

Your Excellency:

On April 28, 2006, the United Nations Security Council adopted resolution 1674 on the protection of civilians in armed conflict. Resolution 1674 reaffirms the international responsibility to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity. For civilians around the world, resolution 1674 has the potential to be one of the most significant measures taken by the Security Council in decades to provide them with protection, but only if it is transformed from rhetoric into action.

A key test of the Security Council's commitment to the concept of "responsibility to protect" is clearly Darfur, western Sudan. Darfur's civilians have suffered three years of armed conflict, crimes against humanity, and war crimes, mainly at the hands of Sudanese government forces and the "Janjaweed" militias. The Sudanese government has repeatedly shown its unwillingness to take even the most minimal steps to protect Sudanese civilians in Darfur.

The Darfur peace agreement signed in Abuja, Nigeria, on May 5 could contribute to reversing the appalling situation in western Sudan, but only if the protection-related provisions of the agreement are fully and immediately implemented. Ensuring that the agreement is a milestone towards progress, rather than a marker in the steady decline of Darfur, is not only the responsibility of the warring parties, but also of the member states of the Security Council and indeed, of the international community generally.

### **The U.N. transition**

Darfur's most urgent need is for a significantly stronger international force to be deployed without delay. A stronger force is essential to deter further attacks and protect civilians, who remain under massive threat from Sudanese government-backed and opposition armed groups in Darfur. For example, three days after the peace agreement was signed, on May 8, dozens of civilians in Labado, South Darfur came under attack by armed militias believed to be supported by the Sudanese government. These attacks are likely to continue unless a larger, more mobile and robust international force is promptly deployed. With each attack, the supporters of peace are weakened and the chances for real stability diminish.

In addition to sufficient numbers and equipment, the mandate of the U.N. force will be vital. The Security Council must demand that troops protect civilians using all necessary means under Chapter VII of the U.N. Charter and in full compliance with international human rights and humanitarian law. Without such a broad and robust mandate, and force rules of engagement incorporating this mandate, U.N. troops will be unable to protect civilians, as was the case for the African Union force and for previous U.N. forces in other conflicts.

A stronger international force is essential to gain the confidence of the warring parties and monitor and guarantee any peace agreement. Given the Sudanese government's record of broken agreements and commitments, an international presence will be vital to ensure that the government fulfills its pledges under the peace agreement. The longer it takes to deploy further international forces in Darfur, the more likely that attacks will continue and the rebel movements may splinter even further, making implementation of the peace agreement ever more difficult.

A larger, more mobile and robust international force is also essential to re-establish security in the rural areas and assist the return of displaced persons, more than two million of whom were ethnically cleansed from 2003 until the present and now live in camps in Darfur and neighboring Chad. These two million people, plus an additional 1.5 million Darfurians affected by the conflict, are now wholly or partly dependent on humanitarian aid for food, shelter and medicine. The increasing insecurity is rendering hundreds of thousands of people inaccessible to humanitarian aid.

Strengthening the international presence on the ground will require much greater resources to be provided to the African Union Mission in Sudan (AMIS) in the short-term and also to the U.N. in the medium and long-term. The African Union entered Darfur when no other country or institution was willing to do so, and has had some success in the areas where it deployed. Yet, as the African Union has steadily increased its forces over the past two years, its deployment and capacity have constantly lagged behind what was required to protect and deter attacks on civilians. The past nine months have seen a dramatic deterioration in security not only for Sudanese civilians but also for humanitarian aid workers. Today the African Union's capacity and ability to deter attacks are insufficient to meet the mounting challenges in Darfur, and the Darfur peace agreement confers even further tasks on the already under-resourced AMIS forces.

The African Union recognizes these constraints, and on May 15 the A.U. Peace and Security Council reiterated its intent to hand over to the U.N. on or before October 1, 2006, when the AMIS mandate expires. A.U. Commission

Chairman Alpha Oumar Konare called for the U.N. force to deploy as quickly as possible and for the Sudanese government to allow U.N. planners entry to Sudan. It is essential that the U.N. and member states be prepared to take up this challenge and provide the political pressure, resources and other support necessary for the U.N. to speedily enter Darfur and carry out the vital protection and monitoring tasks that are required.

We urge Security Council member states to undertake the following:

- Ensure that any U.N. Security Council resolution authorizing a U.N. force for Darfur calls for U.N. forces to use all necessary means to protect civilians, under Chapter VII of the U.N. Charter and in full compliance with international human rights and humanitarian law;
- Take all necessary measures -- including ensuring the full implementation of the arms embargo, applying further sanctions on Sudanese government officials, pledging and providing resources to the U.N., and passing the necessary resolutions -- to ensure the deployment of a U.N. force in Darfur on or before October 1, 2006 (following expiry of the mandate of African Union mission in Darfur on September 30, 2006);
- Support the African Union's efforts in Darfur to reach full operational capacity and to robustly interpret its mandate to protect civilians until transition; and
- Call on member states to immediately fund and provide technical support and personnel to AMIS, and later, to the U.N. mission in Darfur.

### **Sudanese Government Obstruction: Further Sanctions**

Resolution 1674 also demands that "all States fully implement all relevant decisions of the Security Council...and cooperate fully with United Nations peacekeeping missions." Three years of international crimes by the Sudanese government and the Janjaweed militias, of repeatedly broken promises and commitments, of horrendous ethnic manipulation and blatant defiance of Security Council demands have left Darfur--and the broader region --at the threshold of what U.N. Under-Secretary-General Jan Egeland has called "the abyss." While there is plenty of blame to be placed on all sides, the Sudanese government remains largely responsible for the catastrophe that has become Darfur and now threatens Chad.

According to the latest media information available to us, the Sudanese government continues to reject the deployment of the U.N. in Darfur despite the government's earlier pledges to permit a UN force in the wake of a peace agreement. The Sudanese government is also refusing entry to a UN planning mission to Darfur in defiance of the Security Council's demand in resolution 1679 that such a mission be given entry to Sudan by May 23. Mr. Lakhdar Brahimi will hopefully help secure the Sudanese government's consent to the U.N. transition, but if his visit does not result in an immediate change of policy by Khartoum, then the Security Council must be prepared to take further measures to persuade the Sudanese government to comply.

The signing of the Darfur peace agreement will in no way translate into concrete security gains for civilians unless the international community maintains increased and constant pressure on the Sudanese government and rebel groups to abide by their obligations. Security Council members must immediately secure the Sudanese government's consent to a U.N. force, or, failing such consent, impose further sanctions on high-level Sudanese officials.

We urge the Security Council to:

- Apply targeted sanctions to Sudanese government officials if they obstruct the deployment of the U.N. force and otherwise contribute to abuses of civilians.

### **The Security Council's Trip to East Africa**

We welcome the initiative by the U.N. Security Council to visit Sudan and the region in June. If the visit is to have real impact on the deteriorating situation, however, then Security Council members must make the protection of civilians their top priority in fulfillment of their international responsibility to protect. As members are well aware, the issue of militia disarmament and demobilization remains critical to civilian security and any possible future return of displaced people to their homes in Darfur.

In addition to the many other objectives proposed for the Security Council's visit to the region in June, we urge the Security Council to explicitly include evaluation of the progress made by the Sudanese government to disarm militias among the terms of reference for their visit. Setting this as a specific objective would not only be a logical follow-up to Security Council demands in resolutions 1556, 1564 and the commitments made in other agreements, but would place additional pressure on the Sudanese government to proactively implement its most recent protection-related commitments in the Abuja peace agreement.

We urge the Security Council to:

- Include among the Security Council terms of reference proposed for the June visit to the region, as a key priority, the protection needs of civilians.

Over the past three years, the international community has repeatedly failed the people of Darfur. As stated in resolution 1674, the Security Council must act immediately to meet its responsibility to protect Sudanese civilians in Darfur. It is imperative that the Security Council and the international community act now, not in three or six months when the opportunities presented by the Darfur peace agreement may have been lost through lack of confidence and breaches of the agreement, and the crisis of Darfur has spread farther and contributed to further gross human rights abuses and increased instability in the region.

Sincerely,

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