



## Dispelling the Myths: Genocide in Darfur

October 2006

**Waging Peace**  
Building a safe and democratic world

## **Waging Peace's Campaign on Darfur**

Waging Peace has been stepping up its campaign to put an end to genocide in Darfur. Following the Prayer for Darfur outside 10 Downing Street which Waging Peace organised in the context of the Global Day for Darfur on 17 September, Tony Blair has promised to keep Darfur at the top of his agenda. This expression of concern must however materialise into action, and particularly into effective pressure on Khartoum to accept a transition from an African Union to a UN peacekeeping force in Darfur.

On August 31<sup>st</sup>, the UN Security Council adopted resolution 1706, establishing a mandate for an approximately 23,000-strong peacekeeping force in Darfur and creating an assistance package for the African Union Mission from 1 October. However, the resolution makes UN deployment contingent on Khartoum's consent, which is problematic given Khartoum's consistent rejection of UN take-over in Darfur.

Despite a recent extension of the AU mandate until December 31<sup>st</sup>, the protection of civilian populations in Darfur remains a great concern. In the coming weeks Waging Peace will therefore be working with similar-minded organisations to ensure that Darfur remains at the top of the agenda of Governments and Institutions such as the EU and UN.

In particular, Waging Peace calls for:

- 1) The full implementation of UN Security Council Resolution 1591 through the designation of more individuals against whom targeted sanctions and travel-related sanctions are to be taken. The four individuals named by the Sanctions Committee in April 2006 do not include some of the main architects of the genocide. Only sanctions targeted at the National Congress party's assets and those of its security agencies and fraudulent charities will constitute significant enough costs for Khartoum to have an incentive to put an end to its genocidal campaign in Darfur.
- 2) The extension of measures taken under UN Security Council Resolution 1591 to include the April 2006 recommendations of the Panel of Experts (UN Document S/2006/250), namely: the establishment of a verification component to the arms embargo (end-user certification), the expansion of the arms embargo to the entire country and the establishment of an air exclusion zone over the entire Darfur region for all aircraft from the GoS and parties to the conflict in Darfur
- 3) The implementation of UN Security Council Resolution 1706 through the immediate provision of the UN assistance package to AMIS which the provision of air assets, ground mobility package, training, engineering and logistics, mobile communications capacity and broad public information assistance; and the effective preparation of a plan and timetable for transition from an AMIS to a UN operation in Darfur
- 4) The quick deployment of the additional 4000 AU troops agreed upon at the recent AU Peace and Security Council.

The distribution of information that is incomplete at best and inaccurate, misleading, and even deceptive at worst, impedes progress in stopping genocide.

In hopes of providing accurate information about what is happening in Darfur, Waging Peace submits this report for your reference.

## Contents

Dispelling the Myths.....	4
Myth 1: It is a civil war and both parties are equally responsible.....	4
Myth 2: The Darfur Peace Agreement (DPA) is the solution.....	4
Myth 3: Positioning Darfur as a humanitarian crisis.....	5
Myth 4: The persistent under reporting of mortality rates.....	5
Myth 5: That this is anything other than genocide.....	5
Myth 6: Putting pressure on Khartoum will cause the government to fail, with something (or someone) worse taking its place.....	6
What the international community should do:.....	6
Britain's role: .....	6
Darfur Chronology of Events.....	7
1956 - 2001 .....	7
2002.....	8
2003.....	8
2004.....	9
2005.....	12
2006.....	14

---

**Waging Peace** campaigns against British support for dictators. Where there is currently inadequate pressure regarding specific countries, we lobby decision-makers to change diplomatic and corporate relationships with unsavoury regimes.

By propping up repressive rulers we unwittingly encourage the terrorism that now threatens us. At the same time, we lecture others on democracy, accountability and transparency, while pandering to vicious dictators.

Waging Peace has been campaigning on Darfur, pressing the British government to recognise genocide has occurred there, to stop pandering to the Khartoum junta, and to start protecting the survivors.

Section One: 'Dispelling the Myths' was compiled by Waging Peace Director Tess Finch-Lees.

'Make Darfur a Priority within the European Union' and Section Two: 'Darfur Chronology of Events' was compiled by Waging Peace Director Louise Roland-Gosselin.

For further information please visit our website at [www.wagingpeace.info](http://www.wagingpeace.info)

## Dispelling the Myths

### ***Myth 1: It is a civil war and both parties are equally responsible.***

This echoes the Foreign Office's line of moral equivalence. Hilary Benn was severely criticised for this by the House of Commons International Development Committee (IDC) in their report, "Darfur, Sudan: The responsibility to protect". Yet he persists, despite a recent study by Danish academics which reveals that 3% of deaths in Darfur were at the hands of the rebels and fully 97% of deaths were due to the Janjaweed and Sudanese armed forces, working in concert, like a well-oiled and well-practiced ethnic cleansing machine. Human Rights Watch has documented that 90% of black African villages have been destroyed. These statistics are hardly surprising when once considers that the rebels fight with sticks and stones whilst the Janjaweed, backed by the wealthy Government of Sudan (GoS), are armed with sophisticated AK47's, tanks and bombs dropped from Antonov helicopters.

Only since the ill-fated DPA was signed in May 2006 has there been a noticeable increase in civilian casualties caused by Darfur's rebels. However, their culpability remains comparatively minor in the light of the campaign of killing, raping, destruction and looting conducted by the government of Sudan and its proxies, the Janjaweed. The DPA caused a major split among the rebel groups, just as the GoS had hoped. It was a tactic the GoS employed time and again during its long war against the tribes of southern Sudan.

Indeed, a recent editorial in a Saudi newspaper that reflects the views of the government has said that what is happening in Darfur is worse than Palestine, Lebanon, and Iraq combined. It goes on to lay the blame on Khartoum.

### ***Myth 2: The Darfur Peace Agreement (DPA) is the solution.***

What our parliamentary representatives have consistently neglected to report is the historical context that causes a peace deal involving the GoS to be doomed to failure, for example:

- Kofi Annan has warned that the peace deal in the south (signed last year after the genocide of an estimated 2m black African Christians) is unravelling due largely to the GoS' constant flouting of the agreement.
- The GoS signed a UN resolution in 2004, in which it undertook to disarm the Janjaweed and enforce a no-fly zone to prevent the dropping of bombs on black African villages. The Janjaweed remain amply armed and the bombs are still being dropped.
- The rebels and the desperate people in the camps have lost trust in Western diplomats who were happy to abandon them in order to secure the equally unstable peace deal in the South. Indeed, our government incurred severe criticism by the International Development Committee (IDC) for just that. It was deemed a damning strategic error that the cessation of the genocide already raging in Darfur was not included as a condition for the generous terms afforded the GoS on signing the Comprehensive Peace Agreement (CPA) in the south.

No one knows better than the people of Darfur that the GoS cannot be trusted. To sign a worthless piece of paper in order to appease the UN is an excruciating exercise in futility.

### ***Myth 3: Positioning Darfur as a humanitarian crisis.***

Whilst this is true, it is only as a result of the systematic genocide campaign. However, no amount of aid will help if aid agencies cannot operate due to insecurity. Reporting of the humanitarian element without analysing the underlying causes allows the slaughter and rape to continue unfettered. In a recent article about Darfur in the New Statesman, Brendan Simms, the author of a book about the international community's failings in Bosnia, refers to the red herring of 'humanitarianisation':

*In Bosnia, Western governments, particularly the British, tried to turn a political crime – which essentially required a military response – into a humanitarian 'tragedy', which could be solved or at least alleviated through the provision of aid. So it is today: the international community has provided various 'band aids', but none of the radical surgery required for a long term solution.*

<http://www.newstatesman.com/200609180019>

### ***Myth 4: The persistent under reporting of mortality rates.***

The media has already been reprimanded for this in the International Development Committee's Darfur report last year, which described the misleading, conflated mortality figures issued by the WHO, and adopted by Hilary Benn and the media, as a scandalous form of "statistical anarchy" brought about by "either extreme naivety or gross incompetence". The UN's estimate almost a year ago was 300,000, although independent sources put it at 450,000. These figures are not inclusive of the huge areas that no one has been able to access.

### ***Myth 5: That this is anything other than genocide.***

There is an abundance of documented evidence of genocide by all the major human rights organisations. The role of the media should be to scrutinise motives of those who shy away from calling it so, or better still, just speak it by its name and challenge the UN to prove otherwise.

The UN refuses to learn the lessons of history. In April 2004 Kofi Annan said our greatest failing in Rwanda was beforehand we did not face up to the fact that genocide was a real possibility, and once it started, for too long we could not bring ourselves to recognise, or call it by its name. In this case, the UN knows that member states lack the political will to protect the victims in Darfur. China and Russia have commercial interests in Darfur. The UK and US have already overcommitted their troops fighting the so called war on terror. To use the word genocide would indicate either an obligation to act or to admit that the slaughter and rape of black Africans will always be at the bottom of the UN agenda.

***Myth 6: Putting pressure on Khartoum will cause the government to fail, with something (or someone) worse taking its place.***

The suggestion is that the replacement will be even more extreme Islamic fundamentalists and will be sympathetic to al Qaeda. In fact, the GoS is known to have sheltered Osama Bin Laden for 5 years in the '90s and only distanced themselves when Bill Clinton bombed an alleged pharmaceutical factory that was producing chemical weapons.

***What the international community should do:***

- 1) Three years of appeasement, diplomacy and idle threats have failed. It is time to get tough and stand up to the bullies in Khartoum. History tells us that on the rare occasions that anyone has stood up to the GoS they have backed down. The Responsibility to Protect mandate overrides vetoes or the need for permission to protect victims of genocide, least of all from their persecutors. Thus, if the political will were there, a UN peacekeeping force could be sent in within months. We did it in Lebanon (after just 30 days), so pressure should be exerted to show the same regard for the systematic killing of black Africans in Darfur.
- 2) In the meantime, there have been 13 UN resolutions expressing regret about the violence in Darfur, yet virtually none of the UN's measures have been enforced.
- 3) A no fly zone should be enforced to stop the Sudanese bombing their own citizens;
- 4) Targeted sanctions are needed against the architects of the genocide in Khartoum, including freezing their financial assets and travel bans.

***Britain's role:***

At the 2001 labour conference Tony Blair said if another Rwanda were to happen we would have an obligation to act. Not only has he failed to act again, he granted an entry visa to one of the chief architects of the genocide, Salah Gosh, head of Sudanese intelligence, just 3 weeks ago. Last year the same man was allowed into the UK to have medical treatment. We should have sent him to The Hague rather than letting him come here to get his teeth fixed.

A year ago Tony Blair signed the Responsibility to Protect policy, aimed at protecting civilians from genocide. That means we stand up to the architects of the genocide, rather than fooling ourselves they are our partners in the search for peace in Darfur.

# Darfur Chronology of Events

## ***1956 - 2001***

- 1956** Independence of Sudan
- 1969:** Jaafar Nimeiri takes power in Sudan
- 1970** Ansar and Muslim Brothers flee Sudan
- 1971** Native Administration abolished
- 1973** Libya starts smuggling weapons to Chadian opposition through Darfur, beginning of Islamic Legion activities in Chad
- 1976** Ansar-Muslim Brothers invasion of Sudan from Libya
- 1980** A regional government and elected governor provided for Darfur
- 1982** Hissene Habre takes power in Chad
- 1985** April: Overthrow of Nimeiri and opening of Darfur-Libya border
- 1986** Acheikh Ibn Omer sets up Chadian armed camps in Darfur
- 1987-9** First Arab-Fur war; First organization of the *Janjawiid*
- 1989** June: Omar al Bashir takes power in Khartoum
- 1990** Idriss Deby takes power in Chad
- 1991** Darfur becomes a state within a federal system  
December: SPLA incursion into Darfur
- 1994** Darfur divided into three states; Native Administration reintroduced
- 1995** March: Nine *amirs* appointed for the Arabs in Western Darfur
- 1995-9** Arab-Masalit conflict
- 1997** 3 February: Report of Special Rapporteur on the Situation of Human Rights in Sudan - Gaspar Biro (UN Document E/CN.4/1997/58)  
→ He warns of serious intertribal clashes in West Darfur between the Rizeighat, Missirya and other Arab nomadic tribes, on the one hand, and the Zaghawa and Masalit tribes on the other
- 1999** Split in ruling Congress Party
- 2000** May: Publication of the *Black Book* detailing the marginalization of Darfur
- 2001** Organisation of armed opposition in Darfur

## ***2002***

### **February**

The rebels announced themselves publicly

Conferences at Nyertete and Kas to try to mediate the conflict.

### **September**

The Mission of Sudan to the UN warns the High Commissioner for Human Rights about a press conference held by the Special Rapporteur of the Commission on Human Rights on Sudan, Gerhard Baum.

### **September – October**

Visit by Gerhard Baum to the Sudan.

### **December**

Vice-President Ali Osman warns Darfur not to follow the path of the South.

## ***2003***

### **January**

6: Report by the Special Rapporteur on the Situation of Human Rights in Sudan, Gerhard Baum (UN Document E/CN.4/2003/42)

- The overall Human Rights situation has not improved, the Security Apparatus still acts with impunity
- Special courts in Darfur not keeping with international standards
- Warning that human rights should be part of the peace talks
- The UN should play a stronger political role in the Sudan
- Development aid should be closely linked to tangible progress in the field of human rights

### **February**

SLA announces its existence and publishes manifesto

Attack of the Golo Police Station by village self-defence groups

### **March**

Justice and Equality Movement announces its existence

17<sup>th</sup> March – 25<sup>th</sup> April: 59<sup>th</sup> session of the Commission on Human Rights

### **April**

25: SLA/JEM attack al Fasher airport –PIVOTAL MOMENT OF WAR-

### **May**

Rebel attacks on Kutum, Mellit, Tine

## **July**

*Janjawiid* counteroffensive begins in earnest

## **August**

Bombing of Habila by the Sudanese air force: targeted displaced persons because they knew they were joining the rebel movements. The Government maintained it was a 'mistake' and the commissions of inquiry believe it

## **September**

Government-SLA ceasefire talks in Abeche, Chad under the mediation of President Idriss Deby of Chad.  
→ Only achieved a 45-day ceasefire that neither side respected

## **End 2003**

SHIFT in patterns of attack in Darfur from fighting between Government and the rebels groups to mostly *Janjawiid* attacks on civilians  
→ Government army only had a supporting role

## **2004**

### **January**

Major government offensive

### **March**

UN coordinator Mukesh Kapila calls Darfur "the world's worst humanitarian crisis" and makes a comparison to Rwanda

15<sup>th</sup> March – 23<sup>rd</sup> of April: 60<sup>th</sup> session of the Commission on Human Rights

### **April**

3 fact-finding missions:

- 5 - 15<sup>th</sup> of April: mission of Acting High Commissioner for Human Rights visit refugee camps in Chad (reported to HCHR on the 19<sup>th</sup> of April)
- 21 April – 2<sup>nd</sup> May: mission of Acting High Commissioner for Human Rights visit Khartoum and Darfur (reported to HCHR on the 6<sup>th</sup> of May)
- 27 April – 2<sup>nd</sup> of May: High-level mission to Darfur

Deby asked the AU to assist his mediation: Government-SLA/JEM talks in N'Djamena agree on a ceasefire and disarmament of the *Janjawiid*.

→ PROBLEMS encountered: slow, split SLA/JEM, rebel leaders (Abdel Wahid al Nur and Khalil Ibrahim) didn't attend

→ The AU was tasked with sending peacekeepers to Darfur: it became a peacekeeper by default

8: Humanitarian Ceasefire Agreement signed in N'Djamena

### **May**

7: Report by the Acting High Commissioner for Human Rights, Bertrand Ramcharan (UN Document E/CN.4/2005/3)

- He condemns the Government of Sudan but does not hold it responsible
- Sees the violence as counter-insurgency with rebels at origin of violence

- Identifies War Crimes and Crimes against Humanity perpetrated by the Government of Sudan and its proxy militia, no mention of genocide
- Failure of the government to stop/prosecute/disarm the Janjaweed – for which it is responsible
- Insists on the Humanitarian Situation
- Calls for Human Rights Officers and the creation of an International Commission of Inquiry

26: Presidential Statement from the Security Council expressing its gravest concern over the deterioration of the humanitarian and human rights situation in Darfur:

- Insistence on the Humanitarian situation, little about specific Human Rights violations, insistence on the need to reach a political settlement

28: Agreement on the Modalities for the Establishment of the Ceasefire Commission (CFC) and the Deployment of Observers signed in Addis Ababa

## **June**

AMIS deployment in Darfur to monitor and report on a Humanitarian Ceasefire Agreement

1-13: Visit to Darfur by the Special Rapporteur on Executions, Asma Jahangir

11: Security Council Resolution 1547: mostly about the future implementation of the CPA

- UNAMIS: creation of UN advance team in Sudan – prepare monitoring
- Darfur: need to halt the violence and conclude a political agreement

Kofi Annan and Colin Powell visit Darfur

- Annan: says that Darfur is not genocide

US Congress describes Darfur as 'Genocide'

## **July**

Security Council Resolution 1556: called for the disarming of the *Janjawiid*, arrest of their leaders, and unobstructed humanitarian access, all within 30 days

→ UN Security Council gives Khartoum thirty days to disarm the *Janjawiid* and facilitate humanitarian assistance. UN Special Envoy, Jan Pronk watered it down, with a more generous ninety-day plan

Annan visits one of Darfur's worst camps in a deserted plant nursery in the centre of al Fasher and then goes to Mashtel camp: both emptied out to stop Annan bearing witness

25 July – 1<sup>st</sup> August: visit by the Representative of the Secretary General on IDPs, Deng, to Darfur

## **August**

6: Report by the Special Rapporteur on Extrajudicial, summary or arbitrary executions, Ms Asma Jahangir (UN Document E/CN.4/2005/7/Add.2)

→ Strong condemnation of the Government of Sudan's policies

- The GoS is clearly responsible for extrajudicial and summary executions of large number of people and it is responsible for the large humanitarian disaster in Darfur – it shows either disrespect for civilians suffering or complicity in the crimes
- The GoS's response is disproportionate and attacks are indiscriminate
- Crimes against humanity have been committed for which the GoS bears responsibility, and she calls for an international inquiry

19-24: Visit by the independent expert on the situation of Human Rights in Sudan

Government and rebels meet in Abuja, Nigeria

Four months after N'Djamena talks, continuing impunity for *Janjawiid*, sharing camps with government forces

Konare proposed to Bashir the idea of an African inquiry into Darfur, similar to the international Panel the OAU set after the Rwandan genocide. He hinted that it would be advisable to agree because the UN Security Council also had its sight on a Darfur inquiry  
→ Bashir refused and set up his own commission instead.

27: the UN Special Representative witnessed 300 *Janjawid* in Geneina hand over their weapons (handed back the following day...).

## **September**

US Secretary of State Colin Powell declares Darfur to be 'genocide'

18: UN Security Council Resolution 1564: mandated the International Commission of Inquiry into Darfur to investigate human rights violations in Darfur:

- Deplores that the GoS has not fulfilled his commitments under SCR 1556, notes the ceasefire violations by all parties, insists on the need for a political solution and threatens to take additional measures under Article 41 of the UN Charter
- International Commission of Inquiry into Darfur: mandated to investigate reports of violations of Humanitarian and Human Rights law in Darfur, determine whether acts of genocide have occurred, identify the perpetrators of the violations

27: Report of the Representative of the Secretary General on IDPs, Francis Deng (UN Document E/CN.4/2005/8)

- He insists that the AU should maintain its primary lead role
- The international community needs to support the AU; he is against the international use of force as he believes it would cause more suffering and may endanger the CPA

Visit of the Special Rapporteur on Violence against Women, its causes and consequences, Yakin Erturk to Darfur

Visit by the High Commissioner for Human Rights and Juan Mendez

Sam Ibok replaces Elgabid as AU Commissioner for Peace and Security

Saeed Madibu joined a delegation of twenty-eight tribal elders to Abuja: he was tough with the SLA and JEM leaders and insisted that violence would solve nothing

Peace talks in Abuja failed: UK and US realized that there would be no quick fix and concentrated on the Naivasha talks since Sudanese officials hinted that they would stalk the peace process to end Africa's longest war if the world got tough on Darfur

## **October**

Increase in number of personnel and mandate of AMIS to include: contributing to a secure environment for the delivery of humanitarian relief and for the return of IDPs and refugees to their home, and to contribute to improvement of the security situation throughout Darfur; it was tasked with protecting civilians under imminent threat, providing visible military presence by patrolling and establishing temporary outposts to deter armed groups from committing hostile acts against civilians, and to monitor and report on the effective service delivery of the local police

High Commissioner for Human Rights and Juan Mendez brief the Security Council and propose measures to be taken

## **November**

Security Council Resolution 1574:

- Envisages a Peace Support Operation after the CPA
- Support for the AU
- Encourages contributions to the humanitarian effort

AU monitors warning that the Government of Sudan was planning an offensive

Tribal Leaders meet in Tripoli to participate in a promising peace initiative under the auspices of Colonel Gaddafi. The delegation was headed by General Ibrahim Suleiman

→ Surprise: Gaddafi encouraged the emergent 'Darfur Tribes Initiative'

→ Resolved to rebuild a conservative social order on the pillars of peace, stability and tolerance

## **December**

23: Report of the Special Rapporteur on Violence against Women, its causes and consequences, Yakin Erturk (UN Document E/CN.4/2005/72/Add.5)

- Insists on the role of the Janjaweed and security forces in perpetrating grave human rights violations
- Reports that the authorities claim that allegations of systematic rape against women are exaggerated and unfounded

→ Not a single day's discussion about a framework for a political settlement: no negotiation strategy and no leverage of a major power behind them.

## ***2005***

### **January**

25: International Commission of Inquiry into Darfur delivers its report pursuant to SCR 1564 (U Document S/2005/60)

- It found that the GoS and the Janjaweed are responsible for crimes against humanity and war crimes, rebels are responsible for war crimes
- The GoS has not pursued a policy of genocide: the crucial element of genocidal intent is missing but individuals, including Government officials, may be found to have committed acts with genocidal intent
- They have withheld the names of the persons they have found guilty of violations. The list will be given to the Secretary General to be handed over to the ICC Prosecutor, and evidentiary material will be passed on to the HCHR, also to be handed over to a competent Prosecutor.
- The Commission recommends referral to the ICC as it constitutes a threat to international peace and security and meets the threshold of the Rome Statute

Report commissioned by Bashir on human rights abuses: complete whitewash.

→ Crimes committed by both sides

→ No one named, no government culpability

Comprehensive Peace Agreement (CPA) signed between the Sudan Government and SPLM in Nairobi, Kenya

→ Blanket amnesty for their crimes – justice put aside

→ No truth-and-reconciliation commission

Libyan invitation for follow-up meeting with tribal leaders stalled by Khartoum: no exit visas, new set of representatives

→ Saeed Madibu still attended BUT no further compromise with the rebels.

→ Policy of divide and rule continued by Khartoum: reshuffling the Native Administration of Darfur before Tripoli

### **February**

The Secretary General and the High Commissioner for Human Rights call for urgent action by the SC to halt violence in Sudan

28: Report of the Independent Expert on the Situation of Human Rights in the Sudan, Emmanuel Akwei Addo (UN Document E/CN.4/2005/11)

- The government's response to the insurrection has been ruthless and disproportionate - use of military, PDF and Janjaweed – it is waging a systematic campaign against the unarmed civilian population (Fur, Masalit and Zaghawa) which constitute war crimes and crimes against humanity
- There needs to be an extended mandate for AU forces including the protection of civilians – The AU Peace and Security Council has the legal power under article 17 to do more
- He warns against the danger of exclusion in the Darfur peace process

## **March**

14 March – 22<sup>nd</sup> April: 61<sup>st</sup> Commission on Human Rights

Very weak statement: it condemns attacks by all parties, little mention of government exactions; it insists that more help is needed for the AU

24: Security Council Resolution 1590: establishment of UNMIS (10 000 military personnel and 715 civilian police personnel)

- Strong human rights component to the mission which is an important improvement
- Mandate: includes the protection of civilians under imminent threat of violence

29: Security Council Resolution 1591: Panel of Experts and a supervisory Committee of the Security Council to monitor the implementation of sanctions:

- Travel restrictions and assets freezing of individuals designed by the Committee

31: Security Council Resolution 1593: Decision by the SC to refer the situation in Darfur to the ICC (events since July 2002)

## **June**

6: The Prosecutor of the ICC decides to open an investigation on events in Darfur

## **July**

9: Adoption of an Interim National Constitution, which includes a Bill of Rights

Government of Sudan, SLA/M and JEM sign Declaration of Principles in Abuja

The government put an end to emergency laws in most states (in force since 1999)

## **August**

Death of John Garang

The President issued a provisional order to promulgate a decree providing wide powers to the Government to oversee and control the activities of national and international non-governmental and civil societal organizations, thereby directly affecting fundamental human rights including freedom of association protected in CPA, the Constitution and international human rights instruments ratified by the Sudan and potentially infringing upon humanitarian action undertaken by such organizations on behalf of IDPs and returnees

## **September**

19-26: Visit to Darfur by Juan Mendez

20: Formation of a Government of National Unity with multiparty representation

## **October**

3-13: Visit by W. Kalin, Special Representative of the Secretary General on the Human Rights of IDPs

5: Report by the Special Advisor of the Secretary General on the Prevention of Genocide, Juan Mendez

- There is an alarming gap between government rhetoric and the reality on the ground
- The security situation is one of escalating banditry and attacks, there is little improvement with regards to accountability despite government rhetoric
- He recommends that the Security Council and the AU elaborate a strategy to neutralize the Janjaweed in the absence of GoS cooperation
- Mendez wanted to brief the council on that report, and UN Secretary-General Kofi Annan had asked the council to hear him. But that request was blocked by the US and three Sudanese allies, China, Russia and Algeria, as they feared it would engender the implementation of the CPA

15-22: Visit to Sudan by Sima Samar, Special Rapporteur on the Situation of HR in Sudan (CHR Resolution 2005/82)

19: Law Reform Committee: The Ministry of Justice establishes a Commission for law reform with a mandate to review the compatibility of domestic legislation adopted from 1901 to 2005 with the Interim National Constitution – its work will begin during the April 2006 parliamentary session

24: The New Government of Southern Sudan was sworn in

## **December**

5: Adoption of the Constitution of Southern Sudan

## ***2006***

### **January**

11: Report of the Special Rapporteur on the Situation of Human Rights in the Sudan, Sima Samar (UN Document E/CN.4/2006/111)

→ The Government has fallen short of producing accountability and a climate of impunity remains in Sudan

27: Second Report of the High Commissioner for Human Rights on the Human Rights situation in Sudan  
She warns of a gap between commitment and implementation of the CPA

- In Darfur, the CPA, the interim constitution and other positive political measures were overshadowed by an ineffective judiciary, an ongoing conflict and widespread human rights abuses

- 5 Key recommendations:

- 1. Ending the culture of impunity – culture of accountability – role of the National HR Commission – measure to implement new mechanisms in Darfur have been highly insufficient and reflect an inability or unwillingness to prosecute perpetrators of HR abuses – GoS should work with the ICC

- 2. There should be a reform of the National Security organs, as well as the police and armed forces

- 3. Respecting economic, social and cultural rights – marginalization and discrimination

- 4. A free civil society

- 5. Making effective use of the national law reform committee

→ 29: The GoS said the report would send the wrong signals to negotiating sides in Abuja and would increase their inflexibility towards achieving peace in Sudan

AU committed in principle to handover of Darfur to the UN

30: Report of the Panel of Experts (UN Document S/2006/65)

- Arms continue to enter Darfur from a number of countries and other parts of Sudan; the GoS is clearly violating the arms embargo

- The Committee had not yet designated any individuals against whom sanctions should be applied

- Confidential list of individuals who impede the peace process, transmitted to the ICC

→ 29: GoS warns that sanctions threaten the implementation of the CPA

## **February**

- 13: Report by the Special Representative of the Secretary General on the Human Rights of IDPs, Walter Kalin
- The institutional capacity of the authorities to absorb and integrate large numbers of returnees is very limited
  - Similar scarcities detrimentally affect the law enforcement sector in the South
  - The judicial system is largely dysfunctional

## **March**

10: Agreement in Addis Ababa between the GoS and AU to extend the AU mission in Darfur until 30<sup>th</sup> of September 2006, and then allow them to merge into a larger UN force

15-27: 62<sup>nd</sup> session of the Commission on Human Rights

UNHCR cuts by 44% its operations in Darfur because of security risk

Gosh visits London for 'medical reasons'

14: Ali Osman Taha rejects the proposed deployment of UN forces to Darfur when the AU's mandate expires in September 2006

## **April**

Third Periodic Report of the High Commissioner for Human Rights on the Human Rights situation in Sudan:

### - GENERAL FINDINGS:

- Continuing human rights violations in Darfur as the conflict escalated
- Failure to protect civilians from attacks and failure to hold people accountable for conflict-related crimes
- Ill-treatment, detention and harassment of people who voice their human rights concerns throughout Sudan
- Failure to reform the National Security
- Failure to pass legislation to establish a National Human Rights Commission in accordance with the Paris Principle

### - RECOMMENDATIONS:

- Creation of a strong and independent Human Rights Commission
- Legal reform
- Cease restricting the work of UNMIS Human Rights Officers
- Radical institutional and legal reform of the Security Apparatus

19: Second Report of the Panel of Experts on Sudan (UN Document S/2006/250)

- The flow of arms into Darfur continues unabated during the period from January to March 2006. There is therefore a need for a verification component and member states selling arms to Sudan should insist on end-use certification, and expand the arms embargo to the whole of Sudan
- Still no one designated by the Committee for sanctions
- Additional measures should be taken under article 41 of the UN Charter, the Committee should designate people swiftly, there needs to be a strong civilian protection dimension to potential UN operation in Darfur and the establishment of an air exclusion zone

25: Security Council Resolution 1672: four persons against whom the sanctions should be implemented:

- Major General Gaffar Mohamed Elhassan (Sudanese Armed Forces)
- Sheikh Musa Hilal (Chief of the Jalul tribe in North Darfur)
- Adam Yacub Shant (SLA commander)
- Gabriel Abdul Kareem Badri (National Movement for Reform and Development Field Commander)

## **May**

5 - 16: Darfur Peace Agreement between the GoS and Minni Minawi's faction of the SLA (his brother was killed on the 5 May during an attack on Kalaka village) – Abdul Wahed's faction of the SLA and the JEM rejected the DPA arguing that it did not provide sufficient individual compensation for people affected by the

conflict, nor did it grant Darfurians enough political representation (no Vice-President from Darfur, nor the creation of a Region), and it failed to provide a comprehensive strategy for the disarmament of militia groups

- Commitment to respect and promote Human Rights in Darfur – the mandate for human rights reform is broad under the DPA
- The AMIS is responsible for monitoring and verifying compliance with disarmament provisions, monitoring the security in IDP camps, ensuring that women and children in camps are protected from all forms of violence, monitoring police investigation and government prosecution of crimes against IDPs, the establishment and enforcement of buffer zones. BUT there has been no increase in AMIS resources.
- Involvement of Bob Zoellick, US Deputy Secretary of State and Hilary Benn, British Development Minister, as well as Nigerian President Obasanjo – Bush had even written a tailored letter to Minawi, Al Nur and Bashir

#### Opinions:

- Julie Flint: it is the process and not so much the content of the deal which is problematic, having been in effect forced in little more than a year; this is not a people's peace, but rather, it is an imposed and partial peace; the security provisions are surprisingly good but the power-sharing provisions are weak; the real concern is implementation

De Waal: he is against a typical military intervention. – it would be large, long and costly. Instead, he argues for a different kind of foreign intervention, one which would be smaller, smarter and with a long-term perspective. The DPA provides a workable framework to disarm the Janjawiid, which the government cannot do by itself, and a collaborative approach in that context holds the greatest hopes. The AU has been given a mission impossible

John A. Akec: Implemented correctly, the agreement can bring justice and peace. However, its proper implementation is key to a lasting peace and this is dependant on the good faith of the GoS and the willingness of the International Community to get involved

### **June**

8: Another group of rebel leaders signed a Declaration of Commitment to the DPA

30: Leaders from the JEM, the Sudan Federal Democratic Alliance, and the SLA founded the NRF (National Redemption Front). However, Abdul Wahed did not take part in it

### **July**

1-2: African Union Summit in Banjul, Gambia

→ The summit concluded by extending for six months the mandate of AU forces despite insistence by AU's Konare did not have the resources or the capacity to carry on

→ Annan, who had expressed the need for a UN take over just before the meeting, bowed to Khartoum's wishes, stating that there was no political will – criticized by Reeves as incapable of sustaining his professed commitment to Darfur

→ A joint high level delegation of the UN and the AU which had come to Khartoum in order to discuss the role of the two organization in the implementation of the DPA were told by Bashir that he would not agree with a transition towards a UN peacekeeping force in Darfur

18: Meeting of Western Donors in Brussels

→ Only \$220 million promised for the AU – enough to sustain current operations until end of September only, permits no expansion

→ Inability of donor's conference to compel Khartoum to accept a robust UN force, with Chapter 7 authority

Fourth Periodic Report of the High Commissioner for Human Rights on the Human Rights situation in Sudan – Deepening crisis in Darfur two months after the Darfur Peace Agreement: An Assessment

→ There has been no improvement in the situation of human rights in Darfur

- Civilian populations continue to be targeted by militia; the government and rebel movements are in breach of the new ceasefire

- Parties continue to violate principles of International Humanitarian Law, in particular the principle of military necessity and the principle of distinction

- The implementation of the DPA presents an opportunity to establish a comprehensive human rights protection framework for Darfurians

- Without additional government support, the DPA is doomed to failure
- The international community should urgently increase support to the AMIS – there has been no increase in resources and the AMIS is increasingly seen as having failed to protect them from attacks.
- There has been a delayed and improper implementation of the DPA:
  - The Ceasefire Commission held its first meeting on 13 June (instead of 6 May) - it is improperly functioning: investigations blocked by Minawi, and unwillingness to receive complaints from the SLA/AW and JEM
  - The Joint Commission (which has to take decisive action in relation to ceasefire violations) is not working properly either
  - On the 22 June, there was supposed to be a government plan for the neutralization and disarmament of militia groups. It has not been presented and instead, the GoS has been granting amnesties to men agreeing to disarm.
    - This is problematic for three reasons:
      - These actions cannot replace the need for a government plan
      - General amnesty for members of militia groups can be problematic as it does not detail an application procedure or a list of crimes for which amnesty can be granted
      - Lack of accountability and culture of impunity – should cooperate with the ICC

## **August**

7: Former Darfur rebel leader Minawi is sworn in as special assistant to the president.

17: Britain and the United States introduce a Security Council resolution to send U.N. peacekeepers to Darfur  
→ Sudan's ruling party rejects the draft resolution a week later

31: Security Council Resolution 1706:

- Created a mandate for an approximately 23,000-strong peacekeeping force in Darfur, "inviting" Sudan's consent.
- Envisaged the transition from AU to UN as a gradual process beginning with a UN assistance package for AMIS from 1 October. It will consist of about 45 civilian staff, 105 military staff officers and 23 police advisors, plus assets such as global positioning system devices and possibly armoured personal carriers.
- China, Russia and Qatar abstained from the vote

Late August: the UN Secretariat sent a letter to the Sudanese government expressing its concern over the Sudanese Government's plan which envisages the deployment of about 26,500 Sudanese troops to Darfur. The Secretariat warns that the deployments are a violation of the peace agreement and of the arms embargo, and that the UN cannot provide support for elements of the plan that are belligerent or inconsistent with international norms

## **September**

General Assembly Meeting in New York:

- US President George W. Bush stated that "if the Sudanese government does not approve this peacekeeping force quickly, the United Nations must act"
- Khartoum seems to have indicated an opening to an incentives package by underlining the need for debt relief and the lifting of economic measures against Sudan. While rejecting the transition, it also expressed support for UN assistance to AMIS

14: George Clooney and Elie Wiesel address the UN Security Council concerning the humanitarian crisis in Sudan's Darfur region at a closed-door meeting of the 15-member body and urge world action to protect the people of Darfur

→ The Council was not able to reach consensus on a presidential statement that denounced the Sudanese Government's plan and supported the AU Peace and Security's decision in advance

17: Global Day for Darfur: events are organised all over the world to show world-wide support for the Darfuri people and to put pressure on their respective Governments to send UN peacekeeping troops to Darfur to support civilian population

20: AU Peace and Security Council Meeting:

- The AU agrees to extend its mission in Darfur until December 31, with logistical and material support from the U.N. and funding from Arab states
- The PSC also approved a new concept of operations for AMIS, increasing the troop ceiling from 7000 to 11000
- The PSC is expected to reconvene at the level of heads of state and government in November.

29 September: Security Council Resolution 1713:

- The Security Council extends the mandate of the Panel of Experts for another year and requests that it provides a midterm briefing on its work no later than March 29th 2007

30: Meeting between Bashir and European Commission president Jose Manuel Barroso

- Al-Bashir reaffirmed the need for supporting the African Union forces
- The European Commission president said the commission was concerned with Darfur crisis and referred to efforts being exerted by the commission to resolve the issue through constructive political dialogue.
- He said his commission supports efforts aimed at fully implementing the DPA and delivering relief to the war-affected population in the region

### **October**

16-17: EU General Affairs and External Relations Council (GAERC) meeting

20: EU Council Meeting discusses Darfur

### **November**

3-5: Chinese-African Summit

5: 6 months since the signing of the DPA between the Government of Sudan and Minawi's faction of the SLM