Peacekeeping in Sudan:
The Dynamics of Protection, Partnerships and Inclusive Politics

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FOREWORD

During 2005, NYU's Center on International Cooperation, at the request of and in collaboration with the United Nations Department of Peacekeeping Operations Best Practices Section, launched the *Annual Review of Global Peace Operations*. Officially released in early 2006, the inaugural volume was quickly established as the most comprehensive source of data and analysis on peacekeeping. With statistical and operational information on the more than 40 UN and non-UN operations, the *Review* became an indispensable reference tool, informing policy practitioners, members of the media, academics and peacekeeping personnel on the strategic issues and debates surrounding the performance and future directions of peace operations.

In the 2007 edition, CIC expanded its data collection and analysis with the support of the African Union's Peace and Security Council, which has enabled the *Review* to incorporate previously inaccessible data on AU operations. This is part of the project's response to the exponential growth in demand for peacekeepers which has often been met by a combination of resources and capacities involving multiple actors. There is no doubt that peacekeeping has become an effective and widely used conflict management tool. But at the same time, the growing complexity of peacekeeping operations and the difficult environments in which they operate calls for a heightened understanding of the strategic and operational challenges the several major global peacekeeping platforms – principally, the UN, NATO, the European Union and the AU are faced with.

All four of these actors have been together struggling to mount an effective response in Sudan/Darfur. As Alhaji M. S. Bah and Ian Johnstone's study shows, Sudan, more than any other case, demonstrates that a better grasp on three issues – *protection, partnerships* and *inclusive politics* – will be critical to future peace operations. Bah and Johnstone analyse the challenges that confront peacekeepers in fulfilling their protection of civilians mandates; trace the emerging partnerships involving different peacekeeping platforms; and highlight the crucial need for viable political processes to give purpose and strategy to peacekeeping. The paper concludes with a series of draft recommendations that will be further developed by subsequent outputs of the *Annual Review* project.

Across all of its programmes, CIC is dedicated to enhancing international responses to humanitarian crises and global security threats through applied research and direct engagement with multilateral institutions and the wider policy community. We hope that our research and policy outreach on peacekeeping can provide international policy-makers with the necessary data to help them forge an effective, interlocking set of peacekeeping capacities capable of responding to growing demand and mounting challenges.

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EXECUTIVE SUMMARY

I. The inter-related conflicts and peace processes in Sudan present a monumental peacekeeping challenge. The protracted crisis in Darfur has put the African Union – and the broader international community – to a severe test. Plans for a hybrid African Union-United Nations operation there continue, but Khartoum remains opposed. Meanwhile, implementation of the north-south peace agreement is faltering, with the UN mission struggling to keep it on track in the face of indifference from both parties and frequent hostility from the north.

II. While many of the difficulties facing peace operations in Sudan are unique, some are illustrative of broader peacekeeping challenges. This policy paper examines the African Union (AU) and United Nations (UN) missions from the perspective of three themes identified in the 2006 and 2007 editions of the *Annual Review of Global Peace Operations:* the dilemmas associated with the 'protection of civilians' mandates commonly given to peacekeepers; the new institutional partnerships and 'hybrid' arrangements emerging to meet the growing demand for peace operations; and the recognition that peacekeeping can only succeed if accompanied by a dynamic and inclusive political process.

III. The protection of civilians is not simply one of a list of functions peacekeepers are typically asked to perform; it has become a normative expectation. While south Sudan is relatively secure, lack of progress in the implementation of the Comprehensive Peace Agreement (CPA) leaves civilians at risk. But it is Darfur more than any other conflict that demonstrates the vulnerabilities of civilians in contemporary conflicts. Although the AU mission (AMIS) remained deployed in the region, its ability to protect civilians was significantly reduced after the signing of the Darfur Peace Agreement in May 2006. Meanwhile, the Darfur crisis has spilled over to neighboring Chad and the Central African Republic, expanding the protection challenge.

IV. Recent years have seen an increase in the number of peace operations that draw on the capacities and resources of several actors for optimal effect. The complex situation in Darfur has resulted in innovative partnerships involving the UN, EU, NATO and individual governments. These partnerships have brought to the fore the complex challenges of developing an interlocking system for peace operations, based on the comparative advantages of various organizations. As UN support for AMIS increases, whether or not it culminates in a true hybrid operation, those challenges are sure to become more complex.

V. No peace operation can succeed unless underpinned by a viable political process. Implement of the Darfur Peace Agreement has suffered badly from a lack of inclusiveness. Essentially a bi-lateral agreement, it has failed to generate support locally. The north-south peace process, meanwhile, is faltering in part because the main parties have stopped engaging each other politically and neither – especially the ruling elite in Khartoum – is inclined to open political space for other actors or let the UN play a major role. While both sides remain broadly committed to the CPA, neither is fully prepared to give up the military option.

VI. Darfur is a tragic reminder of the difficulty in making good on the international community's professed commitment to protect civilians. It is also a laboratory for studying the innovative hybrid arrangements being devised to perform the myriad other functions modern peace operations are tasked with. But Darfur cannot be thought of in isolation from the north-south peace process. Both of these conflicts – and others in Sudan – have their roots in a history of marginalization. For external actors, the challenge is to provide effective peacekeeping forces in Darfur and the South, while helping to sustain viable political processes in both.

Drawing on our analysis of developments in Sudan, the paper concludes with a set of preliminary recommendations that will inform further research in the context of the *Annual Review of Global Peace Operations.* Those recommendaions are summarized below.

I. PROTECTION OF CIVILIANS

- **Develop clearer doctrine and greater capacity for the protection of civilians.** Doctrine on protection of civilians should provide for the calibrated use of force, pre-emptively when necessary. The capacity to plan and manage robust operations should be built at all peacekeeping organizations. The protection role of formed police units, as well as the military, should be developed further.

- **Ensure peace operations have the capacity to fulfill a protection of civilians mandate.** Efforts should be made to deploy robust enough operations to deter attacks on civilians, obviating the need to actually use force. When a mission is thinly spread, ensure adequate air assets and other equipment are provided, and consider deploying over-the-horizon forces when the threat to civilians escalates.

- **Embed protection of civilians through military action in a broader protection strategy.** Develop a common strategy among uniformed and civilian components of an operation in order to ensure harmony of effort. While integrated missions ought to be the default option, the precise relationship between military and civilian actors must be tailored to the particular circumstances on the ground.

II. INSTITUTIONAL PARTNERSHIPS

- **Clarify the roles, functions and capacities of the various peacekeeping organizations.** Assess the capacities of the various peacekeeping platforms in order to determine comparative advantages and identify gaps, and integrate existing capacities such as logistics depots. Support the development of multidimensional capacity – military, police and civilian – in the African Union.

- **Establish mechanisms to coordinate the activities of peacekeeping organizations.** Institutionalize cooperation at the strategic level, between the primary decision-making organs of the various organizations, such as the UN Security Council and the AU Peace and Security Council. Establish coordination frameworks to deal with planning, management and long-term capacity-building.

- **Establish predictable and sustainable support mechanisms for peace operations led by regional organizations.** Establish flexible funding mechanisms for peace operations undertaken by regional organizations either by i) drawing on UN assessed contributions and/or ii) replicating the African Peace Facility in other institutions or groupings of countries. Use UN logistics resources from its depots to support peace operations led by regional organizations.

III. VIABLE POLITICAL PROCESSES

- **Devote as much effort to sustaining a political process as to the operational aspects of peacekeeping.** Peacekeeping must be accompanied by a dynamic political process that engages the main protagonists in the conflict and can adapt to changing circumstances. Transitional arrangements should prioritize governance, security and the rule of law, with the goal of putting in motion processes that will outlive the peace operation.

- **Foster political inclusiveness from the earliest days of a peace process.** Although some 'spoilers' can only be dealt with militarily, others can be drawn into the political process through a mix of pressure and incentives. Promote wide participation by supporting legislative bodies, opposition political parties, civil society, the media and representatives of marginalized groups. Transitional arrangements should tap into indigenous modes of consultation and justice.

- **Sustain unified and proactive international engagement.** Seek to harmonize the competing interests of international actors in a common strategy, mixing carrots with sticks. Clarify the respective roles of mediators in a peace process to minimize 'forum shopping' to strike an appropriate balance between 'local ownership' and international standards.

I. INTRODUCTION AND BACKGROUND

INTRODUCTION

The inter-related conflicts and peace processes in Sudan present a monumental peacekeeping challenge.[1] The protracted crisis in Darfur has put the African Union – and the broader international community – to a severe test. The government of Sudan continues to resist the transition to a hybrid African Union - United Nations operation, an idea that emerged because Khartoum had earlier opposed a full handover of peacekeeping duties to the United Nations. Meanwhile, implementation of the north-south peace agreement is faltering, with the UN mission struggling to keep it on track in the face of indifference from both parties and frequent hostility from the north. Both conflicts have broader regional dimensions, compounding the difficulty of bringing unified international political pressure to bear. The net result is a spreading crisis in Darfur and the risk of a complete breakdown of the north-south peace process.

While many of the difficulties facing the peace operations in Sudan are unique, some are illustrative of broader peacekeeping challenges. This paper examines the AU and UN missions from the perspective of three themes identified in the 2006 and 2007 editions of the *Annual Review of Global Peace Operations:* the dilemmas associated with the 'protection of civilians' mandates commonly given to peacekeepers; the new institutional partnerships and 'hybrid' arrangements emerging to meet the growing demand for peace operations; and the recognition that peacekeeping can only succeed if accompanied by a dynamic and inclusive political process.

Peace operations have become increasingly complex in recent years, reflected both in the shift to a more robust form of peacekeeping and in the multidimensional mandates now seen as necessary to consolidate peace. This shift has put the capacities of international organizations to the test, prompting new thinking about core peacekeeping tasks and new institutional arrangements to carry them out.

Drawing on our analysis of developments in Sudan, we make general recommendations in each issue area. These recommendations are not the final word, but rather a set of preliminary observations aimed at informing further research in the context of the *Annual Review of Global Peace Operations.*

BACKGROUND: UNMIS

The conflict between north and south Sudan began four months before the country became independent on January 1, 1956. Triggered by fears of northern domination, a secessionist war raged for 17 years, killing more than a million people and displacing another million. Brought to an end by the Addis Ababa peace agreement in 1972, the war resumed in 1983 when the central government abrogated that agreement. Unlike its secessionist predecessors, the Sudan People's Liberation Movement/Army (SPLM/A) took up arms to 'liberate' the entire country and create a New Sudan in which there would be no discrimination against marginalized groups.[2] In that 21-year war, over two million people died, four million were uprooted and some 600,000 fled the country as refugees.

The first peace agreement between the two sides – the Machakos Protocol of July 2002 – was brokered by the Inter-Governmental Authority on Development (IGAD). It was followed by a series of other agreements, culminating in the Comprehensive Peace Agreement (CPA), signed by the National Congress Party (NCP) and SPLM in January 2005. The CPA is essentially a deal between two political-military elites, whose authority was gradually eroding as a result of the prolonged military stalemate. The centerpiece of the agreement is a referendum on self-determination for southern Sudan in 2011. In the interim, the South is granted significant autonomy, including majority control of a new government in the south, while the NCP retains its authority in the north – including the continuation of Islamic (Sharia) law. Elections are to be held in 2009. Until then, the two parties are to share power and wealth, while carrying out agreed

security-related measures. The CPA also provides for a referendum in Abyei, an oil-rich region on the north-south border, giving the people there the choice between joining the south or remaining in the north. Similarly, 'popular consultations' on governing arrangements are to be held in the disputed areas of Southern Kordofan and the Blue Nile States.

UNMIS, a mission of about 10,000 military, police and civilians, was established in March 2005 to support implementation of the CPA. It monitors the ceasefire between North and South, and oversees the redeployment of Sudanese army (SAF) and SPLA forces to their sides of the 1956 border. It also oversees the realignment of 'other armed groups' (OAGs) with either the SAF or SPLA. UNMIS uses its good offices to facilitate the political process, and performs a range of electoral, human rights and rule of law functions designed to promote greater political inclusiveness. Humanitarian action ranges from the provision of relief in Darfur to facilitating the return of refugees and internally displaced persons to the South. Most of UNMIS' mandate is under Chapter VI of the UN Charter, although it does have Chapter VII authority to protect civilians facing imminent threats.

In the two years since the CPA was signed, the animating spirit of the peace process – "to make unity attractive" – has lost its luster. The political partnership between the NCP and SPLM embodied in the Government of National Unity (GNU) was meant to drive the process, but that partnership suffered with the death of SPLM leader John Garang who, along with his co-vice President in the GNU, Ali Osman Taha, was the architect of the CPA. The NCP leadership, including President Omar Al-Bashir, has become more hardline and the SPLM, under its new leader GNU Vice President Salva Kiir, has become more secessionist. Neither side is working hard to 'make unity attractive', and both seem to be operating on the assumption that secession is inevitable. UNMIS' ability to impact the peace process is constrained by the fact that neither of the principal CPA parties wants it to play a proactive role. The NCP in particular is resistant to political involvement by the UN, though it has no difficulties with its military presence in the south.

The SPLM, meanwhile, lacks both the capacity and inclination to assert itself in the GNU – preferring to focus on building a new state in the south. The heavy international focus on Darfur in recent years has only exacerbated the problem, as outsiders with leverage over the parties have not made implementation of the CPA a priority.

Map No. 4255.10   UNITED NATIONS
October 2005

Department of Peacekeeping Operations
Cartographic Section

BACKGROUND: AMIS

As noted above, the CPA is an elite deal between the NCP and SPLM. Other political parties and opposition groups in Darfur, the east and elsewhere were left out of the negotiations. Opponents in Darfur, who had long suffered from years of political and economic marginalization, took up arms against government forces in February 2003. A rebel group that came to be known as the Sudan Liberation Movement/Army (SLM/A) was soon joined by the Justice and Equality Movement (JEM). The NCP reacted by mobilizing ethnic Arab militias known as the *janjaweed*. Although resource disputes contributed to the fighting, with various groups claiming land or livestock of rival groups, decades of marginalization

remain at the core of the conflict. At least 200,000 Darfurians have died since April 2003 (either from the fighting or hunger and disease) and 2.5 million have been driven from their homes.

The African Union Mission in Sudan (AMIS) was established in May 2004 as a small operation of 60 military observers, supported by a protection force of 300. Its original mandate was to monitor compliance with the N'djamena Agreement, assist with confidence-building measures and facilitate the delivery of humanitarian assistance. It soon grew to a force of 3,000 with an additional mandate to protect civilians under imminent threat, but lack of capacity meant it continued to operate as an observer force. By the end of 2006, AMIS had expanded to over 7,000 uniformed personnel. While African countries provided troops and police, the EU, NATO and other bi-lateral partners contributed financial, logistics and strategic airlift support. In late 2006, the UN began providing a 'light support package' to AMIS, consisting of about 200 personnel, 36 armed personnel carriers and other equipment. This is to be expanded to 'a heavy support package' of over 3,500 personnel, paving the way to deployment of a hybrid AU-UN operation if the Government of Sudan (GoS) consents.

In June 2004 the AU launched peace talks in Abuja, Nigeria, which progressed unevenly. This was due in part to a split in the SLA between a faction led by Minni Minawi and another led by Abdoul Wahid El-Nour. High level engagement and intense pressure from the US during the final round of negotiations led to the Darfur Peace Agreement (DPA), signed by the GoS and the SLA faction led by Minni on 6 May 2006. Modeled on the CPA, it addresses security, power and wealth sharing, and calls for a referendum by July 2010 to decide whether Darfur should be a region with a single local government or three states. Two other Darfur rebel groups (SLA-Wahid and the JEM) did not sign the DPA, but some elements within them signed a declaration of commitment (DoC) in support of it.

Efforts to implement the DPA have met serious obstacles, despite the appointment of Minni Minawi as Senior Special Advisor to the President.

With limited support on the ground in Darfur, Minni has failed to influence the government's course. Relations between the GoS and SLA-Minni deteriorated in late 2006, leading in March 2007 to the killing of several of Minawi's men, reportedly by government police. For its part, the GoS has used the DPA as a license to mount military operations against the non-signatories and their civilian sympathizers. At the same time, the GoS continues to frustrate international efforts to deploy the proposed hybrid UN-AU mission to Darfur.

In January 2005, an International Commission of Inquiry established by the UN Security Council found that crimes against humanity and war crimes were probably committed in Darfur and that, while the Government had not pursued a policy of genocide, some individuals may have committed acts with genocidal intent.[3] The Security Council referred the case to the International Criminal Court (ICC) in March 2005. The prosecutor began investigations on 51 individuals identified by the Commission and, on 2 May 2007, the ICC issued arrest warrants for Ahmad Haroun (State Minister of Humanitarian Affairs) and Ali Muhammad Ali Abdal-Rahman (a janjaweed commander). The warrants are based on reasonable grounds to believe the two were responsible for war crimes and crimes against humanity in Darfur between 2003 and 2004. The GoS is now obliged to arrest them and hand them over to the ICC.

II. PROTECTION OF CIVILIANS

ROBUST PEACEKEEPING TO PROTECT CIVILIANS

The protection of civilians is not simply one of a list of functions peacekeepers are asked to perform; it has become a normative expectation. The Brahimi report went furthest in articulating this by stating "UN peacekeepers who witness violence against civilians should be presumed to be authorized to stop it, within their means, in support of basic UN principles."[4] The notion that the mandate ought to be presumed is controversial, but it has now become standard language in Security Council resolutions, usually qualified by the words, "within the mission's capabilities and areas of deployment".

The expectation is loosely tied to the emerging "responsibility to protect," originally coined by the International Commission on Intervention and State Sovereignty (ICISS) in the year 2001, which itself was a response to a challenge laid down by the Secretary-General Kofi Annan in September 1999.[5] The concept was endorsed at the 2005 World Summit, after a rancorous debate about the scope of the responsibility and on precisely whom it fell. Although the endorsement was more tepid than its most enthusiastic proponents were hoping for, the norm seems to have reached a tipping point. Even if it does not stimulate humanitarian intervention in a place like Darfur, at a minimum it means peacekeepers are expected to protect civilians when and where they can. Both the AU's Constitutive Act, which authorizes "the right to intervene…in respect of war crimes, genocide and crimes against humanity," and the EU's[6] stated goal of enhancing capacity for humanitarian action in such circumstances, have reinforced the norm.

The protection function, moreover, has started to merge with a trend towards more proactive public order mandates for peace operations. Filling this so-called 'public security gap' often falls to specialized formed police units, first used in Haiti in the early 1990s, and since then in Bosnia, Kosovo, Timor Leste, the DRC, Côte d'Ivoire and Liberia. Thus the 'responsibility to protect' against massive and systematic human rights abuses is coming to be associated with the more general law and order functions of peace operations.

The protection of civilians mandate has created a number of dilemmas.[7] First, a mandate without adequate capacity can generate expectations that will not be fulfilled.[8] The qualifying words, "within the limits of the mission's capabilities and areas of deployment", are aimed at lowering expectations, but is it reasonable to suppose that vulnerable populations will read the fine print? On the other hand, if peacekeepers are going to be held responsible for every death they fail to prevent, the number of countries willing to contribute troops or police may decline dramatically.

Second, true protection requires pre-emptive action, but peacekeeping ethos is that force always be a last resort. Taking on the spoilers only after they have done their worst is not much help to civilians who die while other measures are first exhausted. On the other hand, pre-emptive action can provoke a reaction, and there are limits to how far most peace operations can escalate. A disturbing pattern that emerged in the Democratic Republic of the Congo was that protective action in one location lead to reprisals against civilians elsewhere.

Third, protection and public order functions are best performed by a mix of military, formed police units and individual police officers. These three types of forces often arrive with different operating styles and rules of engagement, and they are typically reluctant to commit to a single chain of command. Coordination among them is critically important and yet most difficult when the robust use of force is most likely to be needed. Moreover, in a stable society policing does not depend on coercion as much as providing a reassuring presence (the notion of 'community policing'), which is difficult when internal security is being maintained through high-intensity military or para-military operations.

To varying degrees, all peace operations face these dilemmas, even UNMIS, whose mandate includes the authority to use of force to protect civilians. Though southern Sudan is relatively secure, the lives of civilians have been at risk on a number of occasions. In early 2006, the SPLM disarmed a local militia group by force, resulting in significant loss of life. In November 2006, a clash between SPLA and SAF-aligned forces in Malakal resulted in 150 deaths, including civilians. UNMIS' sizable military presence, quick action by the UNMIS-chaired ceasefire committee, and its 'team approach' to protection – involving military, police and civilian personnel - prevented that and other conflicts from escalating. If a major threat to civilians in the south were to materialize, UNMIS would require a stronger and more mobile military force to deal with it. But for now, the situation is manageable with a moderately-sized multidimensional presence, as compared to the heretofore unmanageable situation in Darfur.

PROTECTION OF CIVILIANS IN DARFUR

Darfur painfully demonstrates the vulnerabilities of civilians in contemporary conflicts. As the international media focused its lens on the crisis, the gravity of the situation was exposed. Scenes of violence perpetrated against the civilian population evoked memories of the 1994 genocide in Rwanda, leading to calls for intervention to avoid a repetition of those gruesome events. U.S. President George W. Bush, other government officials and the US Congress described the violence in Darfur as genocide, heightening expectations of robust action.[9] Moreover, human rights activists and other observers see Darfur as precisely the scenario for which the responsibility to protect was designed. It is also seen as a test for implementation of Articles 3 and 4 of the Constitutive Act of the AU. So far, the international response has fallen tragically short of expectations.

AMIS has remained in Darfur despite its relative inability to enforce its mandate, especially the protection of civilians. However, from late 2004 to mid-2005, its presence did have a positive impact, due in large measure to good cooperation from the rebel groups. The *janjaweed* was less cooperative, but tended to operate at night and so there were few opportunities for direct confrontation with AMIS. As security worsened in late 2005 and pressure for a peace agreement grew in early 2006, there was public discussion for the first time about handing over peacekeeping responsibilities to the UN. The rationale for the transition, which had been the AU exit strategy from the start, was the UN's greater capacity for the sort of multidimensional operation that would be required to oversee a comprehensive peace agreement, including the protection of civilians.

Contrary to expectations, the period after the DPA was signed in May 2006 witnessed a sharp deterioration in the security and humanitarian situation, and in AMIS' ability to implement its mandate. Starting in August 2006, the GoS amassed thousands of troops and weaponry in the region to mount a campaign against the DPA non-signatories, including air attacks. The GoS also continued to use *janjaweed* militias as proxies against rebel groups and to terrorize civilian populations. The surge in fighting created more IDPs and forced humanitarian agencies to withdraw from affected areas. To make matters worse, the AU's role in negotiating the DPA meant non-signatories saw AMIS as biased against them, resulting in a marked increase in hostile action directed at the peacekeepers and their property.

Attacks on humanitarian agencies also increased during this period. With approximately 14,000 aid workers and about 85 non-governmental organizations (NGOs), Darfur hosts the largest humanitarian operation in the world. Fighting between the various rebel groups, the GoS and the *janjaweed* created more IDPs and forced humanitarian agencies to withdraw from affected areas. By the end of 2006, humanitarian access was the lowest it had been since 2004 with increased attacks against civilians, UN and NGO staff.[10] In November 2006, the UN Under-Secretary-General for Humanitarian Affairs stated that the crisis in Darfur was 'closer to the abyss' than at any time since 2004. Neither the security nor humanitarian situation had improved by April 2007.

Despite its reduced influence in the post-DPA period, AMIS continues to patrol humanitarian supply routes, escort civilians gathering firewood, and maintains a presence in some IDP camps. But the mission has limited access to areas controlled by groups opposed to the DPA. The politicized environment and the insecurity mean that AMIS cannot execute its strategy of protection by presence. Despite the deployment of over 90% of the missions authorized personnel, financial and logistics shortfalls have added to its difficulties. Cash shortages have left mission personnel without salaries and allowances for months. This, combined with uncertainties over the transition to a hybrid operation, attacks on AMIS personnel, and the mission's growing inability to protect the civilian population dampened morale, leading several troop contributing countries to contemplate withdrawal.

Meanwhile, the Darfur crisis has aggravated conflicts in Chad and the Central African Republic (CAR), expanding the protection challenge. Violent cross-

border activities have led to accusations of meddling by all three countries, and Chad has accused the *janjaweed* of exporting its genocidal agenda. The result is hundreds of thousands of civilians trapped in the conflict triangle. In a bloody attack on a border town in eastern Chad on 9 April 2007, an estimated 400 civilians were killed. The deteriorating situation prompted the UN to consider the deployment of peacekeepers to both Chad and the CAR, which is still under review. In a recent briefing to the Security Council after a visit to the three countries, UN Under-Secretary-General for Humanitarian Affairs John Holmes stressed the dire plight of civilians and called for a humanitarian response that is "faster, stronger and more strategic." His calls were echoed by Ambassador Emyr Jones Parry, UK permanent representative to the UN and one of the main proponents of sending UN troops to Chad and CAR, who emphasized the need to protect civilians and to provide sanctuary for the displaced.

In sum, AMIS' ability to implement its protection mandate has been hampered by the limited number of troops, lack of financial and logistics resources, and most importantly the absence of a viable political agreement. The perception of bias towards the DPA signatories exacerbated the already dire problems before the agreement was signed. In fact it was never intended that AMIS would be deployed to Darfur for as long as it has been. The AU's limited experience in managing complex multidimensional peace operations meant that AMIS' exit strategy from the start was a transition to a UN force. Because the government of Sudan has been staunchly opposed to such a transition, innovative partnerships between the AU, UN and other international actors have been necessary to keep any kind of peace operation on the ground.

III. INSTITUTIONAL PARTNERSHIPS

THE AU AND ITS PARTNERS

The AU is engaging more actively in peace operations than its predecessor, the Organization of African Unity (OAU), ever did. While the organization has a new security architecture, its capacity for complex operations is still limited and, as a result, it depends heavily on partnerships with other organizations. Recent years have seen an increase in the number of peace operations that draw on the resources of several actors for optimal effect. The UN itself sees a growing need to cooperate and where necessary integrate its operations with regional and bi-lateral partners in order to deal with the surge in demand for peacekeepers. In their study of post-cold war peacekeeping, Bruce Jones and Feryal Cherif use the term 'hybrid operations' to describe various forms of co-deployed and sequentially deployed missions.[11] The complex situation in Darfur fits the description, even before deployment of a true hybrid AU-UN operation. There is division of labor there between African countries providing personnel, and multilateral and bilateral partners contributing finance and logistics, as well as assistance with planning. These sorts of arrangements are likely to continue as the AU develops its capacities for peace operations, in the face of continued reluctance by major western powers to contribute troops to UN-led operations in Africa.

The legal basis for the new AU role in peace operations is its Constitutive Act, which authorizes intervention either at the invitation of a member state or in situations involving gross violations of human rights, war crimes, crimes against humanity and genocide.[12] The new Peace and Security Council (PSC) acts as the "standing decision-making organ for the prevention, management and resolution of conflicts."[13] It is supported by the AU Commission, a nascent African Standby Force and a Special Fund. The AU recognizes the need for collaboration with African sub-regional organizations, the United Nations and other multilateral institutions.

The Constitutive Act paved the way for the AU to deploy its first large peace support operation in Burundi in 2003. The successful Burundi mission was meant to be the model for AMIS, though the circumstances in Darfur turned out to be very different and much more challenging. Demands on the AU continue to grow, most recently with the deployment of a mission to Somalia. So far the AU Mission to Somalia (AMISOM) has received lukewarm support as evidenced by the limited number of member states that have contributed or pledged

troops. The reluctance is partly attributable to the financial and logistics shortfalls experienced by the troop contributing countries to AMIS.

These missions have put the AU on the map as an important player in maintaining peace and security in Africa. However, the capacity of the AU to undertake multi-dimensional peace support operations remains limited. This lack of capacity has resulted in innovative partnerships with the UN, EU, NATO and individual governments in support of the peacekeeping mission in Darfur, which could provide valuable lessons for future hybrid arrangements. We now turn our attention to these partnerships.

PARTNERSHIPS IN DARFUR

The AU–EU Partnership

The European Union's involvement in the field of peace and security in Africa is new. In the past, the EU's Africa policy focused on economic development within the framework of the Lomé Agreement,[14] which brought together African, Caribbean and Pacific (ACP) countries. The Cotonou agreement, the successor to Lomé, breaks new ground as it broadens the EU's engagement in Africa to include political and security matters. Through this framework, the EU has supported the AU since the inception of AMIS in 2004. The EU is a member of key commissions that oversee the peace agreements and provides military and police advisers. An EU Special Representative to Sudan, whose mandate covers Darfur and the north-south conflict, was appointed in 2005.

The EU's provision of financial support to AMIS through the African Peace Facility (APF) is its most important contribution to date. The APF was established in response to a request from the AU.[15] The AU recommended that funds be drawn from European Development Funds (EDF) already allocated to sub-Saharan African members of the ACP group, supplemented by unallocated resources. The AU request was endorsed by the ACP-EU Council of ministers in December 2003 and came into effect on May 25, 2004. It is guided by three principles: African *ownership*, EU-AU *partnership* and African

solidarity. The APF has two objectives: to provide financial support to peace operations undertaken by the AU or sub-regional organizations, called Regional Economic Communities (RECs); and to support the long-term capacity-building of both. The original APF was €250 million, replenished in April 2006 with an additional €50 million.

The facility was originally designed to support small-scale AU/REC-led peace operations like AMIB in Burundi and the Central African Economic and Monetary Community-led multinational force in the Central African Republic. It was not intended to support large-scale and complex peace operations like AMIS. So, while resources earmarked for operations have been used up very fast – due primarily to the Darfur operation – capacity-building efforts have not kept pace. The AU has been slow in committing resources for its long-term capacity-building, raising concerns among some EU member states about the absorptive capacity of the AU.

Nevertheless, the APF is unique in several respects.[16] First, it demonstrates the EU's flexibility (despite reservations by some EU member states on the use of development funds for security issues) and its growing profile in the area of peace and security in Africa. The EU's flexibility on the use of resources is a significant step in the evolution of its security agenda. At the same time, the Facility's focus on operational and capacity-building needs demonstrates the EU's desire to balance support for on-going operations with developing AU capacity to manage future conflicts.

Second, the APF is an illustration of the growing recognition of the link between security and development, which was the subject of heated debate throughout the cold war period. For its part, the EU views conflict as a 'horizontal' issue that negatively impacts on development.[17] This paradigm shift is not limited to the EU as other development-oriented organizations such as the World Bank and UNDP have also embraced the interconnectedness of the two issues.

Finally, it illustrates the AU's willingness to be innovative in developing its security architecture.

To most Africans, the Rwanda genocide and the current crisis in Darfur serve as reminders of the need for robust capacity to prevent and manage conflicts. So, in addition to the APF, the AU and RECs continue to explore financing options for the maintenance of peace on the continent. For instance, ECOWAS has adopted a tax levy on all member states to support its security agenda, but this still largely remains on paper.

The AU–NATO Partnership

As AMIS expanded, so did its financial and logistics woes. Critical shortfalls in strategic airlift capabilities prompted the AU to request NATO support. After a series of consultations involving the AU, North Atlantic Council (NAC) and the Military Council, in June 2005 the NAC authorized NATO to establish a small office to provide strategic airlift for the deployment of AU troops and to assist in building staff capacity. NATO's support to AMIS marks the alliance's first engagement in Africa, something that would have been unthinkable during the cold war.

NATO's initial assistance focused on transporting the protection force elements, but in August the AU requested an expansion of this mandate to include civilian police personnel. The NAC agreed and pledged to collaborate with the EU, which had led on police assistance for the AU in Darfur.[18] NATO's agreement to airlift AMIS police personnel was not without controversy as it coincided with a similar offer made by the EU. Initially, the United States insisted that all NATO and EU airlift assistance to AMIS should be through NATO's military headquarters in Mons, Belgium. However, a group of European states - led by France - balked at ceding to NATO control of their support to AMIS. This squabble over the command and control structures caused an unnecessary delay in the deployment of aircraft, but ultimately the two institutions agreed to provide airlift assistance side-by-side.[19]

While some NATO member states want to support the AU's long-term capacity building efforts, it is not clear whether there is appetite in the alliance for an operational role in Africa.[20] Rivalry between US and France makes this option even more remote.

AMIS also benefited from bi-lateral partnerships with several NATO countries. The US, UK, Canada and Netherlands are among the most notable partners, having provided various forms of assistance, including financial and logistic support.

The UN–AU Partnership

At the strategic level, the AU PSC has coordinated its approach to Darfur with the UN Security Council, culminating in the first joint meeting between the two bodies in June 2006. At the same time, UNMIS supported AU mediation efforts at the Inter-Sudanese Peace Talks in Abuja, Nigeria. However, it is the plans for a transition to a UN force that has done the most to bring the two organizations together.

The first step in the transition process came on 12 January 2006 when the PSC decided in principle to a transition from AMIS to a UN operation.[21] The PSC stressed that the transition would require the consent of the government of Sudan and should preserve the African character of the mission.[22] The Security Council welcomed the PSC's decision and requested the Secretary-General to explore a variety of options.[23]

In June 2006, a UN Security Council delegation visited Sudan and Chad with the aim of boosting efforts to implement the DPA and to pave the way for the transition. The visit was reminiscent of Council's 2004 mission to Nairobi in connection with Sudan's north-south peace process, which culminated in the signing of the CPA. The Council's 2006 visit was followed by that of a team of technical experts to assess the overall security situation, and to do the groundwork for a future UN mission.

Although President al-Bashir rejected the proposed transition, the UN and AU dispatched a Technical Assessment Mission (TAM) to "…assess the requirements of strengthening AMIS and the possible transition to a UN operation in Darfur."[24] It concluded that AMIS should be succeeded by a larger multi-dimensional and integrated UN mission. Meanwhile, in recognition of the security challenges, the TAM recommended that

AMIS be strengthened immediately to facilitate commencement of DPA implementation and to protect the civilian population. Shortly thereafter, the UN Security Council adopted Resolution 1706 expanding the mandate of UNMIS to include deployments in Darfur as part of overall plans for a transition.

Several months of failed diplomatic efforts to get the GoS to consent to the transition led to an agreement between the UN and AU in November 2006 on a three-phased support package that would culminate in a hybrid UN-AU force in Darfur. The first phase, known as the Light Support Package (LSP) – 105 military, 33 police, 48 civilian advisers, as well as 36 armed personnel carriers, eight fly-away kits, 36 global positioning systems, and 360 pairs of night vision goggles – is currently being implemented. By 3 April 2007, 87 military, police and civilian personnel were in Darfur with an additional 34 military and police awaiting deployment. Shortage of accommodation and infrastructure, slow force generation and recruitment, the fragile security situation and lack of cooperation by the GoS has contributed to delays in fully implementing the LSP.

The Heavy Support Package (HSP) – consisting of 2,250 military personnel, 301 police officers, three formed police units and 1,136 civilian personnel, as well as equipment – will constitute the second tier of the three-phased peacekeeping arrangement. The first two phases are aimed at enhancing AMIS as a prelude to a 'hybrid' UN-AU peace operation, currently projected to include 19,000-20,000 troops, 3,772 police officers and 19 Formed Police Units. A number of principles for the 'hybrid' mission have been agreed to by the two organizations, including the appointment of a joint Special Representative and Deputy Special Representative.

Despite previous commitments to implement the support package, President Bashir backtracked on those promises by raising questions about the number and nature of UN troops that could participate, as well as command and control arrangements. In a letter dated 6 March 2007, Bashir rejected some aspects of the HSP. But by early April, Bashir relented as a result of increased diplomatic pressure involving the US, members of the League of Arab States and members of the AU, and confirmed his agreement to the HSP on 16 April 2007. At the end of April, the UN was actively soliciting troop and police contributions, while the AU was seeking two additional battalions for AMIS to protect the expanded presence.

Meanwhile, the UN and AU continued to plan for the proposed hybrid mission. In late March, multidisciplinary teams from the two organizations met in Addis Ababa, where they agreed on a mandate, structure, and functions of each component of the mission. The mandate will likely be a combination of the current AMIS mandate, provisions from resolution 1706 and other relevant decisions of the UN and AU. The operation will be multidimensional, including political, military, police, civil affairs and rule of law components. The plans were finalized in consultations between the UN Secretary-General and Chairman of the AU Commission in New York in mid-April.

The proposed hybrid mission raises two critical issues. First, how to establish effective command and control mechanisms for the combined UN and AU troops; and second, how to preserve the 'integrated mission' concept with a 'hybrid mission' operating alongside a UN mission and humanitarian actors seeking to keep their distance from the military components. Regarding command and control, the UN and AU have agreed on a double-hatted special representative and a force commander who reports to him/her, but it is not clear how this will work in practice. The plethora of 'spoilers' in Darfur, such as the *janjaweed*, increases the likelihood of robust military action, which means national caveats and other forms of restrictions imposed by troop contributing countries could hamper the mission's ability to protect vulnerable civilians. This raises further questions about who in the chain of command is accountable when peacekeepers are unable to prevent or respond to genocidal acts, war crimes or crimes against humanity. The Brahimi report alluded to the presumed responsibility of peacekeepers to protect civilians after the twin-tragedies of Rwanda and Srebrenica; it remains to be seen whether the proposed hybrid mission will be

able to fulfill that responsibility. Moreover, it is not clear how logistics and administrative support will be handled. Will a joint logistics cell catering for the entire hybrid mission be established? Will financial and other administrative services be integrated?

Past attempts at 'dual key' arrangements for robust operations, such as UN-NATO during Bosnian war, were problematic. Difficulties also arose in Somalia in the early 1990s when there was no single chain of command. Closely linked are challenges associated with dual mandates, as in Afghanistan today, where a counter-terrorism war is occurring alongside a peace operation, with the International Security Assistance Force now seemingly engaged in both.

The perennial problem of integrating humanitarian and military actors operating in the same theatre is the second critical challenge likely to face the hybrid mission. The humanitarian actors in Darfur may insist on an arrangement that enables them to operate outside the hybrid framework, given the perceived bias of the AU towards the DPA signatories. This would contravene the concept of integrated missions but may be seen as necessary to preserve the independence and neutrality of the humanitarian agencies. The question is whether the mechanisms linking humanitarian actors, the hybrid mission and UNMIS will be adequate to ensure effective coordination.

Conclusion

The broad range of international actors that have provided support to the AU in Darfur brought to the fore the complexity of developing an interlocking institutional framework for peace operations. Critical issues relating to *sustainability, flexibility* and *ownership* have arisen. Coordination among the various actors has been a major challenge and is sure to become even more complex as UN support to AMIS increases, whether or not it culminates in a true hybrid operation.

IV. VIABLE POLITICAL PROCESSES

CONSOLIDATING PEACE THROUGH INCLUSIVE POLITICS

While the primary mission of peacekeeping is to provide security, no peace operation can succeed unless underpinned by a viable political process. In multidimensional operations, the framework for that process is typically a comprehensive peace agreement, which embodies the consent of the parties to the conflict. As recent experience has taught, that consent is often unreliable and the will of parties to carry through on their commitments is often a matter of degree. A central peace consolidation challenge, therefore, is to design transitional arrangements that can regulate the relationship between the parties, while building on the consensual foundation the peace agreement provides. This may require mid-course corrections, and it almost certainly requires reaching out to actors other than those involved in the conflict in order to cultivate a more inclusive political process.

Consolidating peace takes time, much longer than the life of a typical peace operation. But the period when a multidimensional military, police and civilian presence is on the ground presents a window of opportunity that should be seized to lay the foundations for self-sustaining peace. If the core business of peacekeeping is "the early provision and reform of security and the rule of law in post-conflict states,"[1] then the overarching goal is to channel conflict from violent into peaceful forms of settlement.[25] Accordingly, a political strategy for consolidating peace requires early attention to transitional governance, security and justice arrangements.[26] Legitimate governance is needed to build effective national military and police forces; for a government to acquire legitimacy, security forces must provide order without abusing human rights; and a rudimentary justice system is needed to ensure some accountability in both governance and security.

These transitional arrangements are not mere placeholders until permanent institutions can be established. They shape the field of play for competing groups in a post-conflict society and, if well-designed, can foster non-violent contestation and conciliatory politics.[27] They hold the promise of what Michael Doyle and Nicholas Sambanis call 'participatory peace,'[28] which may but will not necessarily evolve into more robust forms of democratic governance. Interim institutions, moreover, do real work: they prepare for elections, write constitutions, manage the budget, appoint people to the ministries that administer the transition, oversee the initial phases of security sector reform, and kick-start attempts to fill the rule of law vacuum that plagues most post-conflict societies. As important, they put in motion processes and modes of political interaction that can either lead to lasting peace or a reversion to war.

While there is no blueprint for effective peace consolidation, the principle of inclusiveness is critically important. Elections are one vehicle for political participation, but the empirical evidence suggests premature elections can be destabilizing. In any case, as important is the period that leads to and follows the first elections in a post-conflict society. Inclusive politics can be cultivated in a variety of ways, not only through direct participation. Deliberative principles like transparency, publicity and reason-giving, are a way of accounting for the interests of a wide cross-section of actors, including by tapping into indigenous consultative mechanisms. And if used to guide the relationship between outside actors (the peacekeepers) and national actors, as well as among national actors, deliberation can help to strike the balance between 'local ownership' and the promotion of international standards in a peace process.

The DPA has suffered badly from a lack of inclusiveness. Essentially a bi-lateral agreement between the government and one SLA faction, it excludes two other rebel groups who command broad support in Darfur. The vast majority of the Darfuri population remains opposed to the DPA, and the only rebel signatory lacks the following

and power to either convince the non-signatories to join or influence the GoS to change course. As a result, the ceasefire is not holding, the humanitarian situation has deteriorated, no steps have been taken to disarm the *janjaweed* and there is little genuine power-sharing. In addition to getting all rebel leaders to join the peace process, if necessary by amending the DPA, a Darfur-Darfur Dialogue and Consultation (DDDC) is envisioned. Loosely modeled on the *Loya Jirga* in Afghanistan, the DDDC is designed as a *bottom-up* approach to remedy some of the anomalies that resulted from the *top-down* approach that led to the DPA. It is a way of increasing the local population's sense of ownership of the peace process, thereby legitimizing it. It is also meant to encourage dialogue among the people of Darfur, giving them an opportunity to identify problems, proffer solutions, and to choose their leaders, with external partners acting as facilitators. While appointing AU Special Envoy Salim A. Salim and UN Special Envoy Jan Eliasson to work towards broadening and deepening support for the Darfur peace process was a step in the right direction, they cannot substitute for a unified international strategy, which is still lacking. The same problem plagues the north-south peace process.

NORTH–SOUTH: A STALLED POLITICAL PROCESS

UNMIS is an unusual peace operation for several reasons. Unless there is a dramatic and unfortunate turn of events, it will remain in place until well after the 2011 referendum. This, plus the comprehensiveness of the CPA, provides more opportunity than is normal to develop and implement a peace consolidation strategy. Strategizing, however, is complicated by the fact that two very different outcomes are possible – unity or secession of the south. Secession looks to be more likely, but neither party can declare having given up on "making unity attractive". UNMIS' task is to ensure either outcome is achieved peacefully, but its ability to affect the course of events is limited, despite its broad, multidimensional mandate. Most multidimensional UN missions deal with weak transitional governments, who depend on outside actors for security, legitimacy and resources. UNMIS is

dealing with two strong parties, neither of which particularly wants the UN to play a proactive role, and one of which is often obstructive. Further complicating the story, the north-south peace process is affected by conflicts in Darfur, eastern Sudan, Chad, and northern Uganda, making it hard to sustain momentum.

While both the NCP and SPLM remain broadly committed to the CPA, because it solidifies their dominance in the north and south respectively, neither is committed to implementation of every aspect. Distrust between the two sides is growing and neither is prepared to give up the military option. The cease-fire between the SAF and SPLA has largely held and full scale war is unlikely for the foreseeable future, although the clash between them in Malakal in November 2006 was worrying. But attacks by militias and communal violence remain a security threat, and sensitive oil-rich areas remain highly militarized. "Other armed groups" that should have aligned with one side or the other are still operating in southern Sudan, some of which are being used by the NCP to foment instability. The failure to integrate these groups and the delay in forming disciplined joint integrated units (combining forces from both sides) has left an explosive mix of SAF, SPLA and militias in close proximity. The July 2007 deadline for the SAF to redeploy north of the 1956 border will be an important benchmark, but until all the OAGs are either incorporated (and redeployed) or disbanded, the situation will remain tense. And as long as the status of Abyei, the north-south boundary and other resource-rich areas remain unresolved, small provocations – either deliberate or inadvertent – can easily escalate.

As troubling, the NCP has shown little commitment to political inclusion. The power and wealth-sharing deal between north and south lacks broad legitimacy and the mechanisms that might have rendered the parties more accountable during the interim period are not functioning well. Many of the 50 or so commissions provided for in the CPA were slow to be established and most of those in which the UN does not participate are barely functioning. Key decisions are made behind closed doors by the presidency – or not at all. The NCP dominates the GNU and controls the national security apparatus. Political opposition parties in the north, systematically weakened over the years, are fragmented. Parliamentary institutions are weak, critical legislation is slow to be adopted and the voice of civil society is muted.

Meanwhile, the SPLM/A is struggling to make the transition from an autocratic guerrilla army to a political organization. Dialogue among southern groups led in January 2006 to the Juba Declaration, which incorporated many of the armed groups into the SPLM. And while the Government of Southern Sudan (GoSS) now has an interim constitution, a legislature and a minimal administrative presence throughout the south, commissions on important governance functions like human rights and anti-corruption have yet to be established. Moreover, the appointment in 2006 of four new state governors with military backgrounds is worrying. With 40% of the budget dedicated to defense, inter-communal tensions rising, OAGs fostering insecurity, and more refugees and IDPs returning home, the GoSS may be tempted to adopt a more iron-fisted style of governing.

A political strategy to stop the north-south peace process from collapsing must start with pressure on the NCP and SPLM to engage with each other on the key issues dividing them. A joint strategy for managing the OAGs must be a priority. Similarly, disputes over the boundary of Abyei, the rest of the border and other flashpoints must be resolved or at least deferred in a mutually acceptable way. Deeper political engagement between the CPA parties will also facilitate progress on wealth-sharing, disarmament, demobilization and reintegration, and security sector reform – all of which are proceeding slowly. While the presence of UNMIS can keep a lid on security threats for the time-being, it cannot substitute for serious political engagement between the main actors.

Second, the approaching elections should be used as a wedge for fostering more political inclusiveness, respect for human rights, and rule of law capacity building. The story of the National Constitutional Review Commission is both cautionary and telling. This is one of the few bodies in which other groups

(including political parties) participate alongside the CPA signatories. When it was being established in April 2005, the CPA formula for allocating seats had to be altered to accommodate the main opposition groups, who felt they were under-represented. Even then, most northern groups boycotted the process, and the Darfur rebels and east Sudan insurgents distanced themselves. The NCRC was disbanded after adoption of the interim constitution, even though it still had a mandate to ensure the independence of the other CPA institutions and to draft key legislation. It was not until the end of 2006 that the Commission was reconvened.

Action by UNMIS that looks like an assault on the sovereignty of Sudan, the authority of the NCP or, for that matter, the freedom of action of the SPLM, is likely to be resisted. But technical assistance in drafting legislation and establishing administrative bodies, support to parliamentarians and local levels of government, reaching out to opposition political parties, civil society and marginalized groups, promoting transparency in decision-making, monitoring civil and political liberties – all in the context of the forthcoming elections – would be seen as within UNMIS' mandate and could open political space. The combination of serious political engagement between the CPA parties, and a spirit of political inclusiveness beyond those parties, would help put Sudan on the path to sustainable peace, regardless of whether unity or secession of the South is the final outcome.

V. CONCLUSION

Darfur is a tragic reminder of the difficulty in making good on the international community's professed commitment to protect civilians in need. It is also a laboratory for studying the innovative hybrid arrangements being devised to make up for the lack of capacity to protect civilians, and to perform the myriad other functions modern peace operations are tasked with. But Darfur cannot be thought of in isolation from the north-south peace process. Both conflicts – and others in the country – have their roots in a history of marginalization.[30] Whether or not the south ultimately secedes from the north,

cultivating a more pluralistic, participatory style of governing is necessary for all groups feel they have a stake in the future of Sudan.

For external actors, the challenge is to provide effective peacekeeping forces in Darfur and the south, while helping to sustain viable political processes in both. These goals are not easily harmonized. The effectiveness of UNMIS depends in large part on its relationship with Khartoum. But pressure on Darfur – in the form of the recent ICC arrest warrants and talk of further sanctions, for example – is complicating that relationship. The hope is that such pressure will induce the GoS to relent on its opposition to a hybrid UN-AU operation; the risk is that it will cause the government to harden its stand and perhaps even lead to the expulsion of UNMIS.

It is not surprising, therefore, that external actors have struggled to forge a coherent political strategy. The US alone is having trouble reconciling its strategies for engagement with Khartoum on the north-south conflict, Darfur and counter-terrorism.[31] Add the often conflicting interests of China, Europe, Arab countries, the rest of the AU, neighbors and others with an economic interest in Sudan, and the difficulty of presenting a unified front is obvious. And yet the recent agreement by the GNU to accept the 'heavy support package' for Darfur suggests that calibrated messages can make a difference. The challenge will be to carry through on incremental progress of that sort with sustained international engagement, both to protect civilians in the short term and to put in motion processes that will lead to sustainable peace in the long term.

VI. RECOMMENDATIONS

PROTECTION OF CIVILIANS

1) Develop clearer doctrine and greater capacity for the protection of civilians. As the Darfur case illustrates, all peacekeeping organizations require some capacity for protection of civilians, given that political obstacles will often prevent the more militarily-capable organizations from deploying.

Doctrine for how to go about fulfilling the mandate should be harmonized across organizations. Specifically:

• Doctrine on protection of civilians should provide for the calibrated use of force, even pre-emptively when necessary, but preserve the distinction between robust peacekeeping/peace enforcement (where force is used for limited purposes) and war (where force is used to defeat an enemy).

• Further capacity to plan and manage robust operations should be built at all peacekeeping organizations – including the UN and AU – bearing in mind that not every organization must be equipped for every level of robustness.

• Doctrine should seek to clarify the respective roles of the military, formed police units and individual police. Formed police units fill an important niche in protecting civilians; global FPU capacity should be expanded accordingly.

2) Ensure peace operations have the capacity to fulfill a 'protection of civilians' mandate. A mandate without adequate capacity can generate expectations that will not be met, undermining the legitimacy and credibility of a mission. The threat to civilians varies: in some places, like Southern Sudan, the threats are localized; in others, like Darfur, they are widespread and systematic. Specific steps that should be taken:

• Seek to deploy a robust enough operation to deter attacks on civilians, obviating the need to actually use force.

• When possible, rely on police rather than heavily-armed military to provide protection, especially in crowded areas such as IDP camps.

• When an operations' troop and police presence is thinly spread, ensure adequate air assets and other equipment to provide mobility and the ability to patrol day and night.

• Consider deploying over-the-horizon forces available on short notice when the threat to civilians escalates beyond the capacity of the forces on the ground.

3) Embed protection of civilians through military action in a broader protection strategy. Military and civilian forms of protection should complement one another, as underscored by the creation of a "protection unit" in UNMIS. As Darfur illustrates, the nature of the relationship between humanitarian actors and the military component of a peace operation continues to be a source of tension.

• Develop a common strategy among uniformed and civilian components of an operation in order to ensure harmony of effort in fulfilling a protection mandate

• While integrated missions ought to be the default option, the precise relationship between military and civilian actors must be tailored to the particular circumstances on the ground.

• Seek to employ a 'team approach' in dealing with particular incidents, involving military, police, humanitarian, human rights and other civilian personnel as appropriate.

INSTITUTIONAL PARTNERSHIPS

1) Clarify the roles, functions and capacities of the various peacekeeping organizations. Institutional partnerships involving a 'division of labor' should be based on the principle of comparative advantage, bearing in mind both resource and political constraints. As matters currently stand, the UN and EU are the only two organizations with a significant multidimensional capacity, NATO is best suited for peace enforcement, and the AU is better placed for small-scale peacekeeping missions. To achieve a complementary institutional framework, the following steps should be taken:

• Assess the capacities of the various peacekeeping platforms in order to determine comparative advantages and identify gaps.

- Seek to integrate existing capacities such as logistics depots; avoid redundancy whenever possible.

- Support the development of multidimensional capacity – military, police and civilian – in the African Union.

- Harmonize multidimensional doctrine to facilitate interoperability among peacekeeping organizations.

2) Establish mechanisms to coordinate the activities of peacekeeping organizations. Effective coordination is essential in hybrid arrangements, especially those involving a division of labor like the AU and its international partners in Darfur. Coordination can be loose or structured, and should be pitched at strategic and operational levels. To improve coordination, the following steps should be taken:

- Institutionalize cooperation at the strategic level, between the primary decision-making organs of the various organizations, such as the UN Security Council and the AU Peace and Security Council.

- Establish coordination frameworks to deal with planning, mission management and long-term capacity-building

- Review command and control experience from prior situations where more than one organization was deployed in a mission area, to inform the design of 'hybrid' arrangements in the future.

3) Establish predictable and sustainable support mechanisms for peace operations led by regional organizations. The surge in demand for peacekeepers in Africa will require greater involvement of the AU, given the limits of UN capacity and the continued reluctance by major western powers to deploy troops to Africa. As its experience in Darfur demonstrates, the AU currently lacks the capacity for long-term multidimensional operations. The following steps should be taken:

- Establish funding mechanisms for peace operations undertaken by regional organizations. Two options worth exploring are i) drawing on UN assessed contributions and ii) replicating the African Peace Facility in other institutions or groupings of countries.

- Ensure funding mechanisms are flexible so that resources are channeled to where they are needed most.

- Use UN logistics resources from its depots to support peace operations led by regional organizations.

VIABLE POLITICAL PROCESSES

1) Devote as much effort to sustaining a political process as to the operational aspects of peacekeeping. Peace operations must sometimes deploy when there is less than full and reliable consent among all actors, but as the Darfur situation illustrates, they cannot succeed unless the main parties to the conflict are engaged in a dynamic political process. And even when the main parties are formally bound to each other in a detailed power-sharing arrangement like the CPA, a peace process can stall if consent is not built and deepened over time, allowing for mid-course corrections along the way. Specifically:

- Power-sharing deals should be comprehensive and dynamic, encompassing all the main parties to a conflict and able to adapt to changing circumstances.

- Transitional arrangements should prioritize governance, security and the rule of law, with the goal of putting in motion processes that will outlive the peace operation.

- Cultivate governing habits, including deliberation, that will channel conflict from violence into peaceful modes of settlement and conciliatory politics.

2) Foster political inclusiveness from the earliest days of a peace process. The temporary stability a peace operation can provide creates a window of opportunity to lay the foundations for self-sustaining peace. That window should be seized to foster inclusive political processes, engaging actors other than the main parties to the conflict. Specific recommendations that follow from this:

- Although some 'spoilers' can only be dealt with militarily, others can be drawn into the political process through a mix of pressure and incentives.

- Promote wide participation, not only through electoral and constitutional processes, but also by supporting legislative bodies at all levels of government, opposition political parties, civil society, the media, and representatives of marginalized groups.

- Tap into indigenous modes of consultation and justice in designing transitional governance and justice arrangements.

3) Sustain unified and proactive international engagement in a peace process. Both Darfur and the north-south conflict illustrate the dangers of mixed messages and a lack of sustained engagement by outside actors. A peace operation can help to forge a unified approach, while keeping pressure on the parties to carry through on their commitments, make mid-course corrections as necessary and manage the transition in a politically inclusive way.

- Recognizing that external actors have competing interests and complementary leverage in a peace process, seek to harmonize approaches in a common strategy that mixes carrots with sticks.

- Clarify the respective roles of mediators to minimize 'forum shopping' by the parties to the conflict. Cultivate contacts with the parties and potential spoilers to build a reservoir of trust that can be drawn on to enhance consent to a peace process.

- Balance the primacy of 'local ownership' with the need to ensure that international standards are met and outside expertise is used to optimal effect.

NOTES

1) Our analysis of developments in Sudan over the last year draws on Alhaji M.S. Bah and Ian Johnstone, "Sudan: Faltering Protection and Fragile Peace", Center on International Cooperation, *Annual Review of Global Peace Operations* (2007). The authors conducted field research in Khartoum, Darfur and South Sudan in August and September 2006.

2) Francis Deng, "Sudan at the Crossroads", MIT Center for International Studies *Audit of the Conventional Wisdom* series (March 2007)

3) *Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General* 5 January 2005, para. 641.

4) United Nations, *Report of the Panel on UN Peace Operations* (the Brahimi Report), A/55/305-S/2000/809 (21 August 2000), para. 62.

5) In famous speech to the General Assembly in September 1999, the SG said, reflecting on the Kosovo intervention earlier that year and the Rwanda genocide of 1994: "the core challenge to the Security Council and to the UN as a whole in the next century is to forge unity behind the principle that massive and systematic violations of human rights…cannot be allowed to stand." SG/SM/136, GA 9596, September 1999.

6) Richad Gowan and Ian Johnstone, "New Challenges for Peacekeeping: Protection, Peacebuilding and the "War on Terror", *Coping with Crisis Working Paper Series*, International Peace Academy, New York, March 2007.

7) For a fuller discussion of these dilemmas, see Ian Johnstone, "Dilemmas of Robust Peace Operations", in Center on International Cooperation, *Annual Review of Global Peace Operations* (2006).

8) In a comprehensive study on protection of civilians, Victoria Holt and Tobias Berkman found a large gap between the mandates given and the doctrinal guidance as well as capacity to carry them out. V. Holt and T. Berkman, The *Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations* (Henry L. Stimson Center, 2006).

9) The Genocide Convention obliges parties to prevent and punish those responsible for genocide. See *Convention on the Prevention and Punishment of the Crime of Genocide*, Adopted by Resolution 260 (III) A of the U.N. General Assembly on 9 December 1948. Entry into force: 12 January 1951

10) "Summary of Insecurity Incidents February-July 2006 versus February-July 2005", UN Office for the Coordination of Humanitarian Affairs, 1 August 2006.

11) Bruce Jones and Feryal Cherif, *Evolving Models of Peacekeeping: Policy Implication and Responses*, External Study, United Nations Best Practices Section, 2003. This article can be accessed from: http://pbpu.unlb.org/pbpu/library/Bruce_Jones_paper_with_logo.pdf

12) See "Constitutive Act of the African Union," Lomè, Togo, 11 July 2000.

13) See *Protocol Relating to the Establishment of the Peace and Security Council of the African Union*, Durban, South Africa, 9 July 2002.

14) For more on the Cotonou Agreement see, The ACP-EU Partnerhsip Agreement, Cotonou, Benin, 23 June 2000 – published in The ACP-EU Courier – Special Issue, Brussels, September, 2000.

15) See *Decision on the establishment by the European Union of a Peace Support Operations Facility for the Afircan Union*, Assembly/AU.Dec/ 21(II), Maputo, 2003

16) For more on the conceptual and operational aspects of the APF see Mid Term Evaluation of the African Peace Facility Framework Contract, (9ACP RPR 22) 250 M. This document can accessed at: http://www.dgroups.org/groups/CoOL/docs/APF-Evaluation-Final_Report ECDPM_version_ for_ECORYS_190106.pdf

17) For more information see *The European Community's Development Policy – Statement of the Council and Commission*, The European Commission and Council of the EU, Brussels, 11 April, 2001

18) *NATO's Assistance to the African Union Mission in Darfur* www.nato.int/issues/darfur/evolution.html

19) Deutsche Presse-Agentur 9 June 2005

20) *NATO's Assistance to the Africa Union for Darfur* www.nato.int/issues/darfur/index.html

21) *Communiquè* of the 45th Meeting of the Peace and Security Council, 12 January 2006, Addis Ababa, Ethiopia PSC/PR/Comm.(XLV)

22) *Communiquè* of the 46th Meeting Peace and Security Council, 10 March 2006, Addis Ababa, Ethiopia, PSC/MIN/Comm.(XLVI)

23) Statement by the President of the Security Council, S/PRST/2006/05, 3 February, 2006

24) *Report of the Joint United Nations-African Union Assessment Mission to Darfur: Strengthening AMIS and preparing for a transition to the United Nations,* 14 July, 2006. The TAM visited Sudan from 9-23 June, 2006

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25) United Nations, *Report of the Secretary-General, Implementation of the Recommendations of the Special Committee on Peacekeeping Operations*, A/61/668 (13February 2007). Similar language appears in the Capstone Doctrine being produced in the UN Department of Peacekeeping Operations.

26) See the Secretary-General's Address to Opening Session of Peacebuilding Commission, 23 June 2006; Elizabeth Cousens and Chetan Kumar, *Peacebuilding as Politics: Cultivating Peace in Fragile Societies* (2000).

27) Ian Johnstone, "Consolidating Peace: Priorities and Deliberative Processes", Center on International Cooperation, *Annual Review of Global Peace Operations* 2007 (Lynne Rienner, 2007)

28) Terrence Lyons, "Transforming the Institutions of War: Post-Conflict Elections and the Reconstruction of Failed States", in Robert Rotberg ed. *When States Fail: Causes and Consequences* (2003).

29) Michael Doyle and Nicholas Sambanis, *Making War and Building Peace* (2006), pp. 18-19.

30) Francis Deng, "Sudan at the Crossroads", MIT Center for International Studies *Audit of the Conventional Wisdom* series (March 2007)

31) For more on the conflict dynamics in the horn of Africa see John Prendergast and Colin Thomas-Jensen, Blowing the Horn, *Foreign Affairs*, Volume 86 No. 2, March/April 2007.

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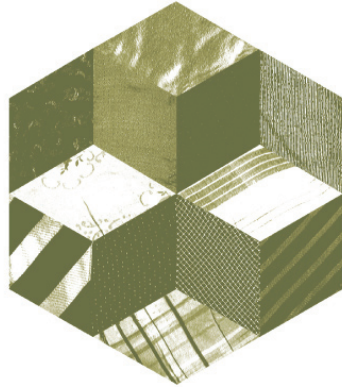
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