations, these evacuations and withdrawals continue a process that extends back many months; this process has accelerated more recently because of Khartoum's threats. These expatriate or international workers have been the critical eyes of the world in many locations, and in many respects a more effective deterrent than UNAMID because of their ability to monitor situations on the ground and provide uncensored information on a confidential basis.⁵⁰ The departure of international humanitarians, whether directly linked to threats by Khartoum or the culmination of too many years of intolerable insecurity, would vastly diminish the observational capacity on the ground in Darfur and many of the camps for displaced persons.

More immediately and consequentially, the partial or total collapse of humanitarian operations in Darfur would put not only camp residents at risk, but would also abandon a very large percentage of the more than 4.7 million human beings the UN now estimates are “conflict-affected” and in need of humanitarian assistance. In many camps, there is complete dependence on international aid for food, clean water, and primary medical care. Need is great not only among the 2.7 million internally displaced persons (with an additional 300,000 refugees in Eastern Chad, but among host families, who often have no access to their fields and have lost their ability to live agriculturally productive lives. These are the people most directly affected by Khartoum’s threats against aid workers and operations.

January 17, 2010: UNAMID Intimidated and Failing

There is a pronounced pattern of understating UNAMID’s weaknesses and gross shortcomings in providing security for civilians and humanitarians. The UN offers little in the way of forthright accounts of overall effectiveness, but offers instead meaningless metrics such as total patrols” per reporting period, without any indication of how these patrols actually function and what specifically they do to increase civilian security. There is also a distinct tendency to avoid confrontation with Khartoum over the regime’s repeated, systematic denials of access to UNAMID investigators and patrols—typically to the areas most in need of both.

The UN is not completely silent on the matter, and the November 16, 2009 report of the UN Secretary General to the Security Council highlights the threats to UNAMID peacekeepers. After cataloging an extensive series of consequential military confrontations and attacks, the report notes:

In the context of this ongoing violence, freedom of movement continues to be a serious concern for UNAMID and many of the agencies in Darfur. Since January 2009, there have been at least 42 incidents in which a UNAMID patrol was denied passage by a Government official, including incidents in which Government officials specifically threatened the safety of UNAMID staff and equipment. (page 3)

In assessing the significance and accuracy of UNAMID reports, whether on civilian mortality or security conditions, it is important to remember how fully Khartoum controls UNAMID movements, despite the freedom of movement guaranteed in the Status of Forces Agreement signed by the regime.

Beyond this, the Secretary General’s report details many examples of Khartoum denying UNAMID access to IDP camps (“Access to internally displaced persons

(IDP) camps has also been frequently denied to UNAMID by officials of the Government of Sudan”):

In Southern Darfur, where restrictions of movement of UNAMID patrols are even more common, Government officials have frequently claimed the need to be informed of UNAMID movements, have denied access even when information has been passed to the appropriate Government officials, and have often claimed ignorance of the mandate of UNAMID to conduct patrols through the area, despite the clear right to patrol provided for in the Status of Forces Agreement. UNAMID patrols have been confronted with warning shots, guns pointed at convoys and low overflight by [Sudan Armed Forces] military helicopters in a threatening manner. On 29 September 2009, an SAF representative in Shaeria locality informed UNAMID that the failure to provide authorities with prior notification of a patrol would result in the patrol being attacked. (page 4)

The deliberate threat of military action against UNAMID peacekeepers and monitors should be a shocking development, yet it is simply ignored by Rodolphe Adada, Martin Luther Agwai, Scott Gration, Thabo Mbeki and others in their characterization of the security situation in Darfur. Instead of highlighting these egregious violations of the arduously negotiated Status of Forces Agreement for UNAMID, or pressuring Khartoum to comply with the terms of this agreement, the international community has chosen to ignore or discount the significance of Khartoum’s actions. There has been no action or even consequential acknowledgement of these violations by the Security Council, to whom the Secretary General’s report is directed; has there been any meaningful public condemnation by the African Union, the US, or the European Community. Such inaction will only encourage Khartoum to persist in its deadly work of obstructing and threatening UNAMID.

The intimidation of UNAMID not only contributes to Darfur’s growing invisibility but encourages Khartoum to believe that it can move forward with its larger ambitions for Darfur. The most ominous of these is the plan to force IDPs from the camps and back to their lands—without security guarantees, without reparations or compensation, and without long-term solutions to problems arising from competition for land, water, and pasturage. Many villages of the Fur, Massalit, Zaghawa, and other non-Arab/African civilians have been settled or turned into grazing land by Arab pastoralist and nomadic populations, some from outside the region (various reports point to Chad, Niger, and Mali as among these non-Sudanese claimants).

Forced returns amid present insecurity is a formula for renewed violence, and on a large scale. It would certainly mark the end of whatever is represented by

the current chaotic peace process, and there would be nothing to restrain either the rebels or Khartoum and its *Janjaweed* allies. Insecurity would increase beyond its already intolerable levels, further compromising the work of UNAMID and any remaining humanitarian organizations.

The Threat of Forced Returns

Khartoum has long made clear its plans to shut down the IDP camps, both because they are an embarrassment to the regime as it tries to take a fuller place in the world community and because they are the primary justification for a continued large-scale international humanitarian presence. This first-hand presence allows for close observation of what is occurring on the ground, even if operational organizations are presently silenced by fear of the regime. In turn, security threats to displaced civilians and aid groups require the presence of a large peacekeeping force under UN auspices. Khartoum wishes all of this to disappear.

As far back as the summer of 2004, senior NIF/NCP officials were considering plans for returns and made public announcements speaking of returns in full swing in an effort to push their plans into action. Abdel Rahim Mohamed Hussein, then Minister of the Interior and the regime's special representative on Darfur, announced on Sudanese government-controlled radio on July 9, 2004 "that 86 percent of the Internally Displaced Persons had already returned to their villages."⁵¹ Hussein further declared that "it was 'most important' to get people to return to their villages. Each state—the Darfur region has three—had its own plan of return."⁵²

Hussein's statement is belied by the fact that the displaced population in Darfur, including the population of the IDP camps, has more than doubled since summer 2004, when the UN estimated that approximately 1.2 million people had been displaced, along with 200,000 refugees in eastern Chad. From 2008 to 2010 alone, almost half a million more civilians have been violently displaced. UN and humanitarian officials have verified only a trickle of civilians who have felt secure enough to leave the camps and resume permanent residence in their former homes and villages. Nor are larger scale returns possible: neither the UN High Commission for Refugees nor the International Organization for Migration (IOM) has the capacity to monitor returns in ways that comport with international humanitarian law. Khartoum's plan of returns, however it is described or packaged for international consumption, is no less threatening than it was in 2004, when humanitarians were explicit about the consequences of Khartoum's ambitions:

“[Khartoum] wants the internally displaced to go home, the UN wants them to stay,” said an aid worker. “There is no food in their villages: they will go back to die.”⁵³

“Humanitarian workers fear that a forcible mass return of some 1.2 million Internally Displaced Persons in Darfur could result in enormous fatalities.”⁵⁴

None of this matters to a genocidal regime that saw forced returns as a means of furthering the large-scale destruction of African populations by direct military means. We should not be surprised that the issue of forced returns has arisen yet again; this issue is a key challenge in confronting Khartoum over its continued violations of international humanitarian law.

In a recent dispatch from the state-controlled Sudanese News Agency (SUNA), we can see clearly that Khartoum continues to fabricate and elide information in dealing with the Darfur crisis:

The number of the returnees in Darfur States, according to the Voluntary Repatriation Programme for Refugees and Displaced Persons has amounted to more than one million persons who were settled in 762 villages in Darfur.⁵⁵

These figures do not comport with reports from the UN High Commission for Refugees and humanitarian organizations active on the ground, revealing the SUNA statement as a clear piece of propaganda. Further claims in the dispatch reveal the statement’s purpose to reduce the need for an international humanitarian presence in Darfur:

The Commissioner of the Humanitarian Aid, Hassabu Mohamed Abdul-Rahman, attributed the improvement of the humanitarian aid situation to the national and international efforts and the implementation of the presidential decisions, which included setting up of joint central and state working mechanisms. The reports of the Humanitarian Aid Commission indicated that the efforts being exerted by the international community have contributed to the improvement of the situation by increasing the missions of Arab countries and organizations operating in Darfur. The report also referred to the scarcity of the security incidents that target relief convoys and the premises of aid workers, besides the concentration of the international community on work in the voluntary repatriation areas.

In fact, as the reports of both the UN Secretary General and the UN Panel of Experts on Darfur make abundantly clear, security incidents involving humanitarian workers and peacekeepers are a huge and growing problem. In his November report to the Security Council, Ban Ki-Moon declared that during the most recent 90-day reporting period, “there have been serious negative developments affecting the security and safety of UNAMID staff and the staff of United Nations agencies and non-governmental organizations in Darfur.” Ban goes on to note emphatically in his report:

These incidents of hostage taking of international workers are a new and deeply troubling development in Darfur, with the potential to undermine the efforts of the international community. The security implications of these events have already led to the suspension of some activities and programmes by the humanitarian community and are a clear testimony to the risks that United Nations and NGO workers face in Darfur.⁵⁶

On the question of civilians returning from the camps and verification of their numbers and status, the report notes that:

small numbers of displaced persons have reportedly returned. Assessment teams that succeeded in reaching areas of reported returns were unable to conduct their activities freely, for example, by not being able to speak with returnees. The principal agencies mandated to monitor returns, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM), were prevented from maintaining a regular presence in Darfur for much of the reporting period. (page 7)

What is not made sufficiently clear in the Secretary General’s report is the degree to which fear pervades the camps and defines the thinking of displaced persons. Those returning from Darfur report hearing about camp residents’ palpable fear—even terror—felt in the face of threats posed by the *Janjaweed* and other paramilitary elements. The UN Panel of Experts on Darfur captures some of this fear in their October report:

During the Panel’s monitoring of internally displaced communities in North and West Darfur, an overwhelming concern expressed by internally displaced persons was the unchecked aggression by armed elements from Arab tribes, *Janjaweed*, Government of the Sudan forces

and other belligerent tribes, and the high rate of harassment and of sexual and gender-based violence. These fears are exacerbated by the apparent impunity these forces seem to enjoy, the ever-present memories of most internally displaced persons of grave human rights violations committed against them only a few years ago, and the fact that many individuals commonly referred to as *Janjaweed* have not been disarmed and continue to brandish their weapons. (page 19)

When questioned about these concerns and reports of *Janjaweed* harassment, Khartoum has simply ignored the Panel:

The Panel has attempted to verify those claims [Khartoum's assertions that "there are no remaining *Janjaweed*"] by obtaining updates concerning the integration process and the extent to which disarmament has been completed. The representatives of the Government of the Sudan have been unwilling to discuss this matter beyond a general statement that no *Janjaweed* exist at the current time. No detailed information regarding their disarmament has been offered to the Panel and no public records are available. (page 19)

All this provides context for the ominous announcement made last November by Khartoum's brutal humanitarian aid commissioner Hasabu Abdel-Rahman:

The Sudanese government will begin closing down the camps for the displaced population in war torn region of Darfur next year, a senior official said today. Speaking to the UN sponsored Miraya FM radio the humanitarian aid commissioner Hasabu Abdel-Rahman said that the Sudanese government has plans to close down displaced camps in the greater Darfur region by early 2010."⁵⁷

Closing the camps would obviously compel displaced persons to move, with or without a safe destination or means of conveyance. Nor is there any meaningful explanation of how these people would resume agriculturally or commercially productive lives. Abdel-Rahman offers only a vague suggestion that international humanitarian aid be converted to an unspecified program that would "rehabilitate villages."

The issue of the safety, numbers, and voluntary nature of returns remains central in August 2012. Yet even as Arab groups—from Darfur, Chad, Niger, and even Mali—appropriate farms and land with increasing frequency, the extraordinary challenges facing African farmers seeking to return to their lands has received far too little attention, especially by UNAMID.

July 27, 2011: Claiming Success, UNAMID leader Gambari Commits to a Contrived “Doha Peace Process” for Darfur

The failure of various venues and sponsors for Darfur peace talks led eventually to a contrived alliance of small, politically and militarily inconsequential rebel splinter groups meeting in Doha (Qatar). One of these groups was put together by U.S. special envoy Scott Gration in Addis and the other by Libyan strongman Muammar Gaddafi in Tripoli (Gaddafi at one point had been given a leadership role in the negotiations with his home town of Sirte as the location for talks; the results were predictably disastrous).

This grouping of splinters into the “Liberation and Justice Movement” (LJM) was wholly expedient and doomed to fail. It represented neither Darfuri civil society nor the militarily powerful rebel groups, despite feeble efforts to pretend otherwise. The peace talks were little more than a diplomatic placeholder that an ambitious Qatari regime wished to make into something much more substantial. In the absence of any other venue, and given the stubbornness and short-sightedness of Gration, they nonetheless dragged on and in July 2011 produced the “Doha Document for Peace in Darfur.” It was immediately and angrily rejected by virtually all Darfuri constituencies.

All this has occurred as Khartoum proceeds with its “New Strategy for Darfur”—the “domestication” of the peace process. The grim implications of this new strategy” were clear at the time it was officially made policy by Khartoum, [implications I discussed at length at the time](#). Too much of my grim prognostication is now playing out.

The counter-productive failure of diplomacy that has come to be called the Doha peace process” for Darfur has been incisively analyzed by Sudan analyst Laura Jones in the *Christian Science Monitor*:

By claiming that it legitimately engaged in the Doha process and signed a peace document, the government will likely feel it has legitimate grounds to push for the “next phase,” which is engagement in Darfur. This approach has gotten some degree of support from the likes of Ibrahim Gambari, the African Union-United Nations Joint Special Representative for Darfur and the new interim joint mediator, who is pushing a similar move known as the Darfur Political Process, or DPP. Yet moving the peace process inside Darfur only facilitates government manipulation and avoids any sort of international oversight or criticism. The opening for a new internal process that the signing provides could therefore work against the prospects for long-term peace and stability.⁵⁸

Notably, Jones highlights Ibrahim Gambari’s support for the “new strategy.” Gambari is now the interim UN/AU special joint mediator for Darfur negotiations—an appointment he received with the full support of the African Union Peace and Security Council, despite his previous political dishonesties.⁵⁹ In the nasty infighting between Gambari, Thabo Mbeki, and the overmatched former joint mediator Djibril Bassolé—unseemly squabbling reported to me in appalling detail by an observer at Doha—Gambari has prevailed in seizing the Darfur portfolio.

His comments on the “new strategy” and the “peace process” have particular significance because he is also still head of UNAMID and as a consequence bears responsibility for many of the peacekeeping mission’s failures. But let us return, for a moment, to comments made by Gambari’s predecessor, Rodolphe Adada, as well as by Martin Luther Agwai, the military commander of UNMID at the time Adada stepped down (August 2009). On that occasion, the two departing leaders claimed that the war in Darfur was over, and had devolved into a “low-intensity” security problem. General Martin Agwai, the Nigerian force commander, declared that “as of today, I would not say there is a war going on in Darfur,” but rather “very low intensity” engagements. Adada then declared: “What you have is security issues more now. Banditry, localised issues...I have achieved results [in Darfur]... There is no more fighting proper on the ground... Right now there is no high-intensity conflict in Darfur. Call it what you will but this is what is happening in Darfur—a lot of banditry, carjacking, attacks on houses.”⁶⁰

How do these claims hold up in context? Let’s first consider human displacement, since it is so closely tied to violence against civilians in Darfur. The UN Office for the Coordination of Humanitarian Affairs (OCHA) estimated that in 2007—when UNAMID began to extend the AMIS force already in place—300,000 people were newly displaced. In 2008, the first year in which UNAMID had a UN mandate as a force in its own right, OCHA estimated that 317,000 people were newly

displaced. And in 2009, the Canadian “Peace Operations Monitor” found evidence that suggested “over 214,000 people were newly displaced between January and June [2009] alone.”⁶¹ Total displacement for the period of UNAMID deployment under Adada and Agwai is thus well over 800,000. And since the beginning of the Darfur conflict displacement has been almost entirely a function of violence, there are no data that could contradict more strongly their August 2009 claim that security issues were “low-intensity” or that the only violence was merely “banditry,” “carjacking,” and break-ins.

Moreover, the assessments by Agwai and Adada failed to anticipate the violence initiated by Khartoum’s Sudan Armed Forces (SAF) the next month in the Korma region northwest of el-Fasher in North Darfur. A significant military offensive by the SAF and its *Janjaweed* militia forces began in early September 2009, newly displacing thousands of civilians, many of whose needs were not assessed by UNAMID or humanitarian organizations for an unconscionably long period of time. UNAMID leaders, then as now, were unwilling to demand access from Khartoum, thereby encouraging many rebel leaders to believe that UNAMID was complicit with the Sudan Armed Forces (SAF). At the end of September 2009, I detailed the scale of the violence Adada and Agwai characterized so inaccurately; this account in no way comported with their characterizations.⁶²

Most consequentially unanticipated by Adada and Agwai, however, was the complete breakdown of the Darfur Peace Agreement (DPA). The last vestige of the agreement collapsed in late 2010, when the only rebel DPA signatory, Minni Minawi, left the regime in dismay and disgust. Fighting broke out almost immediately, and on December 10, 2010 violence exploded in the Khor Abeche area, as Khartoum launched a massive military campaign that as of July 2011 is still underway (Zaghawa civilians, Minawi’s ethnic group, are particular targets). This campaign entailed relentless aerial bombardment of civilian targets: there were approximately 75 confirmed attacks against civilians in Darfur in 2009, and so far this year there have been more than 90 such attacks, with a great many casualties.⁶³

So how has Ibrahim Gambari reckoned with the inaccurate accounts of his predecessors? With misleading language of his own, as this report from Agence France-Presse reveals:

“Ongoing intermittent clashes continue to adversely affect the humanitarian situation,” displacing some 60,000 to 70,000 people, said Gambari, the UN special representative to the African Union said. But he added that “considerable progress” has been made since May during negotiations in Doha between the Sudanese government in Khartoum and the rebels. “Clashes and displacements are now on the decrease,”

said Gambari. “Every effort should be made for reaching a ceasefire. The imperative of peace is now, as the people have suffered far too long and far too deeply.”⁶⁴

For all the reasons suggested above, there is good reason to believe that Doha will more likely hinder than advance the peace process. The “considerable progress” Gambari speaks of in fact merely reflects his efforts to cement his role as permanent UN/AU representative for these negotiations. There is no real progress toward a sustainable peace for Darfur and rebel groups with military and political clout have entirely rejected the Doha agreement—as have the majority of Darfuris, including those who are refugees in Chad, where security services do not threaten their freedom to speak.

Similarly, what justifies Gambari’s statement that “clashes and displacements are now on the decrease”? UNAMID has been repeatedly denied access to key sites of fighting, and after several destructive bombing raids on towns and villages in North and South Darfur in mid-May, UNAMID was denied access to most of the populous Jebel Marra, the embattled rebel-held mountain stronghold in the center of Darfur. In short, Gambari’s words are a chilling echo of both Agwai’s claim that Darfur there were only “very low intensity engagements” in Darfur and Adada’s claim that he “achieved results in Darfur,” and that “there is no more fighting proper on the ground... there is no high-intensity conflict in Darfur.”

But Gambari is also generating his own catalog of self-serving pronouncements. In addition to his claim that violence is “diminishing,” he has also provided some of the more perverse examples of “moral equivalence” we have seen in recent years. In mid-May, in the immediate wake of Khartoum’s savage aerial attacks on civilian targets, Gambari was reported as

express[ing] concern over the air strikes. I call upon all parties to exercise the utmost restraint in the use of lethal force,’ he said. Non-government groups and UN agencies operating in south Sudan were told Tuesday by the Sudanese government that they would be limited to a zone of 15 kilometers (10 miles) around the town of Nyala, UNAMID said. ⁶⁵

In response to *Khartoum’s* deadly aerial attacks that inflicted a great many civilian casualties, Gambari “calls upon all parties to exercise restraint in the use of lethal force,” acquiescing before Khartoum’s refusal to allow UNAMID to investigate these atrocity crimes.

An even more disingenuous account is offered by Gambari in his assessment of violent mortality in Darfur:

“If you look at the statistics, between January and May, just over 400 people have been killed by armed conflict in Darfur. If you compare it with south Sudan over the same period, they say 1,200 people have been killed by armed conflict,” Gambari told reporters.⁶⁶

The “400 killed by armed conflict” is the total of violent deaths that UNAMID was able to confirm by physical investigation; but given the mission’s extremely limited access, this figure is utterly without meaning. Here we should recall the massacre at the village market of Tabarat, North Darfur, on September 2, 2010. Some fifty men and boys were killed, at point blank range, by a *Janjaweed* militia armed and supplied by Khartoum. A series of interviews with survivors by a Reuters correspondent suggests how extraordinarily brutal the attack was:

[M]en were rounded up by militia wearing military uniforms who rode into the market on horses and camels pretending to be buying goods before spraying the shops with gunfire. Then vehicles mounted with machine guns and carrying militia fighters appeared and rounded up some of the men, survivors said. “They laid them down and they came up close and shot them in their heads,” Abakr Abdelkarim, 45, told Reuters by telephone from the town of Tawilla, where many of the victims had sought refuge and medical help. “(Those killed) were all men and one woman—some men were tied with rope behind the cars and dragged until they died.”

[Witnesses] said after the attack they had gone to the joint UN-African Union (UNAMID) peacekeeping base in Tawilla to ask peacekeepers to come to Tabarat but they refused. “They also refused to come and help us recover the bodies,” [Adam] Saleh added.⁶⁷

Not only did UNAMID refuse to move from their base at nearby Tawila to protect civilians—their key mandate—and not only did they not help recover the bodies of the dead, but they allowed Khartoum to block their investigators for many days, giving the regime time to sanitize the atrocity crime scene. To this day there is no public account from UNAMID or Gambari about the Tabarat incident, its perpetrators, or the number killed and wounded. How, then, can we take UNAMID casualty figures seriously? Most consequentially, Gambari’s figure of “400 killed” does not include casualties that are directly war-related, even if the deaths are from malnutrition, disease, and lack of water. His account is markedly incomplete, and works to push Darfur further into the shadows.

August 30, 2011: Khartoum's Hostility to UNAMID Grows Yet More Intense

Partly as a consequence of an excessive focus on the South, the Obama administration has been slow to see the implications of Khartoum's threats against both UNAMID and the humanitarian community in Darfur—specifically, Khartoum's threats of expulsion. In the wake of the UN Security Council's unanimous passage of Resolution 2003 (July 29, 2011), which renewed UNAMID's mandate for another year, an outraged Khartoum released a barrage of heated official pronouncements focusing on both the preambular language of Resolution 2003 as well as language anchored to Chapter 7 of the UN Charter.⁶⁸ Foreign Minister Ali Karti responded to the Resolution by declaring that any attempt to “impose new commitments” on UNAMID will “free the Sudanese government from its commitment to accepting the [UN/African Union mission] and its deployment.”⁶⁹ What so irked the regime?

For one thing, the document “reaffirms that there can be no peace without justice” in Darfur, a weak substitute for language reaffirming the Council's 2005 referral of atrocity crimes in Darfur to the International Criminal Court, which has indicted NIF/NCP President Omar al-Bashir for genocide and crimes against humanity, and current governor of South Kordofan, Ahmed Haroun, on 42 counts of crimes against humanity and war crimes. Even so, the language still serves as a clear reminder that justice has not begun to be rendered in Darfur.

The document “expressed deep concern” over “aerial bombardment by the Government of Sudan,” a fact established beyond all reasonable doubt, yet which the regime calls a “negative and obsolete [reference].”⁷⁰ The resolution also spoke of “the deteriorating security situation in some parts of Darfur,” of the need to “lift the state of emergency” in Darfur, of the need for political prisoners to be released, and of the “need to bring to justice the perpetrators of [atrocious] crimes” and for the regime “to comply with its obligations in this respect.” As far as Khartoum was concerned, such demands were evidence that the UN Security Council resolution had “‘intentionally infringed’ on Sudan's sovereignty.”⁷¹ Language in the resolution referring to delayed visas for UNAMID staff, the denial of a radio transmitter license for UNAMID and other logistical problems, and the Council's “demand” that “UNAMID report on sexual and gender based violence,” was stronger than Khartoum was willing to accept—and Foreign Minister Ali Karti rejected all of it.⁷²

The Khartoum embassy in Washington, DC—the most prominent venue for press releases aimed at Western audiences—declared that “the resolution embodies troubling signals that the previous commitments are being unilaterally scrapped by

the Council and further contains inaccurate and malicious information *that does not in any way reflect the realities on the ground.*” The NIF/NCP Political Secretary, al-Hajj Adam Yousif, declared that the “resolution was aimed at providing a cover for supporting Darfur [rebel] movements.”⁷³

No doubt Yousif’s reference was to the Security Council’s call for “the Government of Sudan and the armed movements to contribute to the creation of the necessary enabling environment for a Darfur Peace Process that allows the systematic and sustained engagement of all Darfurian stakeholders in constructive and open dialogue.”⁷⁴ Khartoum was outraged at the Council’s implicit claim that such an “enabling environment” does not already exist, for this is critical to their propaganda campaign for the Doha Agreement and for the regime’s new strategy for “domesticating” peace process. Khartoum also bridled at the idea that it bears substantial responsibility for creating such an environment.

It would be foolish not to heed the threat that UNAMID will not be able to remain in Darfur “unless according to the former agreement on its establishment between Sudan, the UN, and the AU.”⁷⁵ Sensing that the Council may be willing to speak more honestly about Darfur’s realities, Khartoum is determined that there will be no further critical characterizations or stipulations going forward, and that it does not feel itself bound by any number of Council “demands,” “urgings,” “condemnations,” or “requests.”

None of this did anything to change Khartoum’s attitude of contempt toward the UN. In a striking coincidence, Amnesty International warned in July 2011:

Amnesty International has urged Sudanese authorities to ensure that a UN worker being held in South Darfur is not subjected to torture and is given immediate access to his family and any needed medical care. Idris Yousef Abdelrahman, a civil affairs officer from the UN/African Union Mission in Darfur (UNAMID) based in Nyala, was charged on 12 July with “undermining the constitutional system” and “waging war against the state.” Both crimes are punishable by death under Sudanese law. He had gone missing in late April after being called to a meeting with the National Intelligence and Security Services (NISS), which on 10 May confirmed his detention. NISS detainees have frequently reported being tortured and ill-treated.

“For more than two months, the Sudanese intelligence agency has held Idris Yousef Abdelrahman without giving him access to his family or medical treatment, and there is a legitimate concern he is at risk of torture,” said Erwin Van Der Borgh, Amnesty International’s Africa Programme Director. “This is unacceptable, and his arrest and charging

violates the Sudanese government's agreement with the UN over the treatment of UN workers accused of committing a criminal offence."⁷⁶

It is impossible to imagine that a regime so adamant, so belligerent, and so deeply imperiled will make anything resembling a just peace for Darfur. Confronting this intransigence, and unwilling to challenge the regime more broadly, the international community has yet again contented itself with rhetorical exhortation.

November 24, 2011: UNAMID leadership assesses itself, mendacity rises

News coverage of the Darfur region of western Sudan, including eastern Chad, has all but vanished.⁷⁷ Were it not for the efforts of the *Sudan Tribune* and Radio Dabanga, two extraordinary journalistic enterprises by Sudanese in the diaspora, Darfur would be largely reduced to the exceedingly low visibility provided by media releases from UNAMID.⁷⁸ These dispatches convey nothing of the continuing violence and destruction that afflict Darfuris in the camps and rural areas, as well as in towns. Victims continue to be overwhelmingly from the African tribal groups of the region, who make up the vast majority of the more than 2 million people who remain uprooted, most from the most intense phase of Khartoum's genocidal counter-insurgency effort (April 2003 into early 2005). During the past eight and a half years, some 500,000 people have died from violence or the consequences of violent displacement.⁷⁹

Insecurity and deprivation also define the lives of the Darfuri refugees in eastern Chad, most of whom fled early in the conflict. There, as Human Rights authoritatively established with reports in 2006 and 2007, Khartoum pursued ethnically African Darfuris with Antonov bombers, and turned loose their savage *Janjaweed* militias.⁸⁰ Eastern Chad is, if possible, even less visible than Darfur, but the crisis there continues to be enormous: the UN High Commission for Refugees (UNHCR) estimates this year that there are some 285,000 refugees who remain near the Chad/Darfur border.⁸¹ These people are no closer to safe returns in substantial numbers than they were five years ago.

The figure for Internally Displaced Persons (IDPs) in Darfur has been badly politicized, particularly by the UN's Georg Charpentier, who lowered the UN estimate for IDPs from 2.7 million to 1.9 million in July 2010.⁸² He justified this action only on the basis of a footnote reference to a report by the International Organization for Migration that did not exist, and still is not complete.⁸³ This was disingenuous on Charpentier's part, as is the consistent UN suggestion that the pop-

ulation of IDPs is equivalent to the populations in the camps. This is not so. It should be noted first that camp populations are highly fluid, especially during agriculturally important times of the year, and particularly if lands abandoned are in walking distance. The status of many other displaced persons is even more ambiguous, and a great many people have taken shelter with host families or villages, often far from their homes. This is an enormous population for which census calculations of IDP numbers based on camp registrations have never accounted. To omit the figure for displaced persons not in the camps—without even acknowledging that this substantial population exists—is but another form of disingenuousness on the part of Charpentier and the UN/AU joint special representative for Darfur, Ibrahim Gambari of Nigeria.⁸⁴

These displaced persons remain appallingly vulnerable. Despite Gambari's public claims about improved security in Darfur, UNAMID remains fundamentally unable to protect civilians and humanitarians, either in IDP camps or in rural areas.⁸⁵ Certainly Darfuris are uniformly scathing in their assessment of UNAMID's performance and protection abilities. It is true that large-scale armed conflict between Khartoum (along with its Arab militia allies) and the rebel groups has declined in recent months, but we have seen such declines before, and invariably fighting has resumed.⁸⁶ For the present, Khartoum has re-deployed many of its military air assets to el-Obeid (North Kordofan), to South Kordofan, and to Blue Nile—including a newly expanded air field near recently captured Kurmuk (southern Blue Nile).⁸⁷ This expansion includes helipads for combat helicopters, both gunships and troop-ferrying aircraft. From these locations, Khartoum's military aircraft are engaged in what all evidence suggests is daily bombardment and aerial attacks on civilians, including refugees from South Kordofan now in South Sudan.

Reduced fighting in Darfur, though almost certainly temporary, gives the world an excuse to pretend that UNAMID is an adequate international response to the violence and continued displacement in the region. In fact, UNAMID's failures in Darfur represent yet another in a long line of dismaying failures to make the "responsibility to protect" a meaningful part of international action. It is worth noting that since UNAMID officially took up its mandate on January 1, 2008, almost 1 million Darfuris have been newly displaced, according to figures from the UN High Commission for Refugees.⁸⁸ This vast number in itself reveals as false Charpentier's claim that the number of IDPs may be reduced by over 800,000.

The realities of human security in Darfur are simply not represented in any meaningful fashion by a thoroughly intimidated UN. Perversely, the absence of information from independent sources offers special representative Gambari the opportunity to make any number of absurd claims about the success of the mission he now oversees—and which he clearly hopes to use as a stepping-stone in his

career (much as his [disastrous performance in Burma won him appointment by Ban Ki-moon to his present position.](#)) The causes for concern are many, however, and the daily violence experienced by Darfuris deserves some meaningful accounting. There should be, for example, major concerns about the mercenaries who have returned to Darfur from Libya with their substantial weaponry. These men could easily become an additional source of insecurity for civilians, but no UNAMID statements suggest the mercenaries are perceived as a threat.

Furthermore, the epidemic of rape that has stalked Darfur for more than eight years continues. Radio Dabanga is one of the only news sources that provides continuing accounts on this immensely destructive phenomenon, which is rippling cruelly through families and generations. Camps continue to be attacked, rural farms seized, civilians casually murdered, and arson is deployed more frequently as a means of destroying key institutions, including schools.

The Central Reserve Police, or *Abu Tira*, are now Khartoum's primary instrument of destruction and intimidation, and they operate throughout Darfur with total impunity, sustaining a climate of fear and violence that at once endangers humanitarian operations and presents intolerable threats to civilians. Julie Flint offers a perspicuous overview of this force:

A gendarmerie officially under the Interior Ministry, although more likely at the behest of the [former] National Intelligence and Security Service of Salah Gosh, the Central Reserve Police has become increasingly active in the conflict in Darfur (and neighbouring Kordofan). Some analysts believe this is a result of the reduced effectiveness of the Popular Defence Forces, a paramilitary group that has taken on a political dimension that makes it more useful as a political rallying tool than a fighting force; others link it to restrictions imposed on Sudan Armed Forces by the Darfur Peace Agreement. In 2004, the Central Reserve Police opened a training centre in Musa Hilal's Misteriha barracks in North Darfur.⁸⁹

It was Musa Hila, the most notorious of the *Janjaweed* leaders, who announced in 2004 the ambition that still animates Khartoum's efforts in Darfur: "change the demography of Darfur and empty it of African tribes."⁹⁰ None of UNAMID's reports about conditions in Darfur acknowledge such statements—or the actions they suggest.

July 22, 2012: UNAMID Justifies Its Performance

It remains a dismaying fact that both the UN and the AU continue to celebrate figures for human security and the return of IDPs that are highly questionable; moreover, they do so without acknowledging that during the time of UNAMID's tenure (January 1, 2008 to the present) approximately one million civilians have been newly displaced.⁹¹ Security is described as "normal," and major fighting—it has been claimed at various times by various senior figures representing UNAMID—is at an end. But the road today between the two major cities of Darfur—Nyala and el-Fasher—is closed, and other roads are either closed or too dangerous to be used, even with a UNAMID escort. Much fighting has been reported between the Khartoum regime and rebel groups, including very recently. There is an unending epidemic of rape targeting African women and girls. Humanitarian workers in the field are increasingly few in number and there are almost no expatriate workers. Aerial bombardment continues at an intense level, and direct attacks on camps and camp residents by regime-allied militia groups are increasing at an alarming rate, even in areas where UNAMID nominally has a presence.⁹²

But current UNAMID Special Joint Representative Ibrahim Gambari has no time for such issues. UNAMID neither investigates nor reports on the vast majority of eyewitness accounts by civilians. The Darfur that Gambari purports to represent to the international community does not reflect reports coming from Radio Dabanga, whose specific claims about violence—sometimes attributed to named eyewitnesses, with highly specific details, including precise locations—have never been challenged meaningfully by UNAMID...never.

What have we heard from the UN, the AU, and the U.S.? Several important statements and assessments are here arranged chronologically, including comments by humanitarian workers in Darfur assessing Scott Gration's account of the region in his Senate testimony of July 2009.⁹³

[1] In summer 2009, U.S. special envoy Gration repeatedly told Darfuris that peace would be achieved "by the end of the year" (2009). His optimism, though based on ignorance rather than malice, proved a cruel hoax, leading Gration to an unreasonable view of the possibility of returns by displaced persons. A highly alarmed and only partially tactful humanitarian working group in Darfur ("Inter-Agency Management Group," IAMG) prepared notes that were reported by the Washington Post in August 2009:

Given the message sent by Scott Gration to the Humanitarian Community and the beneficiaries, i.e., *peace will prevail in Darfur by the end*

of the year, and returns have to happen, the IAMG felt it has to take a common position.

The Special Envoy emphasized his desire to see IDPs returning to their home as early as possible. Beyond the fact that this is linked to a success of the political process, the IAMG, whilst recognizing the possibility to returns as an ultimate goal and supporting it, *want to emphasize that specific impediments need to be addressed before it is made possible*. In addition, it is important to keep in mind that a large part of the IDPs might opt for staying in their new settlements over a return to their place of origin. [] The *incapacitation* of the International Organization for Migration (IOM) and [the] UN High Commission for Refugees (UNHCR) in South Darfur is *utterly limiting the capacity to deal with population movements and potential returns*.⁹⁴

Graton conspicuously failed to understand that Khartoum had engineered this “incapacitation.” Just as consequentially, Graton, even while pushing for early returns, failed to understand the obstacles to returns and the lack of capacity to ensure that such returns would indeed be voluntary and secure.

[2] Ban appointed as UNAMID Joint Special Representative Ibrahim Gambari of Nigeria, effective as of January 1, 2010.⁹⁵ Gambari from the beginning cultivated an exceedingly cozy relationship with the men in Khartoum, and responded “enthusiastically” to the regime’s proposed “New Strategy for Darfur,” a blue-print for forcing out humanitarian organizations in the name of “development” and compelling the return of displaced persons.⁹⁶ He was joined in his enthusiasm by U.S. special envoy for Sudan Scott Graton and Thabo Mbeki, representing AU diplomatic efforts on behalf of Darfur.

[3] In August 2010 Gambari led negotiations with Khartoum over six leaders from Kalma Camp (outside Nyala) who had sought UNAMID protection.⁹⁷ This was an extremely difficult and tense situation that required a principled stand for the integrity of UNAMID’s civilian protection mandate. Gambari, however, capitulated before Khartoum’s key demand to have a military presence in the camps, violating critical international humanitarian norms. We know this because in an exclusive interview, *Sudan Tribune* spoke with the six people (five men and one woman), and their account reveals all too clearly the expediency of Gambari:

In an exclusive interview with *Sudan Tribune* Wednesday [August 11, 2010], the five sheiks and a woman said the Joint Special Representative Ibrahim Gambari met [them in the] presence of a government delegation led by state minister for humanitarian affairs Mutrif Sideeg. Ac-

ording to the IDP representatives in the troubled camp, *Gambari asked them to accept the presence of joint patrols formed by the Sudanese government and the hybrid peacekeeping mission. “If you refuse to accept this deal I will have no choice but to hand you over to the Sudanese authorities,”* Gambari told them according to the six representatives who are still in the UNAMID policing center inside the camp.
⁹⁸

[4] In early January 2011, former UN Resident and Humanitarian Coordinator for Sudan, Georg Charpentier, declared: “UN humanitarian agencies are not confronted by pressure or interference from the Government of Sudan.”⁹⁹ This assessment found no support within the nongovernmental organizations on the ground in Darfur or indeed in the UN itself.¹⁰⁰

[5] Charpentier declared further (January 20, 2011): “We are seeing a trend of decreasing overall violent incidents in Darfur.”

By contrast, Human Rights Watch reported ([January 28, 2011](#)):

The UN-African Union Mission in Darfur (UNAMID) was unable to access most of the areas affected by violence, despite its mandate to protect civilians under imminent threat of physical violence.

This forces an obvious question: did Charpentier really mean to claim that while UNAMID was denied access to most of the affected areas affected by violence in Darfur, the UN and other humanitarian organizations were “not confronted by pressure or interference from the Government of Sudan”? Or is he simply dismissing the findings of this authoritative human rights report by the organization that has done most to chronicle violence in Darfur?

For its part, Human Rights Watch reported specifically:

Sudanese government and rebel attacks on civilians in Darfur have dramatically increased in recent weeks without signs of abating, Human Rights Watch said today. [] “While the international community remains focused on South Sudan, the situation in Darfur has sharply deteriorated,” said Daniel Bekele, Africa director at Human Rights Watch. ([January 28, 2011](#))

[6] Shortly after Charpentier’s January assessment, UNAMID itself reported an incident that should have had some bearing on any assessment of security on the ground. On January 26, 2011 a large group of Sudan Armed Forces troops in vehicles approached the IDP camp near Shangil Tobaya:

The Sudanese army detained four displaced people at the camp, said UNAMID. *“The SAF commander at the scene ... then threatened to burn down the makeshift camp and UNAMID team site, if the peace-keepers continued to interfere.”*¹⁰¹

[7] The African Union evidently found the accounts by Gambari and Charpentier persuasive, **noting in a document on Sudan that emerged following an Addis meeting of February 2, 2011, “the personal and unwavering commitment of President Al Bashir to sustaining peace between northern and southern Sudan and do all he can for the early resolution of the crisis in Darfur.”**¹⁰² At this point al-Bashir had been indicted by the International Criminal Court for genocide and crimes against humanity in Darfur.

[8] In picking and choosing among statistics, **Gambari asserted on September 16, 2011: “Although 2.7 million people ‘were displaced at the height of the conflict,’ [Gambari] said, the estimate now is 1.7 million.** Frankly, that is a huge change.’ Gambari also claims to have witnessed groups of refugees returning from Chad to Darfur.” This highly disingenuous statistical reckoning has been discussed at length in a previous publication. Most significantly, Gambari’s figure takes no obvious account of the approximately 1 million civilians newly displaced since UNAMID took up its mandate on January 1, 2008. ¹⁰³

[9] **Also in September 2011, Gambari claimed that, “as a result of a drop in ‘acts of aggression between the government and armed groups many residents are returning to Darfur.’** According to him there have been *70 percent fewer confrontations between the two sides from January to July* in the restive western region of Sudan and one million people appear to have left camps for the displaced.”¹⁰⁴ But in the same interview, Gambari puts his claim in significantly different and more tendentious fashion:

“Our figures have shown that the number of armed attacks in all three Darfur states *has fallen by as much as 70 percent over the past three years*, which has resulted in more displaced people returning to their homes.”

These figures of “70 percent” appear to represent very different kinds of violence, over very different periods of time (years as opposed to months). Moreover, it should be noted that Gambari’s “70 percent fewer confrontations” is based entirely on data gathered by a highly constrained UNAMID. There would seem to be a deliberate ambiguity—even disingenuousness—in the claim that “armed attacks [have] fallen by as much as 70 percent *over the past three years.*” What is meant

by the category “armed attacks” is quite unclear. Is it the same as the 70 percent reduction in the number of “confrontations between the two [military] sides”? Does it include “armed attacks” such as that which occurred on September 2, 2010 in Tabarat, North Darfur?

[10] The UN News Center (April 12, 2012) reports on Gambari’s conclusion following a brief “assessment mission” to Darfur: (“Darfur: security and humanitarian situation improve”)

The head of the joint United Nations-African Union mission in the western Sudanese region of Darfur (UNAMID) on Saturday reported a decrease in clashes and ethnic conflict, as well as a decline in criminal activities against civilians, including banditry, and fewer attacks on humanitarian convoys in the area. []The humanitarian situation has also been relatively stable over the past six months, he said, *highlighting an increase in the number of internally displaced persons returning voluntarily to their villages of origin, particularly in West Darfur.*

[11] In an interview with Radio Dabanga (May 20, 2012), the spokesman for UNAMID, Christopher Cycmanick, “described the security situation in Darfur as ‘relatively calm.’”

[12] Bending to [demands by Khartoum](#) and the tacitly accepting the conspicuous failure of UNAMID, **Hevré Ladsous—current head of UN peacekeeping operations—announced on June 24, 2012 that UNAMID will be reduced substantially over the next 18 months.**¹⁰⁵ Ladsous, who has proved exceptionally weak in his position, offers as explanation little more than a statement that the reduction “would be implemented ‘during the next 18 months *to reflect the reality on the ground* and to streamline the overlapping functions between military, police and mission support components.’” The only phrase of significance here is the claim that a decision to reduce the size of UNAMID reflects an assessment of “*the reality on the ground.*”

This in brief is the UN and African Union assessment of security on the ground in Darfur. Since security and humanitarian access are inextricably linked, this is also an indirect assessment of humanitarian conditions. Provision of relief aid is critically dependent upon adequate security if it is to reach the more than 2 million people who remain displaced from their homes—in host communities and families, in rural areas such as Jebel Marra, and in camps where conditions are seriously deteriorating.

There are other views.

August 12, 2012: UNAMID in the Present

Violence has again exploded throughout Darfur. On July 31 Khartoum's security forces gunned down scores of student demonstrators with automatic rifles. Elsewhere, intense fighting between rebel groups and Khartoum's Sudan Armed Forces (SAF) has been reported, especially in eastern Darfur.¹⁰⁶ And various paramilitary elements, including the *Abu Tira* (Central Reserve Police, CRP), and Border Intelligence Guards are engaged in increasingly violent killings and looting. A well-placed and well-informed source on the ground reports that:

Kutum town has been overrun by Arab militia since last Thursday [August 3, 2012]...all of the INGOs [International Nongovernmental Humanitarian Organizations] and UN offices in the area have been thoroughly looted and their staff relocated to el-Fasher. All of the IDPs from Kassab IDP camp have been displaced. The markets in Kutum and in Kassab have both been thoroughly looted.¹⁰⁷

This source goes on to note that in the case of the fighting in and around Kutum, while beginning in a personal dispute between individual members of two Arab tribal groups:

The fighting...has not been between the two tribes but focused on looting the IDP camps and the INGOs and the markets in the town.¹⁰⁸

The implications of this violence have not been reported anywhere—by the UN, UNAMID, or even Radio Dabanga. Nonetheless, they are enormous:

Most of the north part of North Darfur (all the way to Chad) is served from Kutum and now all [humanitarian] organizations have lost all capacity because of the looting, and I do not see the humanitarian community reinvesting in the basic infrastructure because of what has happened. This is going to cause huge humanitarian issues in Kutum and the IDP camps there. All the fuel at the INGOs was looted. This fuel is for vehicles but also for the generators to run water pumps in town and outside of town. This could turn bad, as it is the rainy seasons right now.¹⁰⁹

Radio Dabanga also reports eyewitness accounts of the destruction of compounds belonging to (among others) the UN World Food Program and (Irish) GOAL, as well as Kutum's market areas:

Eyewitnesses from Kutum, North Darfur, told radio Dabanga that pro-government militias stormed the Al Gusr, Al Dababeen and Al Salam areas and the entrance of a large market. They added that the pro-government militias attacked humanitarian organizations' compounds in Kutum town. ¹¹⁰

Agence France-Presse reported (August 10, 2012) on UN OCHA's finding that "during the violence, the *premises of five humanitarian organisations were looted*. Humanitarian staff have been evacuated to El Fasher town.' The World Food Programme previously announced that its Kutum compound was looted for about 12 hours from around midday on August 2."¹¹¹

These extreme threats to humanitarian security may prove catastrophic for hundreds of thousands of people; yet UNAMID is largely silent in the wake of its own weak response to events in and around Kutum. These events include violence against IDPs, overwhelmingly from non-Arab or African tribal groups.

Following this uncontrolled violence, the best that UNAMID chief Ibrahim Gambari could offer was the "hope that the government will restore law and order in the area, fulfilling its responsibility to protect civilians and allow those recently displaced to return to their homes."¹¹² Gambari's plea for protection of newly displaced persons appears directed at a regime that has heeded no previous plea for civilian protection—in Darfur, or anywhere else in Sudan.

Radio Dabanga and other sources report that the entire population of Kassab camp—more than 30,000 people—fled in the wake of the violence: "The witnesses added that more than 32,000 IDPs scattered and fled towards Kutum from Kassab camp. Others fled towards the areas of Ain Seerou, west of Kutum."¹¹³ The same dispatch reports "pro-government militias arrested more than 300 IDPs [following three consecutive days of violence]...A number of IDPs expressed their anger and condemnation of the alleged failure of UNAMID troops to protect those subjected to raids, murders, torture and plundering for three consecutive days by pro-government militias."

Nearby Fata Borno IDP camp was also assaulted:

Refugees from Fata Borno camp claim that pro-government militias stormed the homes of the remaining IDPs in the areas of Misri, Amrallah and Nando by night, looting properties and assaulting people. Some of the IDPs who fled the camp towards the city of Kutum were also subjected to looting and plundering by pro-government gunmen, near to the area of Mourgy on the road between Fata Borno and Kutum.

The gunmen stripped the IDPs from all their belongings and their cattle after beating them severely.

In its most recent dispatch on these developments (August 9), Radio Dabanga reports:

Representatives of the Kassab and Fata Borno camps in North Darfur, revealed on Wednesday [August 8] that the situation in both camps remains critical and over 70,000 IDPs fled so far. UNAMID promised to provide support to both camps within 24 hours. The head of the camps' representatives, Ahmed Bishara, demands that Tijani Sese, President of Darfur Regional Authority in Khartoum, provides immediate assistance to the Internally Displaced Persons (IDP). Bishara especially requests food and blankets. He describes the IDPs' food security as critical as humanitarian organizations' shops were looted and IDPs lost everything. Sese demands that camps' leaders work to secure the camps and that they participate in resolving the conflict.

Of course it is Sese himself—who committed to representing all Darfuris in signing the “Doha Document for Peace in Darfur” (July 2011)—who bears greatest responsibility for “resolving conflict.” Camp leaders are not the ones responsible for this avalanche of violence and its aftermath.

If, as Radio Dabanga and others suggest, 70,000 people have indeed been newly displaced, the UN assessment that some 38,000 people have safely and voluntarily returned to West Darfur (and some to North Darfur) means little. And regarding the 1,145 refugees that the UN claims have returned from eastern Chad, Darfuris on the ground and in the diaspora express particular skepticism: where precisely are these re-settled people? The representative for the UN High Commission for Refugees in Chad has adamantly denied any such returns from eastern Chad since March 2012.¹¹⁴

Moreover, even the most recent report (July 16, 2012) from the UN Secretary-General acknowledges additional and substantial new displacement directly related to violence and insecurity long before the events at Kutum:

21. UNAMID received reports of fighting between Sudanese Armed Forces and unidentified movement forces on 17 April in Samaha, 100 km east of El Daein, Eastern Darfur; Saysaban, 140 km south-west of Nyala, Southern Darfur; and Um Dafok, 265 km south-west of Nyala. There were also reports of such fighting on 19 April in Songo, 265 km

southwest of Nyala. An SLA-Minni Minawi spokesperson claimed involvement in the clashes in Um Dafok. UNAMID confirmed the fighting in Samaha, but was unable to independently verify the incidents in Southern Darfur because of restrictions imposed by local Government authorities. Humanitarian agencies provided assistance to *19,000 civilians newly displaced from Samaha [East Darfur] to neighbouring villages by the fighting.*¹¹⁵

And still the violence near Kutum continues—almost a week after the initial onslaught:

Mohammed Adam Abaker, 50 years old, was shot today by pro-government militias inside the Kassab camp, North Darfur, according to a relative. He added Abaker was shot inside the camp as he returned home to recover his belongings, but his body was found in an open area near the camp. (August 7, 2012)

Much of Kutum remains shuttered, food prices are skyrocketing, and fear is pervasive. The deficit in humanitarian resources following the looting is daily making itself more acutely felt. Even in the urban areas themselves—Kutum, but also Fata Borno and Kebkabiya—the toll has been heavy:

Abdul Nasser Ibrahim, head of civil society organizations in Kutum, North Darfur, revealed that the recent events in Kutum, Kebkabiya and Fata Borno left 21 people killed, 600 injured, and a thousand missing. Nasser appealed to the Sudanese Ministry of Justice to form a committee to investigate the recent events, to bring the perpetrators to trial as well as to disarm pro-government militias.¹¹⁶

Most recently (August 13) Radio Dabanga reports attacks on Abu Zereiga in North Darfur:

Traders from Abu Zereiga told Radio Dabanga that armed groups approached the town with more than ten vehicles. The vehicles were accompanying a trade convoy on its way to Nyala. Abu Zereiga's market was plundered after the convoy passed yesterday night, as some of the armed groups left the convoy. The armed groups shot in the air after which they assaulted the merchants, driving them out of their shops and seizing the opportunity to loot what was inside, money and goods, and fled.

Attacks of this character are increasingly common. Urban violence has also included extraordinary developments in Nyala, the largest city in Darfur, where on July 31, 2012, Khartoum's security forces used automatic rifles against protesting students.¹¹⁷ Reports from Human Rights Watch, Amnesty International, the African Centre for Justice and Peace Studies, and Radio Dabanga suggest appalling totals of 12 dead and approximately 100 wounded, some critically, and many under the age of 18. This urban violence in part reflects the broad dissatisfaction sweeping Sudan, particularly the growing outrage at surging prices for food and fuel—the painful consequences of years of economic mismanagement and relentless military actions. But it is also part of the culture of violence taking a deeper and deeper hold on Darfur; this violence, perversely, now serves Khartoum as a kind of “regime security on the cheap.”

New violence has also included sustained and immensely destructive aerial bombardment of civilians and civilian targets.

Hundreds were displaced from east Jebel Mara to Tawila locality, North Darfur. According to a witness, this is the result of the Sudanese Armed Forces' (SAF) intensive bombing on east Jebel Mara throughout the week. A source informed Radio Dabanga that residents from the villages of Arosha, Hijer, Deloomi, Humeda, Sabi, Wadi Mora, Tangarara were moved to Tawila locality in North Darfur. One of the fugitives said that *dozens of people*, including a large number of women, children and elders, are still in open fields, forests and valleys. They have no food, no medicine and no shelter. (Jebel Marra, August 6, 2012)

On Tuesday [August 7, 2012] *three herders were killed and four were injured* in Tabaldiya Dalma village, East Jebel Marra, North Darfur. According to victims' relatives the Sudanese Air Force dropped five bombs on the area from an Antonov airplane. The bombs hit the herders as they returned home at sunset. *The fatal victims are: Nona Ahmed Abaker, 11 years old, Adam Omar Abdullah, 10 years old and Rauda Adam Zacharias, 10 years old. The injured herders are: Abdullah Musa Ismail, 7 years old and his sister Um al nas Musa Ismail, 12 years old, Mariam Ahmed Omar 12 years old and Sadia Zakaria, 13 years old.* A large amount of livestock was also destroyed. (August 7, 2012)

And the aerial attacks have continued in South Darfur as well:

Eyewitnesses told Radio Dabanga that an Antonov plane bombed the areas of Hillat Ahmed, Hillat Abaker, Um Kadaldal, Kabka, Lourtik

and Trungfawi, South Darfur. In addition, villages southeast of Tabit and the *area south of al-Malam in South Darfur were also bombed. This is the fourth day of bombings in the area.* (August 8, 2012)

Khartoum also denies access to UNAMID workers who attempt to investigate the many reports of civilian bombardment received by the Mission. Here it is worth noting that from the beginning of 2011 through May 5, 2012 there have been well over 100 eyewitness reports of aerial attacks on civilians—every one of them a violation of the ban on military flights contained in UN Security Council Resolution 1591 (March 2005), and every one also a war crime under the Rome Statute of the International Criminal Court.¹¹⁸ Yet Secretary-General Ban Ki-moon, in his two most recent reports on UNAMID, which together cover the first half of 2012, notes only two such UNAMID-confirmed aerial attacks. This extraordinary paucity of reporting speaks volumes not only about the impotence of UNAMID as a protection force, but also about the UN Secretariat's decision to allow the collapse of the UN Panel of Experts on Darfur, also created by Resolution 1591.

The most shocking feature of these reports on UNAMID from Secretary-General Ban Ki-moon's office is that they *contain not a single reference to the epidemic of sexual violence that continues to rage in Darfur.* There is not one mention of an incident of sexual violence against girls or women, or even the mention of a report on such violence. These omissions reflect appalling acquiescence before Khartoum's hostile sensitivities on the issue. UNAMID carefully records the number of kidnappings, car-jackings (10), acts of banditry (246), and other crimes; all are tabulated under the section of the Secretary-General's report headed "Safety and Security." Yet despite Radio Dabanga's continual, detailed reports of rapes and sexual assaults, UNAMID refuses to report or confirm them.

As security continues to deteriorate, attacks against civilians occur even in the immediate vicinity of the main UNAMID base in el-Fasher:

Local government militias kill 4 people on Friday in the area of Abu Zeraiga, [some 20 miles] south of El-Fasher. A relative of one of the victims told Radio Dabanga that the government militia moved from Dar es Salaam and Shangil Tobay riding vehicles, motorcycles and camels and attacked the area around five o'clock in the evening. *The attack resulted in the deaths of Idriss Zakaria Ali, Idriss Abdullah Ali, Abdullah El-Bari Idriss Abdullah and Khalil Adam Bakht and injured Idriss Araja Hassan and El-Omda Ali.* The militia plundered approximately 1,245 livestock.¹¹⁹

In excusing the failure to investigate various reports of violence, UNAMID spokesman Chris Cycmanick declares that “the government denied access to UNAMID peacekeepers who tried to reach the area.”¹²⁰ Yet this phrase or some version of it litters the pages of the two most recent reports on UNAMID from the UN Secretary-General (April and July 2012), appearing dozens of times. Again and again, Khartoum denies UNAMID access to investigate reports of violent attacks on civilians or military encounters between the SAF and rebel groups. The most recent report (July 16, 2012) states that Khartoum’s authorities denied 357 flights as well as 27 ground missions from April 1 to June 30.¹²¹ These denials come more than four and a half years after UNAMID supposedly secured from Khartoum a Status of Forces Agreement in February 2008 that guaranteed complete freedom of movement throughout Darfur—yet another agreement that the regime has signed without any intention of abiding by.

As previously noted, on November 26, 2007, almost on the eve of UNAMID’s official assumption of its civilian protection mandate (January 1, 2008), then-head of UN peacekeeping Jean-Marie Guéhenno expressed concerns about the character and quality of the force that would deploy under UN auspices. Those concerns were articulated in the form of question, one that even at the time came too close to answering itself:

Do we move ahead with the deployment of a force that will not make a difference, that will not have the capability to defend itself and that carries the risk of humiliation of the Security Council and the United Nations and tragic failure for the people of Darfur?

Tragically, that question has now been answered in all possible ways.

July and August 2012 have seen an extraordinary upsurge in violence in Darfur, and many of the most representative instances are collected at the end of Annex VIII. The level of violence and the destructiveness of attacks on humanitarian operation signals an impending collapse of UNAMID.

Notes

- 1 Dead link: http://www.rfkmemorial.org/legacyinaction/2007_Ahmed
- 2 Led heroically in failure by Lt. General Romeo Dallaire. His unsparing account of this international failure (*Shake Hands with the Devil: The Failure of Humanity in Rwanda.*) is an insightful chronicle of the decisions, equivocations, mendacity, and cowardice that left hundreds of thousands of innocent civilians to die by machetes, small arms, and innumerable other acts of individual and collective savagery.
- 3 Refugees International, “No Power to Protect: The African Union Mission in Sudan,” November 2005.
- 4 Brookings Institution/Bern University, “The Protecting of Two Million Internally Displaced: The Successes and Shortcomings of the African Union in Darfur,” November 2005.
- 5 Jean-Baptiste Natama, a senior AU political official, declared: “If the situation is getting worse, we are not going to pack our luggage and leave Darfur... We are going to have a robust mandate to make sure we are not here for nothing. We should be able to bring peace, or impose peace.” *New York Times*, November 29, 2004; cited BR report page 16.
- 6 Point 7, paragraph 6, AU Peace and Security Council Communiqué October 20, 2004.
- 7 RI, page 21.
- 8 BR, page 35.
- 9 BR, page 20.
- 10 BR report, pages 18–19.
- 11 RI page 10.
- 12 The UN estimated in August 2005 that there are 338 locations for “IDP Gatherings and Affected Populations” throughout Darfur (see map [here](#); see [October 4, 2005 report](#) by Juan Mendez, UN special advisor on the prevention of genocide, paragraphs 19 and 23.
- 13 AP, September 28, 2005.
- 14 Reuters, October 21, 2005.
- 15 UNMIS, “Sudan: Darfur Humanitarian Profile No. 30,” January 1, 2008.
- 16 UNMIS, “Sudan: Darfur Humanitarian Profile No. 29,” October 1, 2007; UNMIS, “Sudan: Darfur Humanitarian Profile No. 25,” October 1, 2006.
- 17 *Sudan Tribune* [Khartoum] February 25, 2007.
- 18 Sudan Media Center, March 4, 2007.
- 19 Reuters. “U.S. Plans new financial sanctions on Sudan.” March 14, 2007.
- 20 *Globe and Mail* [Canada], November 16, 2007; co-authored by Robert Muggah, research director of the Small Arms Survey.

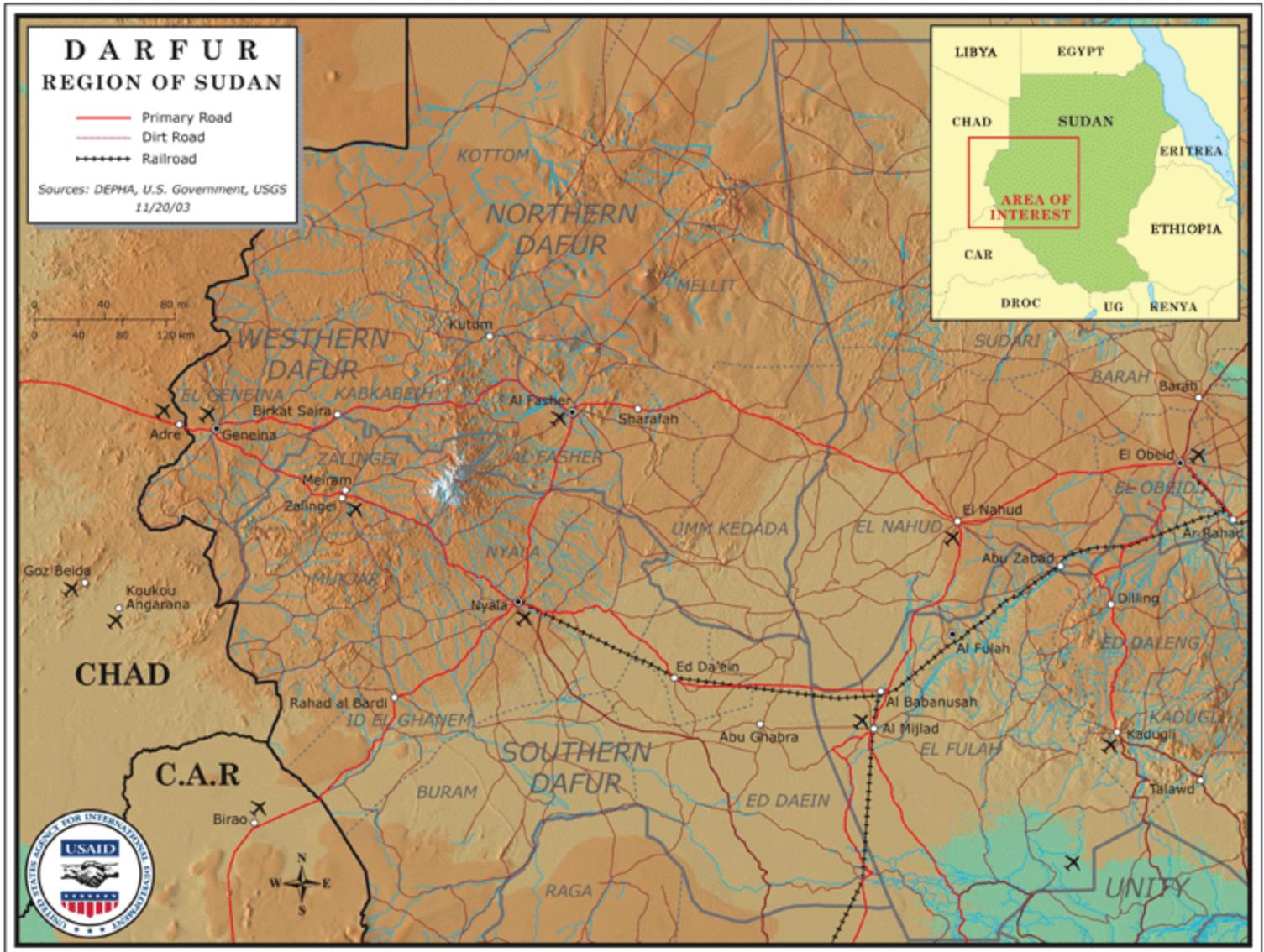
- 21 BBC [el-Fasher, North Darfur], December 3, 2007.
- 22 Reuters [Nyala, South Darfur] December 1, 2007.
- 23 NYT, "In Darfur, Signs of Another Massacre," October 17, 2007.
- 24 NYT, [October 17, 2007](#).
- 25 Reuters [New York] December 3, 2007.
- 26 See my [statement of December 30, 2003](#).
- 27 See an especially important report on the water crisis around el-Fasher and Darfur generally, UN Integrated Regional Information Networks, [December 10, 2007](#).
- 28 RI, "Humanitarian Action Still Under Fire in Darfur," December 13, 2007.
- 29 allAfrica, "[Grounded: the International Community's Betrayal of UNAMID](#)."
- 30 UNAMID public statement [Khartoum], May 22, 2008.
- 31 allAfrica, "[Sudan: Ban Welcomes Creation of New High-Level Committee On Darfur](#)," September 12, 2008.
- 32 OCHA, [Sudan: Darfur Humanitarian Access Map \(as of 2 June 2008\)](#).
- 33 MSF Alert, Vol. 11, No. 8, Summer 2008, page 6.
- 34 For a full account of the evidence available, see my January 15, 2008 analysis: "[Khartoums Military Forces Deliberately Attack a UNAMID Convoy](#)."
- 35 Voice of America [UN/New York] July 11, 2008.
- 36 AFP [UN/New York], July 11, 2008.
- 37 For a full account of the evidence implicating the *Janjaweed* and Khartoum in this attack on UNAMID, see my analysis of [July 12, 2008](#).
- 38 NYT [Dakar] May 23, 2008.
- 39 UNAMID public statement [Khartoum], May 22, 2008.
- 40 These Ethiopian tactical helicopters were first promised" a full year ago (see report from the Security Council, 5849th Meeting, March 10, 2008); one may be forgiven for wondering if they will ever actually deploy.
- 41 Ban Ki-moon, "Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur" (February 10, 2009) p.19.
- 42 The town had fallen to the Justice and Equality Movement in mid-January, seized from the SLM forces of former rebel Minni Minawi.
- 43 see an excellent *Christian Science Monitor* dispatch from Otash Camp outside Nyala: "[Darfuris flee on eve of Bashir case](#)," [March 3, 2009](#).
- 44 Ban Ki-moon, Feb. 2009 report, p. 61.

- 45 Lack of capacity prevents UNAMID from investigating most bombing reports.
- 46 *The Guardian Weekly*, March 2, 2009.
- 47 See my [September 13, 2008 analysis](#) “Chaos by Design”: Khartoum’s Patterns of Violence in Darfur, 2008.
- 48 See my account “Darfur Enters the Abyss: Khartoum Renews Massive Assaults on Civilians,” [February 12, 2008](#).
- 49 See my account, “Khartoum’s Military Forces Deliberately Attack a UNAMID Convoy,” [January 14](#).
- 50 Accounts of UNAMID minimalist “patrols” and weak interaction with the populations they are to protect are often very unflattering.
- 51 UN Integrated Regional Information Networks, July 12, 2004.
- 52 IRIN, July 12, 2004.
- 53 UN Integrated; Information Networks, July 12, 2004.
- 54 UN Integrated Regional Information Networks, July 13, 2004.
- 55 SUNA [Khartoum], December 29, 2009.
- 56 Report of the Secretary-General to the Security Council on UNAMID, [November 6, 2009](#), pages 1–2.
- 57 *Sudan Tribune* [Khartoum], November 10, 2009.
- 58 CSM, “Doha agreement could actually worsen chances for peace in Darfur ,” [July 19, 2011](#).
- 59 Eric Reeves, “Who Speaks for the UN on Darfur: The Role of Nigeria’s Ibrahim Gambari,” *Dissent Magazine*, August 25, 2010.
- 60 AFP [Khartoum] [August 27, 2009](#).
- 61 [Peace Operations Monitor Sudan \(webpage\): Relief Activities](#).
- 62 Eric Reeves, “Redefining Darfur’s Agony: A Shameless Betrayal,” *Sudan Tribune*, [September 27, 2009](#).
- 63 See www.sudanbombing.org
- 64 Agence France-Presse, July 22, 2011. [N.B. A much more plausible estimate of the number of displaced, since mid-December 2010 to the present, is the figure [used by Radio Dabanga](#): 140,000.
- 65 Reuters [Khartoum] [May 23, 2011](#).
- 66 Agence France-Presse [Khartoum] [June 27, 2011](#).
- 67 Reuters, “Exclusive: Darfur attack survivors tell of brutal killings,” [September 17, 2010](#).
- 68 UN Security Council: [Resolutions 2011](#)

- 69 AFP [Khartoum] August 3, 2011.
- 70 sudanbombing.org
- 71 AFP [Khartoum] August 3, 2011.
- 72 Karti is of Arab militia background with the Popular Defense Forces.
- 73 Sudan Vision [Khartoum] August 18, 2011.
- 74 UN Security Council Resolution 2003, July 19, 2011.
- 75 A threat made yet again on August 16, 2011 by Foreign Minister Karti: *Sudan Tribune*, August 17, 2011.
- 76 Detained UN worker at risk of torture in Sudan, Amnesty International Press Release, July 19, 2011.
- 77 Eric Reeves, "The Disappearing Genocide," *The New Republic*, August 20, 2010.
- 78 <http://www.sudantribune.com>; <http://www.radiodabanga.org/>
- 79 Eric Reeves, "QUANTIFYING GENOCIDE: Darfur Mortality Update, August 6, 2010."
- 80 See especially "They Came Here to Kill Us': Militia Attacks and Ethnic Targeting of Civilians in Eastern Chad," January 2007, and "Darfur Bleeds: Recent Cross-Border Violence in Chad," February 2006.
- 81 UNHCR, 2012 UNHCR country operations profile—Chad.
- 82 Eric Reeves, "How Many in Darfur Have Died?" *Dissent Magazine*, May 21, 2010.
- 83 The undertaking is in partnership with the UN World Food Program as part of an overdue re-registration effort in the camps.
- 84 Eric Reeves, "Who Speaks for the UN on Darfur: The Role of Nigeria's Ibrahim Gambari," *Dissent Magazine*, August 25, 2010.
- 85 Eric Reeves, "Darfur is Getting Worse," *The New Republic*, June 4, 2011.
- 86 Moreover, two ominous recent reports indicate that dry season fighting may be about to begin; Radio Dabanga [Kabkabiya] November 23, 2011.
- 87 SSP, "Radius of Operations: Sudan Increases Air Attack Capacity," November 11, 2011.
- 88 Eric Reeves, "Displacement in Darfur Since UNAMID Assumed Its Mandate," January 1, 2008.
- 89 Small Arms Survey [Geneva]"Beyond *Janjaweed*': Understanding the Militias of Darfur," June 2009.
- 90 Eric Reeves, "Watching Genocide, Doing Nothing: The Final Betrayal of Darfur," *Dissent Magazine*, Fall 2006.
- 91 Eric Reeves, "How Many Internally Displaced Persons Are There in Darfur?" *Dissent Magazine*, April 28, 2011.
- 92 <http://www.sudanbombing.org/>

- 93 It should be noted, if only in passing, that the UN, UNAMID, and the U.S. have been fulsome in their celebration of the “Doha [Qatar] Document for Peace in Darfur” (DDPD), as have the EU and other international actors of consequence. That the DDPD (July 2011) has been overwhelmingly rejected by Darfuris—representatives of civil society, camp leaders, rebel groups, and political figures throughout the diaspora—seems to make no difference, at least for diplomatic purposes. For the U.S., which seems content to flog this dead horse of an “agreement” indefinitely, support for the DDPD reflects a [decision made almost two years ago](#)—to “de-emphasize” Darfur, indeed to “de-couple” it from the basic elements of U.S. Sudan policy. The Darfuri reaction to the DDPD is a subject to which I will return soon. For a current account, see Radio Dabanga here <http://www.radiodabanga.org/node/33097>. The futile nature of the “implementation plan” is reported by *Sudan Tribune* [here](#).
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- 95 Eric Reeves, “The UN’s Man in Darfur: The Expedient Mendacity of Ibrahim Gambari,” September 18, 2011.
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- 98 *Sudan Tribune* [Khartoum] August 11, 2010.
- 99 Georg Charpentier, in a [written statement to the Institute for War and Peace Reporting](#); (January 7, 2011)
- 100 The UNICEF country director publicly contradicted Charpentier.
- 101 Reuters [Khartoum] January 26, 2011.
- 102 Eric Reeves, “Where Does the Sudan People’s Liberation Army-North Get its Weapons?” South Sudan News Agency, September 23, 2012.
- 103 Eric Reeves, “How Many Internally Displaced Persons Are There in Darfur?” *Dissent Magazine*, April 28, 2011.
- 104 Radio Netherlands International, September 14, 2011.
- 105 SMC, “Sudan Calls for Reducing UNAMID Forces,” January 6, 2012.
- 106 See “Forgotten Darfur: Old Tactics and New Players,” Small Arms Survey, July 2012.
- 107 Email to the author, received August 5, 2012.
- 108 Email to the author, received August 5, 2012.
- 109 Email to the author, received August 5, 2012.
- 110 Radio Dabanga [Kutum] August 2.
- 111 AFP [Khartoum] August 10, 2012
- 112 UN News Center, August 6, 2012.
- 113 Radio Dabanga, Kutum, August 3, 2012; the UN figure for Kassab is 25,000.

- 114 Eric Reeves, "Obduracy at the *New York Times*: Refusal to Acknowledge Errors or Problems in the Representation of Realities in West Darfur," April 15, 2012.
- 115 UN Security Council: Secretary General's Reports 2012.
- 116 Radio Dabanga, August 8, 2012.
- 117 Amnesty International, "Sudan: Security forces must stop using live rounds against demonstrators," August 2, 2012.
- 118 www.sudanbombing.org
- 119 Radio Dabanga [el-Fasher] July 30, 2012.
- 120 Agence France-Presse [Khartoum] August 9, 2012.
- 121 UN Security Council: Secretary General's Reports 2012.





Photography credit: Enough Project

A very early photograph of women displaced by genocidal violence
(December 2003)

There is a large majority of women and children in the camps



Photography credit: Mia Farrow

A Darfur IDP camp in 2006, three years after the outbreak of conflict



Photography credit: Mia Farrow

ASSAULTS ON AFRICAN (NON-ARAB) VILLAGES,
ESPECIALLY IN THE EARLY PHASES OF THE GENOCIDE,
WERE COMPREHENSIVELY DESTRUCTIVE—AND DELIBERATELY SO.

Foodstocks and seed-stocks were destroyed; wells poisoned with corpses; water vessels broken; all houses, markets, mosques, and other buildings destroyed. Men and boys continue to be killed, girls and women to be raped, and fear has become pervasive in remaining rural villages as well as in the IDP camps

This is the face of genocide.



Photography credit: USAID

SOME OF THE REMAINS OF A VILLAGE NEAR KERENIK (WEST DARFUR) (2005)
Water vessels are often deliberately broken during Janjaweed and SAF attacks in order to make the critical transport of water impossible should people attempt to return

THE MEN WHO ARE RESPONSIBLE FOR THIS DESTRUCTION—THE JANJAWEEED



continued on next page

THE MEN WHO ARE RESPONSIBLE FOR THIS DESTRUCTION—THE JANJAWEED

continued from previous page



Photographs come from a range of sources, most unknown; two are by Mia Farrow.



Photography credit: Mia Farrow

THERE ARE COUNTLESS SUCH IMAGES THAT GROW DIRECTLY OUT OF THE TRAVAILS OF LIFE IN IDP AND REFUGEE CAMPS.



Photography credit: United Nations

ARMS AND AMMUNITION ARE EVERYWHERE IN DARFUR,
CHIEFLY OF CHINESE MANUFACTURE

All weapons brought into the region by Khartoum, and by rebel groups, violate UN Security Council Resolution 1591. The UN Panel of Experts on Darfur that was to have monitored the arms embargo has been allowed by Secretary General Ban Ki-moon to collapse meaningless posturing



Photography credit: Mia Farrow

THE PEOPLE OF DARFUR HAVE BELIEVED IN THE INTERNATIONAL COMMUNITY. They believed that the world would offer them protection and humanitarian relief; they have been bitterly disappointed, particularly in the UN and the African Union. The “hybrid” UN/AU mission (UNAMID) has been a disastrous failure and has begun to draw down even as violence accelerates dramatically in Darfur.



Photography credits: Radio Dabanga

THE ABU TIRA.

The newest threat to the displaced persons of Darfur and those populations near villages and towns are the Abu Tira, or Central Reserve Police. Many of the Janjaweed have simply been recycled by Khartoum into these brutal forces. Radio Dabanga has reported regularly on the increasingly violent predations of the Abu Tira.



Photography credit: withheld by request

OTASH CAMP, MARCH 2005



Photography credit: Mia Farrow

DARFUR—NO WORDS....



Photography credit: unknown

GRIEF THAT WILL NOT HEAL



Photography credit: Mia Farrow

THE WEARINESS AND REPETITIVENESS OF DARFUR CAMP LIFE, AND THE LARGER DESPAIR THAT ENGULFS THESE PEOPLE AFTER SO MANY YEARS, IS IMPOSSIBLE TO UNDERSTAND (DECEMBER 2006)