

SUDAN

Agenda for effective protection of civilians in Darfur

“When African Union peacekeepers are present, the Janjawid do not dare to attack. But the peacekeepers are not interested in the displaced.”

A Masalit woman from Darfur, who recently fled to Chad.

The presence of an African Union peacekeeping mission in Darfur (AMIS) since 2004 has failed to stop the mass killings, rapes and forcible displacement of civilians in the region.

Despite the presence already in Sudan of 10,000 UN peacekeepers, whose mandate was extended to include Darfur by the UN Security Council in August 2006, President Omar Hassan al-Bashir has rejected a UN peacekeeping mission for Darfur. The African Union Peace and Security Council has on many occasions stated its support for handing over the peacekeeping operation in Darfur to the UN. On 30 November 2006 it agreed to extend the AMIS mandate for six months with the use of UN systems and command and control structures.

It is the civilian population of Darfur which pays the price for the failure in peacekeeping. The displaced live constantly under threat and in need of protection. The Darfur region is so insecure that one third of those affected are inaccessible to humanitarian agencies.

The protection of civilians must be paramount in any peacekeeping operation in Darfur. Amnesty International's agenda for effective protection of civilians sets out a 16-point programme that should be implemented by any peacekeeping force in Darfur.

1. The peacekeeping mission should have a mandate to protect civilians using all necessary means and in full compliance with international human rights and humanitarian law. The rules of engagement for peacekeepers must adequately reflect this mandate.

2. The peacekeeping mission should have sufficient and adequately resourced troops and other personnel.
3. The peacekeeping mission should have freedom of movement throughout Darfur.
4. The peacekeeping mission should ensure the protection of women, and other vulnerable groups, from violence, and be explicitly mandated to formulate a detailed action plan to provide for the protection of women from gender-based violence. Peacekeepers should work in close cooperation with African Union and UN experts, with the participation of women and civil society.
5. The peacekeeping mission should secure free and full access to humanitarian aid for all civilians.
6. The peacekeeping mission should take the necessary steps to maintain the civilian character and humanitarian nature of camps for internally displaced people. This should include ensuring that all camps are located in suitable and safe sites, and identifying and separating armed elements from the displaced population in a fair procedure.
7. The peacekeeping mission should help to ensure safe, voluntary and sustainable return of the displaced to their homes. This needs to include the protection of those

returning home, throughout their journey and upon arrival, and a visible and lasting protective presence in areas after return.

8. The peacekeeping mission should have a strong human rights component with the mandate and capacity to monitor, investigate and publicly report on all human rights abuses, including all cases of rape and other forms of sexual violence. Human rights monitors must be provided with logistical and other support, including protection escort, to be able to travel to all areas of Darfur and have access to all places of detention. The peacekeeping mission should be able to publish reports independently without the approval of parties to the conflict.
9. The peacekeeping mission should have a political and civil affairs component to promote and maintain relations with all parties to the conflict and with the civilian population, including the displaced, the diverse communities of Darfur, and those communities traditionally marginalized. They should carry out programmes of public education and training on human rights standards and complaints procedures.
10. The civil affairs and human rights components must assist in the establishment of permanent, independent and effective institutions for the long-term protection of human rights and the reinstatement of the rule of law, including an independent judiciary and fair criminal justice system.
11. The peacekeeping mission needs an effective civilian police component, fully trained in human rights and mandated to monitor police performance of their duties and compliance with international human rights standards. They must not only observe, they must also, in coordination with the human rights component, ensure that police are aware of and comply with internationally recognized standards of law enforcement. In particular they must advise, provide training, monitor the actions of the police and investigate – or monitor the investigation of – complaints against the police. They should publicly report on their monitoring and other activities.
12. The peacekeeping mission should have the mandate and capacity to oversee the disarmament and demobilization of the government-supported Janjawid militia and of armed opposition groups.
13. The peacekeeping mission should be mandated to enforce the arms embargo imposed under UN Security Council Resolution 1556 (2004) and extended under Resolution 1591 (2005).
14. The peacekeeping mission should be adequately trained to operate in full compliance with international human rights and humanitarian law. Anyone who is reasonably suspected of involvement in serious violations of human rights or humanitarian law should be excluded from participation in the mission.
15. Peacekeepers should be held accountable at all times for any serious breach of international humanitarian law or human rights, including sexual exploitation or trafficking. There should be specific mechanisms at the international level, to which victims should have easy access, for monitoring, investigating and reporting on any violations of international norms by peacekeeping personnel, and to ensure that personnel responsible for serious violations are brought to justice in accordance with international standards.
16. The peacekeeping mission should have a mandate and the necessary resources to put in place strong and effective border controls in order to deter and prevent cross-border incursions.

More information on the human rights situation in Darfur can be obtained at
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