



^b
UNIVERSITÄT
BERN

“THE RESPONSIBILITY TO PROTECT: THE CASE OF SUDAN”

**STATEMENT BY ROBERTA COHEN
CO-DIRECTOR, BROOKINGS-BERN PROJECT ON INTERNAL DISPLACEMENT**

**AMERICAN UNIVERSITY WASHINGTON COLLEGE OF LAW
29 SEPTEMBER 2006**

I was asked to examine how to make operational “the responsibility to protect” when it comes to the role of peacekeepers in Darfur. Over the past decade, peacekeeping forces have been increasingly called upon to play critical protection roles in humanitarian emergencies around the world. They are no longer strictly confined to traditional peacekeeping roles in which military forces monitor cease-fires between nations and use force only in self-defense. Today’s peacekeepers are thrust into the midst of civil wars and called upon to protect the civilian population, among them internally displaced persons, who have been uprooted from their homes and often are the most vulnerable targets of abuse.

Whether in the Balkans, Kosovo, the Democratic Republic of Congo, East Timor, Liberia, and a host of other countries, peacekeeping forces have been mandated to protect civilians, facilitate the delivery of relief, increase public security and enable the safe return home of displaced persons.

The record however has been mixed. Darfur is a painful but instructive example of a regional organization’s effort at protection. In 2003, it was agreed that an African Union force would monitor the cease-fire between Sudan’s government and rebel groups. But when cease-fire violations grew, and attacks against civilians accelerated in 2004 and 2005, the AU bolstered its unarmed observers with troops and police and strengthened its mandate. Today, it has 7,200 on the ground. But the numbers are far too small to protect 2 million IDPs and other civilians in a vast expanse the size of France with poor roads and rudimentary communications, water and power systems.

The AU protection mandate is also weak. AU forces are mainly supposed to monitor and report, for example on security around IDP camps. The mandate does speak of protecting civilians from imminent threat, but this has to fall within AU resources and capability, the troops have to be in the vicinity and it is underscored that “the protection of the civilian population is the responsibility of the government of Sudan.”

The AU force is under funded and under equipped. It doesn't have enough aircraft, vehicles, ammunition, armored personnel carriers. It lacks equipment to do night patrols, good communications equipment, fuel, boots, tents, even food on occasion. When we first began, "we didn't even have maps," the AU special representative to Darfur said.

Needless to say, the insufficient numbers, lack of a robust mandate and inadequate resources proved to be tremendous obstacles in carrying out the responsibility to protect. Nonetheless, during 2004 and a good portion of 2005, the African Union forces did make a difference in Darfur. A report published by Brookings in 2005, co-authored by William O'Neill and Violette Cassis,¹ and based on interviews with AU troops, IDPs and humanitarian and human rights officers over a seven-month period, found that AU soldiers didn't just stand by and watch innocent people get killed. Although they didn't have the strength or authority to remove or disarm the Janjaweed, they demonstrated a willingness to patrol, be visible and try to deter violence. This was particularly true for Rwandan soldiers. As the Rwandan President publicly stated: "Our forces will not stand by and watch innocent civilians being hacked to death like the case was here in Rwanda in 1994."²

Let us therefore look for a moment at the different ways in which the AU troops did try to provide protection for IDPs and other civilians at risk. This should prove instructive in thinking about how to make operational the responsibility to protect.

First, AU troops and police engaged in what they called preventive deployments. They would choose particular areas to patrol where they expected government troops or Janjaweed to attack. Their presence at times deterred further attacks so that residents could return and repair their homes.

Second, was temporary accompaniment. Instead of just documenting violations, they spent the night in a particular town to offer some security through extended presence.

Third was patrolling. There were several types of patrol. One was investigative, looking into cease-fire violations. Another involved negotiation. For example when Catholic Relief Services workers were taken hostage by rebels in late 2004, an AU commander talked with rebel leaders and secured their release. The most publicized kind of patrols were escort patrols, where soldiers accompanied women searching for firewood outside of the IDP camps to prevent their being raped or beaten. In fact, hundreds of women would wait for AU patrols to go out to gather wood. AU soldiers also escorted humanitarian convoys and UN human rights observers in treacherous areas.

A fourth kind of protection was mediation and conflict resolution. This took place within IDP camps AU troops would meet with leaders from the camps to listen to their complaints and concerns. This was particularly important since the conflict destroyed many traditional dispute resolution mechanisms that allowed for the peaceful solution to conflicts over water, land, livestock, grazing routes and personal matters. In one camp, the AU held biweekly meetings with camp managers, UN agencies and women leaders so they could hear concerns and also organize patrols to be more effective. AU police patrols inside camps also in some cases led to violations being reported and acted upon

¹ William G. O'Neill and Violette Cassis, *Protecting Two Million Internally Displaced: The Successes and Shortcomings of the African Union in Darfur*, Brookings-Bern Project on Internal Displacement, November 2005.

² Roberta Cohen and William G. O'Neill, "Last Stand in Darfur," *Bulletin of the Atomic Scientists*, March –April 2006.

Fifth was advocacy, for example against recruiting child soldiers. Because the rebels in particular recruited young boys, the AU and UNICEF created an informal system to share information, identify recruitment places and then meet with authorities to press them to stop child recruitment and release any children who have already been recruited.

Toward the end of 2005, AU protection substantially weakened with the rise in violence in Darfur. Janjaweed militias began to directly attack IDP camps in retaliation for rebel attacks against the Janjaweed. Rebel forces began to loot humanitarian aid convoys, attack Arab nomads and their communities, and fight amongst themselves. Armed banditry and robbery became rampant, making it difficult for the AU to protect even its own troops. In October 2005, the AU force suffered its first casualties. As a result, beginning in 2006, the AU began to curtail its patrols and no longer provided even the minimal protection it offered earlier. Consequently, many IDPs began to scorn AU troops because of their weakness and perceived manipulation by the government of Sudan.

The role of the Sudanese government has been by far the main obstacle undermining the AU's protection role. From the beginning, Sudan has done everything possible to thwart the troops and undermine their mission. To begin with, it insisted on a weak mandate for the AU forces, succeeded in making members of its military part of AU patrols, resisted expanding the numbers in the force, compromised AU investigations of cease fire violations, obstructed patrols, limited AU flight time, delayed the delivery of equipment to the AU such as armored personnel carriers, denied fuel for aircraft and even stole fuel from the AU, so that its helicopters remained grounded.

It was therefore not surprising that in January 2006, the AU acknowledged that it could not provide protection in Darfur and requested that a UN force be deployed. Sudan, as you know, has rejected the deployment of a UN force of 20,000, authorized by the Security Council in August. Given the international stand off, the AU agreed to remain in Darfur until the end of this year.

Will it be able to provide better protection? It plans to increase the number of its force by about 4,000 troops bringing the total to over 11,000. But this number is still too small, and slow mobilization is likely to prevent the attaining of that number. Moreover, African governments don't have many trained or experienced personnel to spare, which means the quality will decline. The AU has also said that it will strengthen the mandate of the force with regard to preventing violence and protecting civilians. But it is unlikely the Sudanese government will allow this. The AU on its own cannot stand up to the government of Sudan and the international community has not been willing to do so.

Nonetheless, AU presence is better than no presence. They are witnesses to abuse and can sometimes help avert or reduce it. Indeed, newly displaced IDPs have been building shelters near AU compounds in the hope that some security can be provided. It is therefore essential that the only force on the ground be given the equipment and resources needed to enable it to make a difference. However, when it comes to military protection, there really is no good alternative to a 20,000 strong UN force. Even better would be a political solution between the government, the rebels and the people of Darfur. A lot more political muscle will be needed to achieve this.