



## Accountability System for the Protection of Civilians

### CASE STUDY

Darfur

Although the African Union–UN Hybrid Operation in Darfur’s (UNAMID) has succeeded in deterring abuse and facilitating humanitarian assistance in Darfur, the mission also “had its share of protection failures, tragic incidents in which peacekeepers took no action despite clear threats to civilians.”<sup>1</sup> In December 2019, it failed to properly respond to a massacre in El Geneina, raising questions over its inconsistent and incoherent response to POC crises. In this case, the inaction of the mission cannot be attributed to a lack of resources but illustrates the mission’s lack of understanding of what its POC mandate entailed in terms of its duty to protect in the context of a drawdown and transition.



El Geneina, West Darfur, December 2019

#### The Incident

Between December 29 and 31, 2019, 72 people were killed and 109 were wounded in a raid by ethnically Arab Rizeigat herdsmen on the Krinding camp for internally displaced persons (IDP), where the majority of the population was from the ethnically African Masalit tribe. The attack occurred four kilometers from El Geneina, the capital of West Darfur state, which UNAMID had vacated in May 2019. Elements of Sudan’s Rapid Support Forces, a government paramilitary group, were also reportedly involved in the incident. As a result of the attacks, 48,000 IDPs were displaced to El Geneina, while others fled to Chad and villages near the camp.<sup>2</sup>

UNAMID did not intervene to stop the attacks. As the mission was transitioning out of Darfur, it had withdrawn its troops from areas that had been deemed sufficiently stable and ready to enter a stabilization and peacebuilding phase, including West Darfur. The UN country team was meant to take over activities from the mission in these areas, while UNAMID troops and formed police units continued operating in more unstable areas, primarily in the Jebel Marra area.<sup>3</sup>

Although Security Council Resolutions 2429 (2018) and 2495 (2019) implied that UNAMID’s POC mandate continued to apply to the entire region of Darfur, mission leaders seemed to have different interpretations of its scope. This eventually led to the mission’s passivity as massacres, including by Sudanese security forces, were happening two hours away from its headquarters.<sup>4</sup> The military leadership reportedly argued that El Geneina was in a state where UN troops had been withdrawn and where the Sudanese state was

<sup>1</sup> Ralph Mamiya et al., “Assessing the Effectiveness of the United Nations–African Union Hybrid Operation in Darfur (UNAMID),” Norwegian Institute of International Affairs, 2020.

<sup>2</sup> International Federation for Human Rights and African Centre for Justice and Peace Studies, “West Darfur: Investigation into Krinding Camp Massacre Is Urgently Needed,” March 2, 2020.

<sup>3</sup> Mission civilian components reportedly continue to work on peacebuilding activities in West Darfur, in coordination with the UN country team. UNAMID, “UNAMID Joint Special Representative Visits El Geneina Following Intercommunal Clashes,” January 14, 2020.

<sup>4</sup> Phone interview with former senior representative from UNAMID, February 28, 2020.

responsible for the protection of civilians.<sup>5</sup> Without agreement on the applicability of the POC mandate in regions vacated by uniformed personnel, and with no clear guidance on how to act in extraordinary situations, the mission used the need to respect the sovereignty of the host state as a reason to refrain from intervening.<sup>6</sup>

Unlike other instances where missions' responses to POC crises were hampered by factors outside their control, UNAMID had faced no logistical constraints. Although the mission was understaffed—the joint special representative and deputy joint special representative were both out of the country, and many staff were working remotely for the holiday—it faced few barriers to mobilizing its uniformed personnel and reaching El Geneina. UNAMID troops were present in neighboring states from which they reportedly could have intervened. As described by one UN senior official, “It was so easy. There is a paved road.... We could have shown our presence, used deterrence to defuse tensions.... Just a show of force could have had an impact.”<sup>7</sup> The mission had also been alerted to the threat of attacks. This lack of proactive intervention contrasts with UNAMID's deployment of troops and civilian teams to defuse tensions in another case of intercommunal conflict three months before in one of the “stable” states of Darfur. This points to a lack of consistency in the interpretation of UNAMID's mandate and priorities among mission personnel.

### The Accountability Process

Peacekeepers' inaction in El Geneina received little attention at the time, as it was lost in a broader policy debate over the exit of UNAMID. UNAMID released a statement condemning the attack on January 3, 2020. It also called on the “relevant government authorities to maximize their efforts to establish a protective environment and restore peace and order in and around the greater El Geneina community,” placing the responsibility to provide protection on government authorities. The statement went on to say that “amid security concerns, as part of measures to ensure the safety and security of UN/UNAMID personnel in El Geneina, UNAMID relocated a total of 32 UN and NGO personnel to Zalingei, Central Darfur.”<sup>8</sup>

A local Sudanese commission of inquiry was established on January 2<sup>nd</sup> to investigate the attack.<sup>9</sup> On the UN side, however, no special investigation was undertaken, and there is no public trace of an internal inquiry. There were reportedly “questions asked to the mission” by headquarters in New York, but no investigations or sanctions were reported.<sup>10</sup> On January 8<sup>th</sup>, Security Council members met to discuss the situation in Darfur under “any other business” and were briefed by Assistant Secretary-General for Africa Bintou

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<sup>5</sup> Ibid.

<sup>6</sup> “UNAMID does not have a mandate to conduct peacekeeping operations in el-Geneina, though its mandate could be extended to the area ‘in extremis.’” Ali Mirghani, “More Than 20 Dead, Many Displaced after Violence in Sudan's West Darfur,” Reuters, January 1, 2020.

<sup>7</sup> Phone interview with former senior representative from UNAMID, February 2020.

<sup>8</sup> UNAMID, “UNAMID Deeply Concerned by Reports of Intercommunal Violence in West Darfur,” January 3, 2020.

<sup>9</sup> International Federation for Human Rights and African Centre for Justice and Peace Studies, “West Darfur: Investigation into Krinding Camp Massacre Is Urgently Needed.”

<sup>10</sup> Phone interview with former senior representative from UNAMID, February 2020.

Keita. Keita mentioned the “recent intercommunal violence in West Darfur, which resulted in the death of several dozen civilians, as well as the looting of UNAMID’s former headquarters in South Darfur.”<sup>11</sup> On January 13<sup>th</sup>, UNAMID’s joint special representative/joint chief mediator, Jeremiah Mamabolo, visited the Krinding camp to “assess the extent of damage” and meet with leaders of local communities and with heads of UN field offices in the El Geneina area. Noting the need for humanitarian assistance, he discussed “ways where UNAMID can continue to play its part through its state liaison functions staff in west Darfur.”<sup>12</sup> On January 26<sup>th</sup>, Mamabolo met with Sudanese officials to “reactivate a joint security mechanism that will allow for speedy security related consultations and decisions” following other incidents of looting of UN assets in Darfur.<sup>13</sup>

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<sup>11</sup> Security Council Report, “Chronology of Events: Sudan,” October 6, 2020, available at <https://www.securitycouncilreport.org/chronology/sudan.php?page=11> .

<sup>12</sup> UNAMID, “UNAMID Joint Special Representative Visits El Geneina Following Intercommunal Clashes.”

<sup>13</sup> Due to several incidents of the looting of UN assets in Darfur, including West Darfur—not necessarily because of the intercommunal violence in El Geneina.