

AU'S CRITICAL ASSIGNMENT IN DARFUR

Challenges and constraints

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In the wake of heightened media and political pressure about the Darfur humanitarian catastrophe, the African Union (AU) hurriedly deployed its monitors in Darfur, to be augmented later by a protection force to safeguard the monitors, albeit without adequate pre-deployment and logistic assessment. Without doubt, the Darfur crisis has become the AU's major preoccupation for the past year. The deployment of the African Mission in Sudan (AMIS) since June 2004 has presented many challenges to the AU and its partners. A restrictive mandate, inadequate troops to cover Darfur, serious operational, logistical and capacity shortfalls have combined in an inextricable way to present the AU's mission to some observers as spineless and ineffective. The UN and partners have acknowledged the lead role of the AU in Darfur, and have been very supportive with assistance in these critical deficient areas. How the AU will take advantage of this favourable environment and optimise the benefits from its partners will be crucial to its success in Darfur. The article emphasises the need for the AU to strengthen its capacity and expertise at all levels of command through technical cooperation and appropriate assistance from the UN and partners. The entire world is waiting to see how Africa delivers on this critical assignment.

Introduction

The sudden upsurge in the humanitarian crisis in the Darfur conflict by mid-2003 attracted unusual global attention and varied responses. Under the auspices of the Government of Chad (GoC) two ceasefire talks were brokered between the parties to the conflict, namely the Government of Sudan (GoS), the Sudan Liberation Army/Movement (SLA/M) and the Justice and Equality Movement (JEM). The first ceasefire agreement was reached in Abeche, Chad, in September 2003. Subsequently, the more comprehensive

Humanitarian Ceasefire Agreement (HCFA) was signed in N'djamena on 8 April 2004. Following the signing of the HCFA, the Assembly of Heads of State and Governments of the African Union (AU) in May 2004 authorised the deployment of the African Mission in Sudan (AMIS) in Darfur to monitor the agreement and bring under control the worsening humanitarian catastrophe. Article 3 of the HCFA provided for the establishment of a "ceasefire commission (CFC) composed of two high ranking officers from the parties, the Chadian mediation and the international

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community in accordance with the sovereignty of the Sudan".¹ The mandate of the CFC, which, among others, was to monitor, verify, investigate and report on violations, is clearly spelt out in Article 4. To operationalise the CFC, the AU decided to deploy 60 military observers to monitor compliance of the agreement and, later, a 300-strong protection force to provide security and safeguard for the unarmed observers.

As soon as deployment was completed, it became apparent that more observers and protection force would be needed to make a significant impact on the security and humanitarian situation. Therefore, on 20 October 2004, the Peace and Security Council (PSC) of the AU authorised the enhancement of the force by about tenfold, including a civilian police (CIVPOL) component. However, in spite of the urgent need for more troops, the deployment of this enhanced force, AMIS II, has taken over six months to complete owing to difficulties with appropriate accommodation in the field, logistics, force generation from troop-contributing countries (TCCs) and the unwieldy bureaucracy² at AU headquarters, coupled with a lack of institutional expertise for complex peace support operations (PSOs).

In addition, just before the complete deployment of AMIS II, the operational exigencies again necessitated an upward review of AMIS II to enable the force to respond rapidly and effectively to the numerous violations of the HCFA and other banditry activities by the parties. The call for strengthening the force has come from various international institutions and important personalities, including leading Sudanese politicians such as the First Vice President of the Republic of Sudan, Ali Othman Taha. In his recent address to the 5120th meeting of the UN Security Council, Taha observed that "the authority, capacities and forces of the AU should be enhanced – financially and operationally – so that it can complete its deployment and undertake the tasks of monitoring the ceasefire and putting an end to the security incursions that have cast a long shadow over the humanitarian efforts and efforts to achieve a peaceful political settlement".³ At present, these calls have been heeded and the request is under serious consideration by the AU PSC, in consultation with its AU partners.

Vice President Taha's observation vividly reflects the truism of the status of AMIS in Darfur, and this paper will accordingly attempt a review of the AMIS deployment in Darfur in order to highlight the operational, logistical and capacity shortfalls that have characterised the mission since its inception. The critical areas that will highlight the objective of the paper will cover challenges in the political, security and humanitarian fields of the mission. It will become apparent that in spite of an abundance of peacekeeping experience in some African countries and regions, such as the Economic Community of West African States (ECOWAS),⁴ the AU was unable to harness this experience and capacity in its major test after the first PSO undertaking in Burundi in 2003/04. The paper will conclude with broad policy recommendations, but it is not intended to explore critical issues such as political processes, causes of conflict, GoS intransigence and the demography and tribal dispersion/distribution in Darfur. It will also avoid sensitive areas such as analysis and impact of recent UN resolutions on Sudan.

Background to AMIS

The chairperson of the AU Commission dispatched an AU Assessment Mission to Darfur from 7 to 13 May 2004 to assess the security situation and advise him on the establishment of a Ceasefire Commission (CFC). The mission's recommendation led to the signing of two important agreements between the AU and the GoS: the modalities for the establishment of the CFC and the deployment of observers in Darfur on 28 May 2004, and the Status of Mission Agreement (SOMA) on 4 June 2004. Consequently, the CFC formally commenced its operations in El Fashir, the state capital of North Darfur, on 9 June 2004 with a modest ceremony symbolised by the hoisting of the AU flag at the existing force headquarters.

The deployment of AMIS started with the arrival of the first three AU MILOBs in El Fashir on 4 June 2004, characteristically with only one Thuraya satellite phone to link them with Addis Ababa. They had nothing else, not even a vehicle, which was crucial to conduct patrols and show AU presence. Perhaps not much pre-deployment assessment and training

was possible in barely one month between the decision to deploy and the actual deployment. Moreover, following shortly after the AU's first real PSO test in Burundi, and given the continuing human resource limitations and lack of institutional expertise and capacity at the AU Commission for Peace and Security, crucial pre-deployment training and an appropriate civilian support system for the deployment of AMIS I were ill-fated. This false start and several others later rendered the mission ineffective in the face of incessant violations of the HCFA by all sides with impunity.

Although a slow build-up of MILOB strength began on 6 June 2004, the actual deployment in Darfur did not start until the end of July. Sector commanders were appointed and assigned, initially to the six newly created sectors – El Fashir, Nyala, El Geneina, Kabkabiya, Tine and Abeche (Chad) – on 22 July, and ordered to deploy by 25 July 2004. Apart from those in Abeche and Nyala, the sectors were in deplorable and deprived areas, some sectors having a higher risk factor, against the background of incessant violations and the absence of the AU protectors in Darfur. Because civilian administrative support was non-existent, sector commanders were each given US\$5,000 for essential logistical needs for their sectors. Although each sector was allocated only four vehicles – a Hilux pick-up and three Buffalo Land Cruisers – and two Thuraya satellite phones, most sectors deployed successfully within 48 hours to commence the implementation of the AU's mandate for monitoring compliance of the HCFA by all parties. Once in the field, sector commanders rented civilian accommodation, with the assistance of GoS local authorities, to establish sector headquarters, from which operations were planned, launched and monitored. Barely one month after the deployment of the observers, the first batch of MILOB protectors, consisting of a composite infantry company from Rwanda, arrived at Darfur, followed by the deployment of a composite company from Nigeria to bring the total number of the protection force to 300. In spite of the operational significance of this deployment, especially for the high-risk sectors, the arrival of the protection force put enormous strain on the already limited operational and logistical resources of the mission. In the light

of these arduous operational conditions, and apparently as an afterthought, the AU secured the services of the Pacific Architectural Engineers (PAE), through the US State Department, for logistical support, among others, including camp construction, and the provision of water and food, as well as laundry services. Even though the late engagement of PAE affected the provision of accommodation facilities throughout the AMIS mission area, the PAE managed to catch up in a remarkable way, to the extent that it was able to provide emergency accommodation in localities designated for rapid deployment at short notice.

As the humanitarian and security situation continued to deteriorate, the PSC approved the deployment of a 3,320-strong AMIS II, made up of 2,341 military personnel, 450 MILOBs, 815 civilian police and 26 international civilian staff/CFC members. At present, AMIS II is nearly at its authorised strength, with the exception of the CIVPOL and civilian staff components. There has been significant corresponding restructuring and expansion at the force headquarters and sector levels to reflect the current status of deployment.

A review of the existing situation

Whilst it is widely acknowledged that governments have the inalienable duty and responsibility for the protection and welfare of their citizens, the situation in Darfur is somewhat different. It is a widely accepted view that the GoS bears primary responsibility for the untold hardship and suffering of the people of Darfur. It is equally widely known that to a large extent the GoS has reneged on its responsibility to protect the people of Darfur. Thus, according to the recent report of the House of Commons International Development Committee (IDC) on Sudan, "when a government commits atrocities against its own citizens, then the international community has a responsibility to protect the people".⁵ For this reason the international community, including the AU and the UN, have assumed a central role in exerting pressure on all stakeholders in Darfur to seek an early resolution of the conflict through appropriate mechanisms, including sustained peacemaking and regional peace support operations. The peace talks in

Abuja, complemented by similar efforts in Libya and Egypt, occupy the central strategy of the AU in the Darfur peace process.

Political

The incipient Darfur conflict has received heightened international attention, resulting in various measures/mechanisms from the international community to exert pressure on the parties, particularly the GoS, to respect the HCFA and the Abuja Protocols. The recent UN Security Council Resolutions 1590-3 (2005), among many others, on Sudan, have brought about renewed interest in the Darfur conflict and have energised the dynamics and manoeuvring on the political landscape. While the leaders of the rebels have hailed these renewed mechanisms, the GoS has openly denounced some aspects, particularly of Resolution 1593 relating to the jurisdiction of the International Criminal Court (ICC) to bring to justice persons accused of committing war crimes in Darfur. The GoS has orchestrated angry demonstrations and gone on record as saying that the ICC is not welcome to Sudan. Indeed, Sudan's President, Omar al-Bashir, is reported to have sworn that he would never hand a Sudanese national to a foreign court. The coming days will thus be interesting.

Against the background of a gathering storm over the question of impunity, the Abuja peace talks remain stalemated owing to the complexities of the political spectrum of the key stakeholders in the Darfur conflict. The 'road clearing' operations of the GoS in a large part undermined the third round of the Abuja talks in December 2004, which were primarily aiming at achieving the parties' signatures to a 'political protocol'. Also, there seems to be a dissipation of efforts in pursuing what appear to be different tracks of peace talks, namely the Libyan and Cairo efforts, besides Abuja. The success of the Proximity Talks that led to the Ethiopian-Eritrean peace in 2000 suggests that the migration of peace talks in any peace process is not too productive and exacerbates the dynamic of extant regional interests and political agendas in the conflict and its associated peace processes. On the contrary, it underscores the prudence of bringing all the efforts onto one track, where the collective efforts of the peacebrokers may be brought

to bear on the stakeholders and the parties to resolve their differences.

This said, immediate political settlement of the conflict in Darfur should simultaneously address issues of power, resource sharing at local level, and the marginalisation of the region within the country. There is an increasing need to strategise on clear programmes to enable the return of refugees and IDPs without fear of the 'ethnic cleansing' that prevails in Darfur, this also being the end state of AMIS. To this end, international support to enhance its efforts and presence in Darfur should be sustained to win the elusive peace. Hitherto, agencies have undertaken programmes individually, but that must now give way to improving coordination efforts under the Office for the Coordination of Humanitarian Affairs (OCHA), in concert with AMIS, to benefit target communities and encourage the return of refugees and IDPs. While there is a need for an integration of the mission, the difficulty lies in how a regional peace operation could be integrated with that of OCHA, let alone the United Nations Development Programme (UNDP) Country Development Team.

Another issue that adds fuel to the Darfur crisis is the accusation by the Chadian authorities that Sudan is harbouring and supporting Chadian rebels who are operating from Darfur. The Chadian Defence Minister, Emmanuel Nadinger, is quoted as saying that there is "a build up of politico-military forces in the al-Genaina zone. It is not a secret."⁶ It is alleged that 3,000 Chadian rebels under the leadership of Adlef Alsimah Gibriel are operating near Zalingei with the support of the GoS. Before this heightened tension, Chad had accused Sudanese militias of launching cross-border attacks.

Security

The protagonists in the Darfur security equation remain the signatories to the N'djamena HCFA. The GoS has all the state military apparatus at its disposal to quell what it says is purely an internal rebellion. Its frequent use of Antonov aircrafts and helicopter gunships to bombard 'rebel strongholds' that have large civilian populations has contributed largely to the massive IDP and refugee crisis. The GoS also uses the notorious Arab militia ('Janjaweed') as a proxy force, and sometimes acts in support of the pillaging and

torching of villages and the perpetration of heinous war crimes. The SLA/JEM targets GoS forces, particularly police stations, administrative convoys and members of government within its vicinity. As guerrillas, they live and operate from among the populations that sympathise with their cause, mostly their own kith and kin. The SLA's main handicap is the absence of effective political leadership and unified command. There is evidence of divided loyalties towards different military commanders in the field. The JEM, on the other hand, appears to have a well-organised political structure, but is the weakest in terms of military capacity. A new group called the National Movement for Reform and Development (NMRD), a splinter group of the JEM, has compounded the security dynamics.⁷

Generally, the security situation in the Darfur region remains volatile and unpredictable. Although human rights abuses and cases of rape and harassment abound in the mission area, particularly in and around IDP camps, serious violations of the Humanitarian Ceasefire Agreement take place within the 'deadly' triangle of El Fashir-El Daien-Zalinje-El Fashir. Since the deployment of AMIS, over 170 violations have been reported, mostly in the triangle. In most instances, the Janjaweed Arab militia, acting alone or sometimes in concert with the GoS forces, are largely responsible for these violations. SLA and JEM are also culpable for some of them.

The highways, which represent the main supply routes in the region, have been rendered insecure as a result of rampant incidents of armed banditry and robbery. As a consequence, there is no free movement of goods and services by commercial transport and the work of the NGOs and humanitarian agencies has occasionally been disrupted. The response of AMIS has been unequivocal, swift and bold to render the roads safe and secure through constant patrols and observation. Since 22 January 2005, all eight sectors have commenced intensive land and air patrols on major highways.

Certain challenges to the security situation are deemed critical and must be given the necessary attention. The first is the lack of strategic intelligence to support the operation. This has resulted in a wide intelligence gap at both the strategic and operational levels of the AU. As a result,

there is data paralysis⁸ at force headquarters and sector headquarters, thus denying the mission access to real-time intelligence and data information about the parties, their networks and, more importantly, their operations. Second, GoS is unable to fulfil its obligation to disarm the Janjaweed/armed militias.⁹ This development has given the armed militias free range and political cover to continue their attacks on innocent civilians, looting and burning villages. Third, certain tribes have been armed by some state governments so that they may protect themselves from militias or armed gangs instead of being provided with the needed protection. Fourth, the absence of clearly identifiable boundaries between parties makes preventive deployment highly improbable. And, with Darfur's diffused and fluid boundaries, it is overly optimistic to predict incidents with any degree of certainty.

A new phenomenon on the security scene is the recent deliberate targeting and firing at AMIS personnel and equipment by unidentified gunmen. There have been at least seven separate attacks on AMIS vehicles, aircraft and PAE fuel tankers under AMIS escort. The bloodiest and most serious was when the AMIS investigation team was fired upon between Khor Abeche and Niteaga on 28 March 2005. The team leader was shot in the neck, the driver had several gashes on his face as a result of a broken windshield and a civilian guide suffered broken glass in his eye. The MILOBs were evacuated first to El Fashir for stabilisation and later to Khartoum where the wounded team leader underwent immediate surgery, and is now recovering. Whilst the immediate motives of these gunmen are unknown, it is obvious that AU forces are now operating in a less benign environment, where every conceivable threat to life and property is possible. For this reason, AMIS personnel now find themselves in daily danger as they undertake their legitimate tasks under the existing 'restrictive' mandate. Without clearly identifying these gunmen and properly ascertaining their objective, it makes military sense to assume that the whole region is becoming a minefield for AMIS. Yet, in all these attacks, the AMIS protection force did not return fire or act in self-defence. To date, the mission has no approved rules of engagement (ROEs) to guide commanders and subordinates on the use of firearms. Clearly, the

time has come for the AU to re-visit the drawing-board and review the mandate and force levels in Darfur. Although various press releases issued by the AU and the UN separately and jointly have unequivocally condemned these unprovoked attacks, it is not likely that the perpetrators will heed the call as long as they perceive the AMIS force as 'a toothless bulldog', and a hindrance to their political agendas, operational designs and objectives.

Humanitarian

According to UN Secretary General Kofi Annan, "the humanitarian situation remains dire and UN operations remain perilously underfunded. The international community must respond to this shortfall and do its utmost to mitigate the appalling circumstances in which so many Sudanese find themselves."¹⁰ Earlier in the same report Mr Annan explained that "as at 7 September, only 53 per cent of the resources needed for the Darfur crisis (\$280 million of a required amount of \$532 million) had been received".¹¹ Indeed, the overwhelming generous response of the international community to the Tsunami fund completely dwarfed the significance of the humanitarian situation in Darfur. And yet the situation grows worse with every new violation of the HCFA by the parties, including Janjaweed banditry and harassment.

At present the mission has identified some critical challenges to the humanitarian situation. First, the continued influx of returnees into the IDP camps as a result of improved security has overstretched the operations of AMIS. Second, owing to the insecurity of the routes and the frequent attacks on humanitarian relief convoys by armed militias, there are demands on AMIS to escort NGOs. In light of the limitations of its mandate and given its limited resources, this amounts to mission creep. Third, some humanitarian agencies are apprehensive about developing a cordial working relationship with AMIS and other humanitarian agencies because they believe it will compromise their impartiality and independence and affect their relationship with their clients – the IDPs. This tension between the implementation of the mandates of the peace operation and humanitarian agencies has implications for effective mutually beneficial civil-military coordination/cooperation (CIMIC).

The recent proactive patrolling of highways and major roads in Darfur has curbed the incessant highway robberies and banditry activities that hitherto characterised the area. The spin-off of the operation is safe and secure routes for the movement of goods and services, and the ever-needed NGO humanitarian support. In addition, enhancing the visible presence of AMIS has reassured the civilian population, particularly the IDPs. However, the challenges that AMIS faces with respect to the humanitarian situation are many and varied. The unilateral decisions of the GoS to clear routes remain controversial issues that result in massive humanitarian crises. The attacks on villages by any of the parties result in similar situations. In the highly tense and volatile environment that is normally associated with such violations, the work of humanitarian agencies is seriously hampered or grinds to a halt. The effect is lack of food, shelter, water and medicine for the affected communities. There are also serious coordination gaps with NGOs and other humanitarian/relief agencies, understandable owing to difficulties with their mandates, which often require them to keep clear of military institutions as far as possible.

Critical constraints of AMIS

Mandate

The current enhanced mandate of AMIS was established by the AU PSC on 20 October 2004. In the main, the PSC mandates the mission to:

- monitor and observe compliance with the HCFA;
- assist in the process of confidence building;
- contribute to secure environment for the delivery of humanitarian relief and support the return of IDPs to their homes; and
- contribute to the improvement of the overall security situation in Darfur.

This mandate was carved out with the assumption that the GoS will provide primary first-line protection to the people of Darfur and lead on compliance with the HCFA. Regrettably, these assumptions have not been realised. Although the recently released AU assessment mission report states that "it is not envisaged that there needs to be any change to the existing mandate",¹² there are arguments to the contrary

among experts on this subject. The IDC report referred to above, for instance, calls for a stronger mandate and more troops for the thinly spread AU force in Darfur.¹³ At interviews with ITN Channel 4 (September 2004) and BBC Panorama (November 2004) this author has also argued for a more comprehensive and robust mandate to replace what he calls a “highly restrictive” mandate. To juxtapose the mandate of the UN Mission in Sudan (UNMIS) for a relatively more peaceful and more predictable South Sudan with the mandate of AMIS in a less benign security environment in Darfur buttresses the view for a mandate change.¹⁴ Clearly, as the dynamics of the situation continue to make headlines, the debate on the mandate revision will not dissipate in the near future.

AMIS has thus operated as an enhanced observer mission for the past eight months with a restricted mandate, and limited personnel and equipment. With the deployment of the military component nearing completion, coupled with the complex dynamics of humanitarian and security issues, it is becoming evident that the current force level will not be sufficient to the task in hand and will need further expansion soon.

Hence, the ever-increasing demand for AMIS to secure vulnerable communities and major highways, in addition to its core job of carrying out investigations into alleged ceasefire violations, has implications for the mandate of the mission. It implies a strategy for an overwhelming presence and a more robust, but flexible mandate as soon as practicable. As attacks on mission personnel and equipment have revealed, AMIS may have outlived its restrictive CFC mandate.

There appears to be consensus about the need for more AU troops in Darfur. On the issue of force strength, the AU assessment report observed that “the need to increase the capability to provide additional protection elements in each sector ... additional force enablers, such as enhanced engineering capability, and a headquarters company to support the force headquarters to release military observers for their primary tasks”.¹⁵ The report placed the military requirement at 5,887 and the CIVPOL requirement at 1,560 personnel.¹⁶ If the assumptions on which these calculations were based alter signifi-

cantly, it would become imperative to review the projected figures.

In view of the changing dynamics of the security situation, coupled with the need to deploy an appropriate force to contain the situation, the mandate of AMIS should be subsequently reviewed to include, but not be limited to:

- assisting the GoS to maintain law and order in Darfur;
- protecting civilians in Darfur where the GOS is unwilling or unable to do so;
- undertaking the cantonment of the Janjaweed and rebels; and
- undertaking the disarmament, demobilisation and reintegration (DDR) of their combatants into the society.¹⁷

Although, it has been argued that AMIS should be judged on its mandate and not the expectations of the international community, it is equally true that the taxpayers of the AU’s partners and the international community cannot accept the same excuses from the only accredited international force in Darfur as the people of Darfur continue to suffer. Arguments have sometimes been advanced that AMIS is not a peacekeeping force and therefore the expectations of the world that it will perform a peacekeeping role in Darfur are misguided. Within the scope of this article, it is argued that this is only semantics; for whether AMIS is a peacekeeping force or merely a ceasefire monitoring force, the expectations and hopes of the world re that force, through its presence in the mission area, it will be able to deter and reverse the dire security and humanitarian situation in order to enable a political solution to be found to the crisis. Also, the mandate as it stands is not by any means sacrosanct. The PSC, in consultation with the partners, has the authority to change it at any time to achieve the desired end state in Darfur. A new mandate should ensure that all components of the system – political, military, security, humanitarian, human rights, development and economic – conform to one unified vision of the mandate and the same set of objectives.

Operations

Within the period under review, AMIS has deployed 2,409 (as at 28 April 2005) of the authorised strength of 3,320 personnel, drawn from 20 African countries, the USA, EU, GoS,

SLA and JEM. To undertake its tasks in fulfilment of the mandate, AMIS has adopted a flexible concept of operations (CONOPS) in Darfur. The CONOPS provides for eight sectors, each with two MILOB group sites (MGS), which in turn have four teams each, each of the teams consisting of ten MILOBs, including representatives of all the parties. The MGS are deployed in such a way as to allow observation operations to be located within 60-70 km of one another to ensure mutual support and effective coverage of the area of responsibility. This CONOPS, however, is seriously constrained by functional and geographical limitations as a result of the chronic lack of resources. Typical functional requirements, such as communications, intelligence and military aviation support, have been cited as serious strategic and operational gaps. Also, the fluid nature of the security situation necessitates an aggressive and proactive patrol regime to ensure visible presence throughout Darfur, but the lack of effective intelligence mechanisms and resources make it extremely difficult to achieve effective patrols and monitoring.

In accordance with its mandate, AMIS undertakes investigations into alleged violations to the HCFA. In addition, regular aerial and vehicular patrols promote confidence building and show the AU presence. The AMIS protection force is also used to protect AMIS convoys and, on request, the convoys of UN and humanitarian agencies. Since the establishment of the CFC, monthly reports and routine reports on alleged ceasefire violations are submitted to the Joint Commission (JC) in N'djamena in accordance with the HCFA.¹⁸ Other operational reports, including situation reports, are sent directly to the PSC (Darfur Integrated Task Force) where decisions are made on which aspects are to be shared with the partners and international community.

Operational challenges/constraints have been as varied as they are numerous and unpredictable. They include violations to the HCFA and humanitarian and human rights abuses. Since the inception of the CFC, there have been over 179 violations to the HCFA, over 700 people have been killed, and of these about 512 deaths are attributed to the Janjaweed. These figures are based only on reports that the CFC had received and processed as at 11 April 2005. Given the vastness of the Darfur region, the remoteness

of some of the areas, poor communication and infrastructure network and ignorance about the CFC by some of the people, it is safe to assume that these figures are modest.

The operational capacity and effectiveness of AMIS has often been tested by the all-too-familiar violations of the HCFA, which are characterised by violent attacks, pillaging, torching of villages, and killing of innocent civilians, as well as gross human rights abuses and displacement of communities. Since there is no letting up on this trend, critics of the AU have been quick to cite these incidences as proof of the weakness and ineffectiveness of AMIS in Darfur. Some commanders of SLA/JEM and civilians have gone further to express lack of confidence in AMIS and called for the replacement of the AU force with blue berets. On a number of occasions the rebels have objected to the presence of Egyptian MILOBs in Darfur because they perceive them as collaborators of the GoS forces. A few days before the AMIS investigation team was fired on near Niteaga, the SLA had issued a warning to the Sector (2) commander not to come to their locations with Egyptian MILOBs. Coincidentally, the driver who was shot is an Egyptian MILOB. Even though it is understandable for the SLA to be held culpable, the view of this author is that the issue of the operational effectiveness of AMIS should be measured against its mandate.

A critical challenge that has been with the mission since its inception is the inclusion of representatives of the parties at all levels of operational command in Darfur. It had been argued that this arrangement, which is a replication of the OAU's Joint Monitoring Commission (JMC) concept in the DRC (1999 onwards), is to ensure transparency and instil confidence of AU among the parties. But the close integration and presence of the parties creates suspicion, fear (among witnesses), intimidation and frequent manipulation of evidence/witnesses. Almost all party representatives are supplied with Thuraya satellite phones, which are used for clandestine operations, such as covertly taking geo-coordinates of 'enemy' positions during patrols/investigations, items of information that are rendered to their party commanders to give them a heads-up for impending investigations.

The mere replication of operational practices without the benefit of after-mission reviews leading to lessons learned and best practices can be counterproductive to new operations. In consequence of his own experiences, therefore, the force commander issued instructions to sector commanders to ensure that representatives of parties do not carry these phones and GPS equipment on patrols and investigations. There is also a procedural requirement for each of them to sign the reports of all investigations as members of the team or, if not in agreement, to make a formal complaint. There is evidence that whenever a report was distasteful to a party, team leaders had a frustrating experience trying to obtain the signature of the representative. This complex situation could have been avoided if the party representatives had been designated liaison officers and attached to the various sector headquarters.

All sides have placed demands on AMIS operational requirements, and are therefore all culpable for the very fragile and volatile operational environment. The GoS, for example, used 2 Mi-24 helicopter gunships and one Antonov to attack Saiyah village on 3 January 2005, leaving four civilians dead, two wounded and 13 others abducted. On 9 and 10 January 2005, the GoS undertook an aerial bombardment of Askanita village and its surrounding localities. In addition, the GoS-backed Arab militia vented its wrath on Salokoya village on 10 January 2005, fully backed by the GoS forces, leaving many civilian casualties in its wake. On 13 January, the Janjaweed, supported by GoS military vehicles, attacked Hamada, leaving about 30 people dead.¹⁹ All these incidents, and many more, took place in the month of January alone.

In the same period the Darfur rebels were also responsible for violations of the HCFA. Normally operating jointly about 1000 SLA forces of the SLA/JEM, on 21 January 2005, attacked, looted and destroyed the villages of Um Dasho and Um Rdim. Another group of SLA combatants attacked the village of El-Malam and burned down eight houses, killing 20 people and wounding 26, with another six missing. This was believed to be a retaliatory attack for the GoS/Janjaweed attack on Hamada. All the monthly reports of the CFC that are submitted to the JC (N'djamena) paint the same

grim picture of the scale of the humanitarian catastrophe in the Darfur conflict.

Given the overwhelming evidence of collaboration between the GoS and the Janjaweed militia, it is no wonder that calls on the GoS by the international community to disarm the militia have gone unheeded. It does appear, however, that the international community is too optimistic in expecting the GoS to shoot itself in the foot as long as it has a pretext in the reprisal attacks and operations of the SLA/JEM. Simply put, the GoS cannot and will not disarm the Janjaweed satisfactorily, or at all.

Against this background, the outstanding operational challenges to AMIS operations include:

- failure of the rebels and the Janjaweed to reveal their positions to AMIS;
- the imposition of a no-fly zone on the GoS in order to restrict its use of aircraft (Antonov and gunships) on the traumatised civilian population;
- mechanisms for engaging the non-signatories to the HCFA, such as the Janjaweed and NMRD;
- the rampant banditry and activities of the rebels, ostensibly to support the civilian populations under their control;
- the difficulty of securing hotspots/flashpoints through the deployment of AMIS; and
- the deployment of AMIS forces in emergency situations like Labado, Marla and Graidia,²⁰ bogging down troops and impacting heavily on personnel availability for other core AMIS tasks.

Logistics

AMIS is open to criticism for its half-hearted approach to proper pre-deployment and logistics assessment. This gross omission was to negatively affect operations, and although there is a remarkable improvement in the situation, more still needs to be done to place logistics requirements ahead of personnel deployment. In the initial stages of the deployment there was an acute lack of resources and basic logistics. This setback has been the main obstacle to operational efficiency. Before the US State Department contracted PAE to provide responsibility for the mission with its logistic requirements, the mission had no sound logistics plan and capacity. For example, office

equipment, stationery, furniture and sufficient petroleum oils and lubricants (POL) to support the operations were not supplied until late November 2004. Each of the six sectors deployed with only four vehicles, made up of three Toyota Land Cruisers and one Toyota Hilux (double cabin). However, in mid-December the mission received 143 vehicles from the British government, which have automatically augmented the fleet of vehicles for the sectors. The sectors had only two satellite Thuraya phones for communications with higher headquarters and with teams on patrols. The sector commanders deployed patrols knowing full well that 24-hour communications could not be guaranteed. This was not a pleasant feeling for any of the commanders. Thanks to the partners, particularly the UK government, the vehicle situation has improved remarkably. Besides the 119 vehicles supplied to the mission last year, an additional 476 are being provided by the British Crown Agents. Over 120 are already in Darfur. As at 28 April 2005, AMIS had a total of 328 vehicles. All the vehicles are to be fitted with long- and short-range communication equipment. The Crown Agents will also provide additional Thuraya satellite phones and V-SAT systems for all the sectors.

The current air support is provided by donors, notably Canada (15 x MI8) and the Netherlands (3 x MI8). The mission has also entered into a contract with VEGA Aviation to provide fixed-wing aircraft for troop and cargo air transportation between Khartoum and Darfur. Owing to unforeseen technical hitches, the AN 26 Combi for passengers has yet to commence operations.

The changing nature and unpredictability of the security situation in Darfur requires AMIS to have the capability to deploy a team of MILOBs and a platoon of the protection force rapidly in each sector. These 'fly away' teams would enhance the rapid response capability towards emergencies. But this also implies a critical requirement for portable equipment, such as generators, tents. The US government has already made provision for three sectors, while the remaining five will be provided for by the British government through Crown Agents.

During AMIS I, most sectors were accommodated in rented houses in towns and villages, where dependence on GoS local authorities for support was critical. In Sector 4, Kabkabiya,

for instance, water for ablution and cooking was regularly supplied by the GoS 7th Brigade Headquarters to the discomfort of the representatives of the parties as they feared it would compromise the AU's neutrality. Had the AU planned properly and provided the basic logistics, this situation would have been avoided. The situation improved significantly with the construction of camps for the sectors by the PAE. The deployment of the CIVPOL has revealed that the planning or pre-deployment assessment of the AU is still lacking in many areas. The CONOPS of the CIVPOL was based on the assumption that the CIVPOL personnel will operate from their individual rented accommodation in Darfur, or from the IDP camps. Upon the arrival of the advance team led by the deputy commissioner, it became evident that it was extremely difficult to find suitable houses in Darfur for all CIVPOL personnel. Obviously whoever devised the initial CONOPS lacked knowledge of the operational area. The new CONOPS now envisions that the CIVPOL will live in a barracks-type camp near the military camps to ensure security. The AU has since been engaging its partners to assist in the construction of the police camps.

The PAE has contracted Medical Support Solutions (MSS) to provide medical cover for all AU personnel. The MSS has a level 1 medical facility at El Fashir and clinics at the sector, which are manned by MSS paramedics. Cases that are beyond this facility are immediately referred to the MSS facility at HQ CFC, El Fashir. But as the recent shooting of AMIS MILOB in Niteaga clearly revealed, MSS is not capable of handling certain emergency cases in its facility in Darfur. It is therefore important that the level of medical facilities in the mission be upgraded to a standard where they can conduct minor surgeries in all sectors and major surgery in El Fashir.

These developments generally add weight to the adage of "African solutions to African problems". However, it would have enhanced the commitment to this adage if AU member states had led on efforts to contribute to the initial logistical weaknesses, rather than immediately look to the partners for support. Ownership of African peace initiatives implies an African responsibility to lead on sound planning and implementation of regional peace operations before seeking external assistance. This under-

scores the need for credible substantive regional collaboration on standby arrangements. Thus, having made the landmark decision to take on the challenge in Darfur, the AU should have pursued efforts to generate and secure African contributions, at least for the first slice of logistical requirements of AMIS.

That said, however, AU member states contribute their assessed quotas to existing UN peace support operations, besides contributions of military and police personnel. It would therefore be unfair to expect the AU System to bear full responsibility for the current budget of the AMIS, which is estimated at about US\$220 million. In the light of Africa's dire economic situation, the entire budget is being borne by external partners within the international community with the implication that should the partners suffer from donor-fatigue and should they withdraw their support for any reason, the operation of AMIS may grind to a halt.

AU strategic-level management capacity

The AU should have realised before or when it assumed centre-stage of the Darfur situation that it would be setting itself up for international scrutiny for a task for which it could not boast of sufficient institutional expertise, or human and financial capacity, especially in the light of the dynamics of the situation and the nature of the mission. From the onset, therefore, the AU should have harnessed sufficient appropriate capacity and expertise from member states in order to be able to manage effectively the challenges inherent in such complex situations and, in the context of its intervention in Burundi, to build upon the strengths of the African Mission in Burundi (AMIB), while avoiding its mistakes and weaknesses.

This meant that strict guidelines on TCC personnel qualifications had to be adopted and implemented. It is not enough to bring people because they are Africans – they must be able to do the job for which they are being deployed. That this is true of Darfur is unsettling, and gravely affects the operational effectiveness of the teams, as only a few people carry out the job of monitoring, investigating and reporting, while the majority assume the role of operational 'passengers'. To address this problem, the force commander and the sector commanders

have repeatedly expressed their frustration with the continuous influx into the mission area of personnel who cannot communicate and write in the operational language, which is English. What is worse, a good number of these 'passengers' have no driving skills whatsoever, so cannot share the task of driving. The CIVPOL deployment that commenced recently is fraught with the same problems, and the leaders now envisage the employment of language assistants to do translation between monitors as they cannot understand one another.

The problem here may be under-utilisation of the training institutions that have been set up within the continent at enormous cost, including the Kofi Annan International Peacekeeping Training Centre (KAIPTC) in Accra and the Kenya Peacekeeping Training Centre (KPTC) in Nairobi. In addition, some training is provided by certain international non-governmental organisations (INGOs), such as the Institute for Security Studies (ISS) in Pretoria, which undertakes a UN Police Officers Course (UNPOC) for the Southern African Regional Police Chiefs Coordinating Commission (SARPCCO). The African Centre for the Constructive Resolution of Conflicts (ACCORD) similarly undertakes a civilian peacekeeping course.²¹ Thus, the problem relates to policies and mechanisms to mainstream such institutions into peace support training within the framework of the African Standby Force (ASF).

As a matter of policy, therefore, the ASF Planning Elements (PLANELM) must adopt training policies and frameworks that harness the training provided at these institutions, and utilise their institutional expertise to facilitate pre-deployment and in-mission training in order to enhance the quality of African peacekeepers. In addition to the normal assistance offered through the UN Training and Evaluation Service (TES) and the UN Institute for Training and Research (UNITAR), arrangements by the UN (DPKO) for six AMIS officers to participate in the UNMIS pre-deployment training in Nairobi, Kenya, from 26 April to 7 May 2005, offer another framework for regional training. It is pertinent to recall that the operative paragraph of the UN Security Council Resolution 1590 (2005) calls for technical assistance of AMIS by UNMIS, as was the case of support from the UN Assistance

Mission in Sierra Leone (UNAMSIL) to the vanguard force of the ECOWAS Mission in Liberia (ECOMIL) in 2003. Plans are therefore already afoot to identify critical areas in which AMIS is lacking, for example medical evacuation operations for the mission in Darfur, where the UN has well-equipped all-weather helicopters for the same purpose.

In technical areas such as intelligence gathering, collation and interpretation, as well as force generation, air support operations and development of standard operating procedures (SOPs), including rules of engagement (ROEs), the ASF could adopt existing UN material and others that exist within the international community, such as the Standing High Readiness Brigade (SHRBRIG) and NATO, the latter especially in respect of war-fighting and warlike operations. Other external initiatives, such as the US-sponsored African Contingency Operations Training Assistance (ACOTA), the French *Renforcement des Capacités Africaines de Maintien de la Paix* (RECAMP) and the British Peace Support Training programmes around the continent, also contribute to enhancing African capacities.

The ASF needs to harness these forms of training to enhance African capacity for PSO.

Efforts are also under way to enhance the capacity of AMIS at all levels. The Darfur Integrated Task Force (DITF), at the AU headquarters, has a critical role in coordinating and directing the mission at strategic level. It has serious staffing, office accommodation and equipment shortfalls, which are now receiving attention. Similar capacity and staffing shortfalls at AMIS headquarters, Khartoum, and force headquarters, El Fashir, have been identified and recommendations made in the AU assessment report. Donor and partner support, which has never been in short supply, remains crucial to the sustenance of the AMIS operation in Darfur. At present, experts in various fields have been attached to the AU at all levels as a stopgap measure to help in the development of African regional capacity. In the hope that the AU can continue to count on this act of generosity and shared responsibility, every effort should be made to ensure that omission, ill preparation, acute lack of logistics and expertise be consigned to history.

The way forward

The changing role of AMIS

AMIS was deployed in June 2004 to monitor the fragile ceasefire brokered between the parties to the Darfur conflict. The mission should no longer restrict itself to this mandate, because of the scale of the security and humanitarian challenges in the region. The changing security situation, and the general politico-military dynamics, coupled with international pressure, have put huge responsibility on the AU to assume a multi-dimensional role in Darfur. Given that for the meantime the AU is the sole international force in Darfur, owing to the lack of an entry point for the international community, the AMIS needs to assume this heightened responsibility. Moreover, its operational effectiveness will depend largely on its mandate and operational capacity. Cooperation from the parties will be critical to AMIS' operational effectiveness. But cooperation should not mean the integration of antagonistic parties into the operational structures of the mission, as this will undermine operational effectiveness.

To date, the SLA and JEM have not complied with the last instruction from the JC to communicate the exact location of their positions to the CFC. On the part of the Arab militia, the GoS is expected to submit a review plan on how to carry out their disarmament. There are serious doubts about GoS's willingness and ability to carry out this crucial exercise alone. Whatever the outcome, the future will present its own peculiar political, operational and administrative challenges, requiring adequate and coordinated international support at each implementing phase and level, subject to the central direction of the AU. Obviously, policy responses to these security and security-related challenges cannot be left to the GoS and the people of Sudan alone. Appropriate mechanisms for managing the situation at policy level should involve not only African institutions, but a wide spectrum of international organisations and institutions, including the media, civil society groups, developmental partners, regional groupings and the UN. The healthy cooperation and coordination that exist between AMIS and its partners, including UNMIS, must be strengthened and sus-

tained through regular sharing of information, adoption of accountability and transparency procedures, and enhancement of the collation and compilation of information and, more importantly, extension of operational and logistical support to the mission.

Assistance to the parties to the conflict

If the vicious cycle of violence has demonstrated nothing else, it has shown a clear lack of coordination and unified leadership on the part of the rebels and the Arab militia, whose leaders in Asmara do not seem to have effective control over some of the commanders in Darfur. In addition, the rebels are a little indecisive during peace talks, clearly showing a weakness in negotiations that ultimately impacts negatively on the dynamics on the ground. Despite the difficulties, the AU should encourage the rebel movements to improve on their democratic and political capacities. The AU lessons from the CPA provide a useful framework for the Darfur process.²² The AU must initiate direct engagement with the leaders of the Arab militia and NMRD and address their concerns within the framework of Darfur peace process. At best, the AU should pursue efforts to ensure that all stakeholders participate in the peace process at appropriate levels.

Assistance from the UN and the international community

The UN Security Council and many key actors in the international community have on several occasions acknowledged the invaluable role of AMIS in Darfur. More importantly, they have all observed the lack of capacity in terms of troops, logistics and expertise of the mission. Therefore, Resolution 1590 (2005) has authorised UNMIS to assist AMIS in technical, logistics and capacity areas. Such assistance should involve the AU partners that have closely collaborated with the AU Commission since the deployment of AMIS to ensure optimum utilisation of resources, transparency and minimise duplication. It may also augur well for AMIS if UNMIS could establish a liaison office at AMIS headquarters to facilitate effective operational cooperation and the provisions of assistance to AMIS, in addition to

formal inter-mission meetings that include the participation of key partners.

Conclusion

Ever since the AMIS deployed in Darfur in June 2004, there has been a persistent lack of basic resources to enable it to operate efficiently and effectively. In recent months, however, there has been a significant shift in the scope of its operations, logistics and other resources. In fact, AMIS I, which started off with an ill-fated and highly vulnerable group of 60 unarmed MILOBs, has now been replaced by AMIS II, which has a comparatively more robust capacity and is better resourced. However, the mission's false start, coupled with subsequent political, operational and administrative gaffes by Addis Ababa, continues to threaten its existence and effectiveness. Not surprisingly, ruthless attacks on villages and pinprick violations by all sides have become rampant in Darfur, leaving the security and humanitarian situations still volatile.

Nevertheless, the deployment of AMIS into Darfur impacted positively on the mission, but not without challenges, particularly on security and humanitarian aspects. These challenges and threats vary from one sector to the other, but the unpredictable nature of the situation and the belligerents require the adoption of serious diplomatic and military approaches by the AU mission.

The success of AMIS will devolve on the contribution of troops and police resources by AU member states. In this endeavour, it is important not to sacrifice professional and operational competence for political expediency by the nomination of poorly trained personnel. Criteria and standards that have been set and obviously passed onto the TCCs should be adhered to, in order to ensure the quality of staff towards operational effectiveness..

It needs no emphasis that the peacemaking effort should go in tandem with the peacekeeping process, if not ahead of it. To this end, the AU will have to intensify its efforts to find a lasting solution to the crisis and alleviating the plight of the civilian population. This should devolve on the full recognition and participation of non-signatories to the HCFA in the Darfur peace process. In a similar vein, the weight of the AU and the international community should be

brought to bear on efforts towards strengthening the political and democratic institutions of the rebel movements, in order to equip them with the capacity for better negotiation and dialogue.

By default the Darfur conflict has put the AU in the centre-stage of all international effort at resolving the crisis, and the status quo is likely to continue for a while. Having been the major operation since its rebirth, the AU Commission has a unique opportunity to re-write the poor record of its predecessor organisation, the OAU, in the realm of peace support operations within the continent. More so, it has to build on the strengths of its own PSO, such as AMIB, by avoiding the repetition of weaknesses outlined elsewhere in this volume.

For now, the AU's best hope for a successful mission in Darfur is to continue to positively engage its partners and UNMIS in all aspects of the operation, while it maintains the goodwill of its partners. It should therefore take care not to squander this unique advantage. Herein lies the *raison d'être* for the AU: to galvanise internal and external support to effectively resolve all the critical political, security and humanitarian challenges that exist in the Darfur strategic equation.

Notes

- 1 See the Humanitarian Ceasefire Agreement, N'djamena, Chad, 8 April 2004.
- 2 The PSC and its operative arm, the Darfur Integrated Task Force (DITF), do not have autonomy on critical administrative issues such as recruitment and extension of contracts for key personnel. Processing of documents for approval through existing AU administrative procedures have often led to undue delays and frustrating outcomes.
- 3 See the 5120th Meeting of the UN Security Council, *Reports of the Secretary General on the Sudan*, 8 February 2005, p 6.
- 4 Funmi Olonisakin, *African peacekeeping at the crossroads: An assessment of the continent's evolving peace and security architecture*, Peacekeeping Best Practices Unit, Department of Peacekeeping Operations, United Nations, NY, September 2004, p 6.
- 5 See House of Commons International Development Committee, Darfur, Sudan: The responsibility to protect, Fifth Report of the Session 2004-2005, Vol 1, 30 March 2005, The Stationery Office Limited, London, p 3.
- 6 See Aljazeera.net, <<http://english.aljazeera.net/NR/exeres/554F3A-B267-427A-B9EC-54881BDE0A2E.htm>> (4/10/2005). They are believed to have been heavily kitted out by the Sudanese government to destabilise Chad.
- 7 There had been speculations that the NMRD was created and supported by the GoS to break the front of the Darfur rebels; however, recent engagement with GoS forces and attacks on GoS administrative convoy seriously question the credibility of this assertion. Owing to SLA/JEM opposition to the inclusion of the NMRD in the AU peace talks the movement is likely to intensify its activities in a bid to achieve some recognition by the AU and the international community.
- 8 Data paralysis refers to the situation where there is lack of capacity and expertise to effectively collate, compile, analyse and disseminate relevant and real-time military information.
- 9 The ability and political willingness of GoS to rein in the militias is still doubtful.
- 10 See paragraph 32 of the Progress report of the Secretary General on the Sudan pursuant to paragraph 7 of Security Council Resolution 1547 (2004) dated 28 September 2004.
- 11 Ibid, paragraph 20.
- 12 See The AU Assessment Mission to Darfur, Sudan, 10-22 March 2005: The Report of the Joint Assessment Team, AU Headquarters Addis Ababa, paragraph 55.
- 13 See IDC Report, op cit, p 5 and pp 42-43 for a detailed analysis of the mandate.
- 14 For detailed UNMIS mandate see UN Security Council Resolution 1590 dated 24 March 2005, paragraph 4.
- 15 See AU Assessment Report, paragraph 63. For a detailed analysis of the forecast see Annex C to the report.
- 16 See also paragraph 79 and Annex C to AU report, ibid.
- 17 Although considered not to be of immediate requirement in the AU mandate, it would be prudent to start preparing the belligerents for the ultimate. Issues such as exact locations of forces of the rebels and strength would be critical data for any future DDR programme.
- 18 The JC normally disseminates the information in the reports through the AU website.
- 19 See the Report of the Ceasefire Commission on the situation in Darfur conflict at the Joint Commission Meeting, N'djamena, Chad, 16-17 February 2005, paragraph 7.
- 20 Incidences at these villages have their own place in the history of AMIS but are beyond the scope of this paper. Suffice it to say the attacks perpetrated by the notorious Janjaweed militia resulted in deaths and displacement of civilians.
- 21 The courses mentioned are funded by the government of Norway, through the Norwegian Institute for International Affairs (NUPI).
- 22 The CPA, indeed, provides the basis for resolving the most intractable conflict in the south and other conflicts in Sudan, and a process for fostering the democratic transformation in the country. Despite the hope it brings, Naivasha is not without problems, and in fact some of these difficulties impact directly on the security. For example, there are seri-

ous concerns over the benchmarks for the democratisation of the country, in particular with the extent to which SPLM/A can be helped to transform itself into a proper democratic institution. Again, in the interim period, Naivasha envisages two separate

armies for Sudan, namely SAF and SPLA, deploying side by side along the 1956 north-south border, with the prospects of merging the two forces or having two armies for two separate states depending on the emerging political process.