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**PEACE AND SECURITY COUNCIL  
46<sup>TH</sup> MEETING  
10 MARCH 2006  
ADDIS ABABA, ETHIOPIA**

**PSC/MIN/2(XLVI)**

**REPORT OF THE CHAIRPERSON OF THE COMMISSION PURSUANT TO  
PARAGRAPH 5 OF THE PSC COMMUNIQUE PSC/PR/COMM (XLV) OF 12  
JANUARY 2006 ON THE SITUATION IN DARFUR**

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PARAGRAPH 5 OF THE PSC COMMUNIQUE PSC/PR/Comm (XLV) OF  
12 JANUARY 2006 ON THE SITUATION IN DARFUR**

**I. INTRODUCTION**

1. At its 45<sup>th</sup> meeting held on 12 January 2006, the Peace and Security Council (PSC) considered the situation in Darfur, on the basis of the report I submitted [PSC/PR/2(XLV)]. At the end of its deliberations, the PSC concluded that, given the progress made in the initial stabilization phase in Darfur and the ongoing efforts to finalize a peace agreement, steps should be taken to sustain the peace support operation in Darfur in 2006 and beyond, bearing in mind the requirements for an increased integration of the different aspects of the peace efforts. The PSC expressed its support, in principle, to a transition from AMIS to a UN operation within the framework of the partnership between the AU and the United Nations in the promotion of peace, security and stability in Africa, and decided to reconvene at ministerial level, in Addis Ababa, before the end of March 2006, to review the situation and make a final decision on the issue of the transition towards a UN operation in Darfur and the modalities thereof. In this respect, the PSC requested me to initiate appropriate consultations with the United Nations and other stakeholders, with a view to providing the proposed ministerial level PSC meeting with all relevant additional information, including the modalities for a transition towards a UN operation and the financial aspects of the ongoing operation in Darfur. In the interim, the PSC decided to extend the mandate of AMIS until 31 March 2006.

2. The present report is submitted pursuant to the above-cited decision and should be considered as a complement to my report to the 45<sup>th</sup> meeting of the PSC.

**II. REACTIONS TO THE PSC DECISION**

**(i) Reaction of the Government of National Unity (GoNU)**

3. The first reaction of the Sudanese Government came during the debate at the PSC meeting of 12 January 2006, where the idea was first mooted in the context of the consideration of the renewal of AMIS mandate. The Sudanese Minister of Foreign Affairs, Lam Akol, argued against any transition to the UN on the grounds that it would reflect badly on the desire of Africans to resolve their own problems, which the AMIS operation was indeed meant to showcase; and that, if the proposal was based on the financial difficulties that AMIS was facing, the Sudanese Government was willing to contribute in raising the required funding for AMIS to continue. There are reports indicating that the Government's position was supported by some sections of the Sudanese population, including Darfurians. In this respect, it is worth mentioning the demonstrations against a transition to the UN that took place in some major towns in Darfur, such as El Fasher, El Geneina and Nyala.

4. The issue of transition was discussed, on Wednesday 22 February 2006, in the Sudanese National Assembly. Foreign Affairs Minister Lam Akol tabled a motion reiterating his earlier argument that a transition from AMIS to a UN-led operation would only signify a failure by the AU to resolve the conflict. Local press thereafter widely reported that the National Assembly had “unanimously rejected the replacement of the African Union forces by UN troops”. However, apart from the news reports, there was no official statement indicating that a resolution to that effect was indeed passed.

5. Meanwhile, on 26 February 2006, the Sudanese Council of Ministers issued a statement reiterating Sudan’s opposition to a UN operation. The Council expressed its confidence in the AU’s ability to continue its mission and restore security and stability in Darfur, and decided to pursue diplomatic efforts to consolidate AU’s efforts.

**(ii) Reaction of the JEM and SLM/A**

6. Since the outbreak of the Darfur crisis, the two rebel Movements, namely the Justice and Equality Movement (JEM) and the Sudan Liberation Movement/Army (SLM/A), have repeatedly called for a UN or even NATO intervention with a robust mandate in order to stop the killing of civilians and to protect the IDPs. In fact, at every indication that the Security Council might take up the Darfur question, the Movements engaged in media campaigns against what they saw as the inability of AMIS to protect the civilian population and renewed their call for the UN or NATO to replace the AU.

7. However, when the current transition debate was launched, the reaction of the Movements was ambivalent. Some individuals and, generally, the IDPs in the camps sympathetic to both the JEM and the SLM/A clearly welcomed the prospect of a transition to the UN. There were even demonstrations to protest against the inability of the AU forces to protect them against violence, and to ensure that humanitarian assistance reached them. Such protests took place in IDP camps in El Fasher and Nyala, respectively on 17 and 18 January 2006. Similar protests were carried out during the first week of February in Gaida, where about four hundred placard carrying women protested against what they referred to as the inability of the AU forces to protect and assist them, and demanded that the UN take over the Mission.

8. In a statement issued on 27 February 2006, the JEM, through its spokesperson to the Abuja Peace Talks, stated that the protection of civilians in Darfur was a matter of top priority that overrode the Government’s opposition against the envisaged transition from AMIS to a UN-led operation. While fully appreciating the efforts and sacrifices made by the AU in Darfur, the JEM indicated that it would welcome any contribution from the international community that would enhance the security and protection of the people of Darfur.

**(iii) UN Security Council Presidential Statement of 3 February 2006**  
**[S/PRST/2006/5]**

9. At its meeting of 3 February 2006, the Security Council made a statement addressing the specific issue of a transition towards a UN operation in Darfur. In that statement, the Security Council commended the efforts of the AU for successful deployment of AMIS and for significant contribution to the provision of a secure environment for civilians and the humanitarian situation in Darfur. The Security Council welcomed the PSC recognition of the partnership between the African Union and the United Nations in the promotion of peace, security and stability in Africa. It took note of the 12 January 2006 Communiqué of the PSC in which the PSC expressed its support, in principle, for a transition from the AMIS to a United Nations operation, and requested the Chairperson of the AU Commission to initiate consultations with the United Nations and other stakeholders on this matter.

10. The Security Council therefore requested the Secretary-General to initiate contingency planning without delay, jointly with the AU, in close and continuing consultation with the Security Council, and in cooperation and close consultation with the parties to the Abuja Peace Talks, including the Government of National Unity, on a range of options for a possible transition from AMIS to a United Nations operation. The Security Council directed that such planning should be undertaken on the basis of a unified, integrated approach; of maximum use of existing AMIS and United Nations Mission in Sudan (UNMIS) resources subject to the agreement of troop-contributing countries; of an assessment, to be confirmed by the Council, of the essential tasks to be carried out in southern Sudan and Darfur with a view to re-allocate existing troops and assets to the maximum extent practicable; and of a readiness to review and adjust the current structure of UNMIS, including command and control and logistics, at the earliest opportunity, to make best use of available resources when the African Union deems a transition feasible and agreeable. The Security Council indicated that it would be engaged throughout this process.

11. The Security Council further emphasized the importance of maintaining strong support for AMIS until any eventual transition was completed. Looking forward to an early decision from the PSC, it decided to keep the issue under consideration with a view to reviewing the options submitted by the Secretary-General. The Security Council stressed the importance of urgently reaching a successful conclusion of the Abuja Talks, and called on all parties to negotiate in good faith in order to reach a peace accord as soon as possible. The Security Council reiterated in the strongest terms the need for all parties in Darfur to end the violence and atrocities, demanding that all parties cooperate fully with AMIS and fulfill all the obligations to which they have committed themselves.

### III. CONSULTATIVE MEETINGS WITH STAKEHOLDERS

12. Following the PSC decision on 12 January, the Commission engaged in consultations with all the stakeholders, particularly the GoNU, the rebel Movements, the United Nations, the partners and the Troops Contributing Countries (TCCs). While the consultations with the GoNU, the UN, the partners and the TCCs took place at the AU Headquarters, my Special Representative in the Sudan, Baba Gana Kingibe, was asked to consult the rebel Movements in Abuja. The meeting with the GoNU, initially scheduled to take place on 14 February, was postponed at the request of the Sudan and was finally held on 23 February. The consultative meetings with the United Nations, the AU partners and the TCCs took place on 14 and 15 February 2006.

#### (i) Consultations with the UN, Partners and the TCCs

13. The AU Commission Team led by the Commissioner for Peace and Security, and including the Special Representative to the Sudan as well as other senior officials, met with the UN delegation led by the Special Representative of the Secretary-General in the Sudan, Jan Pronk. The AU team also met with representatives of other partners, including special envoys from the concerned countries and institutions. The TCCs were represented at the meeting by the Heads of their Missions and Defence Attaches in Addis Ababa. The conclusions reached at these meetings on key aspects of the proposed transfer are outlined in the following paragraphs, without prejudice to the decision on the issue to be made by the PSC:

- **Definition of the Transfer:** The Commission indicated that transfer should be understood as meaning the handing over of the peace-keeping role in Darfur to the United Nations, while the AU remains actively involved in other aspects of the peace process, such as the Peace Talks in Abuja, the operations of the Joint Commission (JC) and the Ceasefire Commission (CFC), as well as in the implementation of any peace agreement resulting from the Talks. This definition was agreed to by the UN, the partners as well as the TCCs.
- **Whom to Hand Over To:** The Commission's clear understanding is that a transition would be from AMIS to the UN, and not to any other organization or body. The UN, the partners and the TCCs are all in agreement with this understanding.
- **Duration of the Transition:** The UN is considering three scenarios of 3, 6 and 9 months transition, but the indications are that a 9 month period would be most convenient as this would enable the UN to put in place a coherent plan necessary for an efficient and thorough taking over process. On its part, the Commission's plans, should the PSC agree to a transfer, are to hand over a successful Mission according to achieved benchmarks, such as the conclusion of a peace agreement at the Abuja Talks, as well as improvement in the current security situation on the ground. The

- attainment of these objectives would require a period long enough to ensure an efficient and thorough handover, and the Commission's view is that a 9 month transition period with effect from 1 April 2006 can be considered. The European Union considered the 9 month period a realistic timeframe for a thorough hand over, and pledged to support the process. The US delegation, on its part, preferred a shorter period for the transition. The TCCs have no objection to the 9 months transition period.
- **Issue of Rehatting:** In light of the sensitivities to the presence of non African troops in Darfur, and should the PSC agree to a transfer, the Commission emphasized the need for the UN to absorb and, if need be, to augment the existing African troops in the Mission, as well as retain the African leadership of the force, as was the case when the African Union Mission in Burundi (AMIB) was transformed into the United Nations Operations in Burundi (ONUB). Although the UN delegation expressed understanding to this proposal, it however stated that the UN would, as usual, avail the African TCCs of the UN conditions and allow them to declare their interest as to whether to contribute troops to the UN Mission or not. The UN delegation also did not rule out the possibility of augmenting the existing AMIS troops, including redeploying some of the acceptable contingents from the UN troops already in southern Sudan. There was no objection to the idea put forward by the Commission.
  - **Mandate:** The Commission considered that the current mandate of AMIS should be maintained during the envisaged transition. However, a broader and more robust interpretation should be given to the mandate by AMIS Commanders to facilitate the stabilization of the current security situation and help in attaining greater protection of civilians. The UN delegation held the view that the mandate of AMIS should be reviewed for it to combine Chapters VI and VII of the UN Charter. In the opinion of the delegation, Chapter VII would be used specifically to deal with armed militias who continue to oppose the peace process in Darfur. The partners have no objection to retaining the current mandate during the transition. The TCCs are of the view that the current mandate is sufficient during the envisaged transition.
  - **Operational Activities during the envisaged transition:** The Commission emphasized the need for AMIS to remain effective and efficient during the envisaged transition. Consequently, crucial operational activities that should continue during the transition were identified and discussed. These activities included, but were not limited to: (i) attaining full operational capability for AMIS based on the current authorized strength of 6,171 military personnel and 1,560 civilian police, with appropriate civilian support staff. This entails the deployment of the remaining infantry battalion, the reserve company, and the engineer company, the remaining civilian police and civilian support staff, as well as provision of the remaining operational enablers such as vehicles and communication equipment, among others; (ii) timely provision of logistical

- and financial support for attaining full operational capability and enhancing the operational effectiveness of AMIS; and (iii) provision of strategic airlift for the rotation of AMIS troops as and when due and other tasks. The UN delegation reiterated its view on the need for AMIS to be large and strong enough and more robust, in order to enhance its effectiveness on the ground. The delegation stressed the need for AMIS to attain, during the envisaged transition, a force strength as close as possible to what the UN envisages for its own operation in Darfur should it take over the peacekeeping responsibility. While the partners have no objection to AMIS attaining full operational capability during the transition, they did not pronounce themselves on the issue of enhancement. The TCCs supported any idea that would make AMIS more effective and efficient during the envisaged transition.
- **Mechanisms for coordination:** Should the PSC approve the envisaged transition, coordinating mechanisms would have to be established at strategic and operational levels (Addis Ababa, Khartoum and New York) to facilitate joint planning and coordination. Exchange of information at the tactical level at El Fasher and the Sectors should also take place.
  - **Assets of AMIS:** At the appropriate time, the AU needs to take a decision on how to handle fixed and movable assets in the mission after a handover. Should the PSC decide on transition, the Commission shall engage the UN on the modalities for the use of AMIS assets and the disposal of those which the UN might not require.
  - **Reimbursement to TCCs and other liabilities:** In order for the AU to hand over with a clean slate, it would be necessary to take steps to clear all AU indebtedness such as reimbursement to TCCs. This could be discussed with the partners for possible assistance as part of the transitional arrangements.
  - **Funding of the Mission:** The African Union expects that partners would sustain the Mission during the envisaged transition. Although commitment was made during the consultative meeting, particularly from the EU and the US, no figures were indicated. However, the partners made it clear that their support would be linked to a clear time frame. It should be indicated that, during the 2<sup>nd</sup> meeting of the Joint Coordination Committee (JCC) of the Africa Peace Facility (APF), held in Addis Ababa on 1<sup>st</sup> March 2006, the EU called for a quick resolution on the future of AMIS, including a possible transition to the UN. The meeting took note of the difficulty of sustaining funding for AMIS, including through the existing APF resources, which will expire shortly. The EU indicated a willingness to continue its support to AMIS within the framework of the resolution referred to above.

- **Benchmarks for Handover:** The AU's intention will be to hand over a successful mission after the attainment of two basic benchmarks, namely the stabilization of the current security situation in Darfur and the conclusion of a peace agreement for Darfur.

With regard to the first objective, it should be stressed that the last few months have witnessed heightened insecurity in Darfur occasioned by continued violations, by all the parties to the conflict, of the Humanitarian Ceasefire Agreement of April 2005 and the Abuja Protocols of November 2005, with an attendant deterioration of the humanitarian situation. The level of violence has continued to increase despite the progress being made in the on-going peace talks in Abuja, a situation which suggests a disconnect between the political leadership of the parties and their commanders in the field. Although large scale confrontation between the parties has been drastically reduced, there has been substantial increase in the activities of splinter groups and other armed elements in Darfur. Also, the activities of the Chadian dissidents and deserters have worsened the already fragile security situation. Consequently, there is a need to stabilize the security situation before any handover. This can be done by AMIS through the attainment of full operational capability, enhancing its operational effectiveness, and more intensive "military diplomacy" to carry along the field commanders of the parties, as well as a broader and more robust interpretation of the current AMIS mandate. It is estimated that this task could be completed in 6 months, provided that appropriate and timely logistical support is available. On the other hand, it is expected that, at the current pace and with greater commitment of the parties, a peace agreement could be achieved in a matter of weeks. There is however a need to strengthen the mediation team as well as to put more pressure on the parties for them to display greater spirit of compromise and flexibility necessary for an agreement.

**(ii) Consultations with the SLM/A and JEM**

14. The Special Representative in the Sudan, Baba Gana Kingibe, who was tasked to ascertain the views of the Movements, held separate consultations in Abuja, on 19 and 20 February 2006, with the delegation of the JEM, as well as with the two SLM/A factions led by Abdulwahid El Nur and Mini Minawi, respectively. In these meetings, the Special Representative explained that, according to the transfer proposal, the UN, which already had the mandate for humanitarian activities in Darfur, would take over the security aspects of the Mission as well. However, the responsibility for the political issues, including the Abuja peace process and the implementation of any eventual peace agreement would remain with the African Union. After giving a detailed overview of the background to AU's involvement in Darfur, he stated that AMIS, which had performed creditably in contributing to the easing of tension in Darfur and reducing incidences of gender based violence, was the first ever African initiative of this magnitude by Africans in solidarity with their African brothers and sisters under the new AU principle of non-indifference to conflicts and related situations within member states.



15. The Special Representative reiterated that past AU peace support operations, whether in Rwanda or Burundi, for example, had been predicated on the clear understanding that, eventually, there would be a transition to the UN, as the Security Council had the primary responsibility for the maintenance of international peace and security. The envisaged transfer could be considered to fit this paradigm, and, when effected, it is expected to create a more efficient single peace support operation for the whole of the Sudan, bringing coherence and synergy to post-conflict reconstruction in the country. The immediate trigger for the consideration of a transition to the UN was, however, the notice served by the AU partners that they would not sustain AMIS financially beyond 31<sup>st</sup> March 2006, without a decision on a transition, as well as the growing complexity of the AMIS operation, which increasingly required, for its management, the type of experience, expertise and resources the UN possesses.

16. Referring to some misconceptions and concerns surrounding the proposed transfer, the Special Representative emphasized that the UN would, in principle, not undertake a peace support operation in Darfur without the approval of the Sudanese Government, and without a peace agreement, or, at least, a working and holding ceasefire agreement. He added that the UN estimate that it may take up to 9 months for it to fully plan the transition and to generate the additional troops that might initially be required in Darfur. Both the AU and the UN have agreed that, in the event of a transition, such a force and its command structure would need to retain an African character and include troops from the existing AMIS forces. Pending a handover, AMIS would reinforce its technical, operational, as well as command and control capacities, while the Sudanese Movements were called upon to continue to lend their support to the AU Mission and the ongoing Talks.

17. During the ensuing exchange, the Movements commended the AU for its intervention in Darfur and AMIS for its role in stabilizing the security situation on the ground. The Movements expressed the view that, given its limited mandate and financial, logistical and other constraints, AMIS had been a success. They also paid tribute to the TCCs for their gesture of solidarity with and support to the people of Darfur. However, they expressed understanding of the background to, and the rationale for, the transfer proposal. Having taken full note of the detailed information given by the Special Representative, they indicated that the conclusions of their decision-making organs would be conveyed to the AU Commission in due course. The Abdulwahid group, whose leadership was present, immediately signaled its support for a transition to the UN. At the time of writing this report, the two other groups of Mini Minawi (SLM/A) and Khalil Ibrahim (JEM) had not yet conveyed their official positions although their contributions at the meetings suggested that they may eventually agree with the transfer proposal.

**(iii) Consultation with the GoNU**

18. The Commission met with a delegation of the Sudanese Government, led by the Minister of State for Foreign Affairs, on 23 February 2006. The Commissioner for Peace and Security, Said Djinnit, informed the Sudanese delegation that similar consultations had already been held with the UN, the partners and the TCCs, and briefed the Sudanese delegation on the responses of the UN, the TCCs, and the AU partners to all the issues raised with them.

19. The Commissioner recalled the events which informed the PSC decision, and stressed that the AU had reached a point where it was finding it difficult to manage the Mission that had become more complex, growing from the original 360 personnels, all ranks, to the current approved strength of about 8,000. Noting that the financial and logistical support for AMIS had been entirely provided by the partners, from the very beginning, it was difficult for the AU to maintain full control of the Mission. Now, the AU had reached a point where the funds available could not sustain the Mission beyond 31 March 2006, although the partners have indicated a readiness to continue their financial support provided the PSC takes a formal decision on the transition to the UN. He further informed the Sudanese delegation that the idea of handing over to the UN was envisaged within the framework of the partnership between the AU and the UN, which, in any event, had the primary responsibility for the maintenance of international peace and security. He recalled how the OAU/AU handed over AMIB to the United Nations. Finally, he made it clear that, if the PSC so decides, the AU was envisaging to hand over AMIS only to the UN and not to any other organization.

20. In reaction, the Minister indicated that, as a founding member of AU, the Sudan was prepared to make any sacrifice to ensure that the Union succeeds in Darfur. Commending the efforts of the AU in Darfur, he stressed that the continent, having come out of colonialism, should be able to solve its problems by itself. He argued that it was on this premise that his Government accepted the deployment of AMIS in 2004.

21. The Minister opined that the idea behind the call for a transition was not the inadequacy of funds as claimed, but a ploy in support of a hidden agenda of some countries. He argued that there was no rationale for the international community to hold back on funding AMIS further when the same international community had praised AMIS efforts in Darfur. He drew attention to the sensitivities in Darfur, which, being an Islamic society with ingrained Islamic values, required that caution be exercised in any attempt to handover the Mission to the UN. He reiterated that the efforts of the international community should have been devoted towards facilitating the achievement of a peace agreement for Darfur at the ongoing Talks in Abuja, rather than concentrating on a transition, which, in his view, would send wrong signals to the rebel movements. He cautioned that any discussion of a handover to the UN would delay the prospects of an early agreement and worsen the security situation in Darfur. He advised on

the need for the AU to put the conflict in Darfur in a proper perspective and, by so doing, devise a means of solving it, rather than allowing parochial interests of some countries to guide its decision.

22. In conclusion, the Minister reiterated that the Sudanese Government remained opposed to the envisaged transfer, which would worsen rather than improve the situation in Darfur. He stated that the Sudanese people considered the AU as key to the resolution of the conflict in Darfur, and therefore wanted AMIS to continue its operation. Should a decision be taken in favor of a transfer, Sudan, being a sovereign state, reserves the right to make its own choice.

23. In his own contribution, the Special Representative argued that the proposed transfer would not be automatic, adding that no transfer is expected to take place without it being carefully negotiated with the Government of the Sudan. Recognizing the right of the Sudan to make its choice as a sovereign state, he stressed that the rationale for the envisaged transfer was also based on the international community's requirement for involvement in the implementation of any agreement reached in Abuja. Such an agreement would pave the way for post-conflict issues, namely the return of IDPs and refugees, DDR, and reconstruction of Darfur, which the UN is in a better position to address in view of its experience elsewhere, including in South Sudan. He advised the delegation to remain open to dialogue on the issue at this stage of the debate to allow the arguments on both sides to be exhaustively heard before a final decision was reached.

24. The Commissioner also reacted to the Minister's presentation by affirming that the AU would not be part of any hidden agenda. He stated that the Commission would continue to take all necessary steps to preserve the unity, integrity and sovereignty of the Sudan. He explained that the AU might be subjected to pressure, as could be expected under the circumstances, but its decision would be guided by principles and Africa's best interests. As for the timing of the call for a transition by the partners, the Commissioner explained that the partners had indicated that they could not continue much longer the ad-hoc arrangements for funding AMIS through voluntary contributions and that, with a transfer to the UN, further funding of the Mission would be assured through assessed contributions.

25. Finally, he re-assured the Sudanese delegation that all their views had been noted and would accordingly be conveyed to the PSC. He urged that no stone should be left un-turned to reach an early peace agreement in Abuja and to improve the security situation on the ground, as these steps would considerably influence the future shape and direction of the peace support operation in Darfur. In this regard, while appropriate pressure should be exerted on the rebel movements, the Sudanese Government has the greatest role to play. He further informed that the PSC meeting at Ministerial level had been scheduled for 3 March 2006 and advised appropriate representation of the GoNU to clearly and effectively present its views on the occasion.

#### **IV. STATUS OF AMIS DEPLOYMENT AND LOGISTICAL ASPECTS**

26. The main development since my last report is the rotation of AMIS troops, which started on 1<sup>st</sup> February 2006 and is continuing smoothly with the assistance of the partners, particularly the EU and NATO. The rotation will be completed by 27 April 2006. The actual total strength of AMIS has reached 7,031 (4,915 Protection Force members, 726 MILOBs and 1,390 civilian police personnel) out of 7,731 provided for in the decision of the PSC of 28 April 2005. Even though South Africa has committed to provide 100 additional troops, the Mission will still be short of 383 Protection Force elements to reach its authorized strength. Fortunately, Senegal has offered to provide an additional battalion, while some other Member States have indicated they might provide more troops.

27. In my last report, I indicated that, while the Commission was able to move with speed to reach the authorized strength, it had not been able to secure, within the same timeframe, certain critical enablers in the area of logistics, such as vehicles and communication. Steps have been taken to address this problem. Out of the additional 462 vehicles purchased by the AU, 185 have already been delivered to the mission area, while most of the remaining 277 vehicles will be delivered by the middle of March 2006, bringing the total number of vehicles for AMIS to 1,125. Similarly, additional communication equipment have been purchased, the delivery of which has started and will be completed by the middle of March. The Mission will, therefore, have sufficient quantity of vehicles and communication equipment to ensure adequate operational capability.

28. The majority of all direct logistic support and services will continue to be provided by contractors. However, in an effort to save costs, the Mission is making some efforts aimed at self-sustenance by undertaking to directly provide Level I and Level II medical services as of 1 April 2006. The Level I medical services will be provided by reinforced medical units deployed by TCCs, while the Level II will be provided by the Mission. TCCs have been providing personnel, weapons and ammunition, unit and individual equipment and will bring in specialized reinforced units for support services. Partners are expected to continue to assist in strategic airlift during the rotation of troops, and provide aircraft and helicopters for operations and tactical transportation. It is not expected that the Mission would require additional equipment, except for the replacement of damaged equipment, upgrading of facilities and to meet unexpected special requirements.

#### **V. FINANCIAL ASPECTS**

29. In my last report, I indicated that lack of cash contributions has been a major source of the financial difficulties faced by AMIS since the Mission began. By October 2005, only a quarter of the total cash requirement was mobilized. In early December, the Commission entered into a third contribution agreement with the European Commission totaling 70 millions Euro. In addition, other donors made financial contributions. However, an additional amount of US\$ 4,6 million is still required to make it possible to sustain the Mission up to 31 March 2006.

30. To date, there has not been a firm pledge from any donor to guarantee the continuation of the Mission much longer. However, after some consultations with partners over the future of the Mission, there have been indications that funds may be forthcoming in the context of a transition towards a UN operation. With this in mind, a budget estimate has been prepared for the period 1<sup>st</sup> April to 31<sup>st</sup> December 2006, a summary of which is shown below:

Serial No.	Description	Amount in USD	% of total
<b>I. AMIS BUDGET</b>			
<b>1.</b>	<b>Personnel Costs</b>		60.3%
	Salary and allowance	65,452,946	
	Ration	17,408,550	
	Reimbursement	24,291,000	
	Pre-deployment expenses	8,636,800	
	Insurance	13,014,400	
	Medical	2,604,567	
	Total	131,408,263	
<b>2.</b>	<b>Operational Costs</b>		29.6%
	Travel and transportation	36,147,100	
	Procurement, supplies and services	20,433,202	
	Maintenance	5,618,841	
	Utilities, Other supplies and services	1,362,067	
	Outreach	1,000,000	
	Total	64,561,210	
<b>3.</b>	<b>Fixed Assets/Infrastructure</b>		5.2 %
	Refrigeration equipment	98,600	
	Operational equipment	1,524,088	
	Medical equipment	334,580	
	Trucks	2,877,465	
	Facilities and infrastructure	6,450,613	
	Total	11,285,346	
<b>II. BUDGET for other activities</b>			4.9%
1.	Abuja Talks	7,000,000	
2.	DITF	3,300,000	
3.	Humanitarian Assistance	450,000	
	Total	10,750,000	
Grand Total USD		218,004,819	100%

31. As can be observed, of the total of US\$ 218,004,819, the personnel costs constitute 60.3%; operational costs 29.6%; and fixed assets/infrastructure only 5.2%, reflecting the fact that the budget is largely for the sustenance of the Mission, but not for the procurement of fixed assets. An average of US\$ 22,857,719 is required in cash each month. Unless this amount is made available, the Mission cannot sustain itself. In this respect, and within the context of the envisaged transition, preparations are being made for a Pledging Conference to be co-organized by the AU and the UN. The EU Commission has proposed to host the Conference in Brussels at a date which is still to be determined. The above budget will be presented along with other logistic requirements.

## **VI. SECURITY SITUATION**

32. From the second half of January 2006, the situation in Darfur witnessed an upsurge of violence, particularly in West Darfur, despite the modest progress made in the ongoing Peace Talks in Abuja. This clearly suggests an apparent disconnect between the political leadership of the parties at Abuja and their commanders in the field.

33. The SLM/A launched attacks on Shearia (Sector 8), on 16 January 2006, on Golo (Sector 7), on 23 January 2006, and on a Government administrative convoy at Rokiro (Sector 4), on 24 January 2006. The attacks resulted in high casualties and further displacement of people. These actions by the SLM/A prompted reprisal attacks by the Janjaweed militias, which took higher toll of human lives, most of whom were innocent villagers. In any case, even without provocation, the Janjaweed militias have continued to cause havoc on farmlands and destroy crops ready to be harvested by farmers from nearby IDP camps

34. On 23 January 2006, the SLM/A again attacked a Government camp at Golo, killing 6 soldiers and injuring 12 others, while the SLM/A reported 2 dead and 6 wounded. As a result of the fighting, the NGOs operating in the area felt threatened and had to be evacuated by AMIS. This has worsened the humanitarian situation. In a similar development, the SLM/A attacked a Government convoy at Kaura village on 24 January 2006. During the incident, 22 soldiers were killed and several others wounded. Another Government police convoy was earlier ambushed by the SLM/A on 18 January 2006 between Murshing and Menawashi (Sector 2). Four policemen were killed and 6 others wounded. The extent of restraint exercised by the Government on this occasion as a result of AMIS intervention is highly commendable. Again, on 14 February, there was heavy fighting between the SLM/A and Government forces supported by 2 helicopter gunships in the village of Arto, 10 km south of Shaeria. The Government lost one helicopter gunship in this operation, resulting in the death of 5 soldiers. In another development, the Government troops attacked Lelamin, Lelkeleke and Umdareb (Sector 8), which are under SLM/A control, on 20, 21 and 26 February 2006, respectively, and reportedly burned down the entire villages.

35. Ethnic and tribal confrontations have also been on the increase. In this respect, the ongoing conflict between the Fallata and Masselit tribes in the general area of Graidia is very disturbing. The ethnic and tribal conflict has now spread into IDP camps. On 26 January 2006, fighting broke out in Biliel IDP camp, in Sector 2, between Umkalmati and Dinka tribes. Two people were confirmed dead and 4 injured.

36. The period under review witnessed an increase in Janjaweed attacks on villages resulting in loss of life. On 28 January 2006, the Janjaweed attacked an SLM/A position in Sector 2, at Donkey Abiad village, causing heavy civilian casualties, in retaliation of SLM/A abduction of 2 Sheiks and 5 Umdas on 23 December 2005 from the area of Donkey Deriesa. On 6 February 2006,

Janjaweed on camels, land cruiser and some on foot went on a rampage in Kutum market (Sector 6). They chased away the Government police and military from the market, which they looted, and harassed the market sellers, killing one person and injuring 4 other.

37. While attacks and harassment of AMIS personnel and humanitarian workers escalated, confrontation between the three parties to the N'djamena Humanitarian Ceasefire Agreement, that is, the Government, the SLM/A and JEM, have considerably diminished for most of this period.

38. The leadership crisis within the SLM/A and JEM has also contributed to heighten insecurity in Darfur, resulting in attacks and counter attacks between the two SLM/A factions. In recent times, this situation has given rise to a series of attacks on innocent civilians.

39. A new dimension to the conflict is the emergence of a group calling itself the Islamic Resistance Movement of Darfur. This group has indicated that its focus is to attack Norwegian and Danish interests in Darfur, in reaction to the international crisis over the cartoons on Prophet Mohamed. On 8 February 2006, AMIS evacuated two Nordic NGOs, namely DRC and NSA, after their houses were burnt down in Sector 7 on the morning of 8 January 2006, by this group. In a related incident, on 13 February 2006, approximately 400 people gathered at the El-Fasher airport to demonstrate against a visiting Norwegian Minister. The crowd consisted mainly of men with a mix of civilians and Government soldiers with weapons. The demonstrators besieged the airport and formed a human obstacle across the run-way to prevent any aircraft from landing. This incident almost aborted the landing of the aircraft bringing the Rwandan troops from Kigali as the demonstrators were still on the runway. It took the intervention of senior AMIS and Government officials from Khartoum before the runway was cleared.

40. Furthermore, developments at the border between the Republics of Chad and Sudan in West Darfur are also a matter of deep concern, adding a new dimension to the crisis. The activities of Chadian deserters and dissidents have complicated the security situation in Northern and Western Darfur. There have been incessant harassment of AMIS patrol by these dissidents. For instance, on 28 January 2006, an AMIS patrol was prevented from reaching its destination in Sector 3 by a group of Chadian dissidents armed with RPGs, 12.7 mm machine guns and mortars. In addition, during the period under review, there have been reports of cross-border attacks on Armankol and Kango Haraza villages in west Darfur (Sector 3).

41. Although the security situation in Darfur remains unpredictable, AMIS has continued to embark on bolder and tougher measures aimed at improving it. The Mission is reinvigorating its operations by conducting intensive patrols to deny armed elements freedom of action as well as limit their ability to act with impunity.

## **VII. HUMANITARIAN/HUMAN RIGHTS SITUATION**

42. Continuing violence in some areas of Darfur has contributed to persistent human rights violations hindered the delivery of humanitarian relief and caused further displacement of civilians from their villages. The rise in the activities of the warring parties has resulted in the evacuation of some NGOs, who were already operating in difficult conditions. Currently, humanitarian access has been reduced in two locations, as the deteriorating security situation hampers humanitarian activities. On 25 January 2006, AMIS evacuated NGOs trapped in Golo (Sector 8) [MSF, DRC and GOAL] following fighting between Government troops and SLM/A elements. A total of 69 NGO staff, 22 vehicle and personal belongings were evacuated to the Nertiti Military Group Sites (MGS). On 6 February, international staff of the Danish Refugee Committee and Norwegian Church Aid left Nyala (Sector 2), as a precaution. These incidents are having a negative impact on the availability of humanitarian assistance to the people in the area.

43. On 26 January 2006, an AMIS patrol observed that about 40,000 people had left Mershing for Menawashi (in Sector 2). The exodus was as a result of persistent attacks by unknown armed men on the residents, especially at night. The villagers and IDPs, who have assembled around AMIS camps for protection, have reported that the attackers were the same Government police deployed in the area to offer them protection. Those interviewed in Menawashi claimed the attackers wore khaki uniforms, and that vehicles were used to provide lighting for night-time looting. It is worth noting that Government special police deployed in the area have khaki uniforms. However, the police has denied attacking the IDPs.

44. Following deadly cross-border raids on villages in eastern Chad, tens of thousands of Chadian civilians have been internally displaced. In addition, about 6,000 people are now domiciled in Tandalti, West Darfur, 4,000 of whom are refugees and 2,000 are Sudanese returnees. A new refugee camp has also been established at Zawia Vilage, North-East of El-Geneina (Sector 3).

45. On its parts, AMIS, notwithstanding logistical constraints, continues to do its utmost to minimize further violations and abuse. The force continues to provide security escort for relief workers to safely deliver their life-saving services and materials, particularly to the IDPs.

## **VIII. STATUS OF THE INTER-SUDANESE PEACE TALKS**

46. During the period under review, efforts have continued to be made to conclude a peace agreement, within the framework of the 7<sup>th</sup> Round of the Inter-Sudanese Peace Talks on the Conflict in Darfur, which opened in Abuja, on 29 November 2005. As Council is aware, the discussions are taking place in three Commissions addressing the various aspects of a future agreement. Thus far, modest progress has been made in two of the three Commissions, namely, Power Sharing and Security Arrangements Commissions; progress is much more substantive in the Wealth Sharing Commission.



47. In the Power Sharing Commission, efforts are being made to narrow the differences between the positions of the parties on issues relating to the remaining agenda items. While it was possible to bridge some of the divergent positions of the parties, there still remain unresolved and outstanding issues, in particular with respect to the Presidency, the future status of Darfur, and representation of Darfurians at the Executive, the Legislature as well as the civil service. Given the fact that the parties have exhausted their presentations and arguments on the issues involved, the Mediation is engaged in extensive consultations with the parties and other stakeholders, in plenary and smaller working groups, in order to fine-tune proposals that will be submitted to them as a basis for further negotiations and an eventual agreement.

48. Notable progress is being made in the Security Arrangements Commission. The parties, thus far, have completed discussions on Enhancing the N'djamena Humanitarian Ceasefire Agreement and its Mechanisms. In the process, they reviewed the mandates of the Ceasefire and Joint Commissions and how to strengthen them; the operational difficulties experienced by AMIS, the civilian police and others in their line of duty in Darfur; how to ensure the security of the IDP camps; the mapping of the respective military positions of the parties, and the issue of demining and ensuring safe routes so as to enhance the work of UN and other humanitarian agencies. The Commission is about to begin discussions on non-military logistic supplies to the Movements and ground rules on aid delivery. The Mediation is drafting a Comprehensive and Permanent Ceasefire Agreement that builds on and strengthens the existing ceasefire and other security agreements.

49. In the Wealth Sharing Commission, agreement was reached by the parties on major parts of 8 out of the 10 agenda items, namely, principles for wealth sharing; fiscal federalism and intergovernmental relations; criteria and basis for wealth sharing; economic policy; urgent programs for IDPs, refugees and other war-affected persons; compensations, reconstruction, investment and development; management of land and natural resources.

50. Discussions are continuing on the following remaining areas:

- **Resettlement of IDPs and refugees**; The Movements want, in addition to the restoration of basic social services, an initial financial support in cash be granted by the Government to the returnees to enable them restart their livelihood. The Government does not accept the payment of cash money and has proposed instead the provision of agricultural inputs as well as the establishment of a micro-credit system. The Mediation, taking into account practices elsewhere in similar circumstances, has proposed that, in addition to the inputs, a comprehensive and appropriate resettlement package be given to the IDPs and refugees, including a commitment by the Government to contribute resources to face their urgent needs.

- **Allocations from the Fiscal and Financial Allocation and Monitoring Commission (FFAMC):** The Movements are demanding that Darfur, in addition to its share from the National Revenue Account, be given 6.5% of the total annual national revenue for a period of 10 years, in order to allow it to catch up with other parts of the Sudan and meet the Millennium Development Goals (MDGs). The Government has proposed instead to allocate a given amount as seed money in the Darfur Reconstruction and Development Fund, pending the completion of the Joint Assessment Mission (JAM) exercise, which will determine the Government contribution for a period between 3 to 5 years. The Mediation has put forward a formula, which seeks to incorporate the concerns of both parties, linking the Government contribution to the announced seed money in addition to its share of the JAM.
- **Vertical Allocation from the Central Government to the States:** The Movements have requested that a provision be included in the agreement in order to ensure that, in the event that the FFAMC does not complete its work before the end of the present fiscal year, a rate of 35% be applied by the Government for the vertical allocation between the Central Government and the States for the fiscal year 2007. The Government considers fixing a rate in Abuja as prejudging the outcome of the work of the FFAMC. It has indicated that it would be prepared to accept, in the event the formula is not determined by the FFAMC and approved in time, that no less than the present 2006 rate, i.e. 43% (27% for the Northern States plus the 16% for the Southern States), be applied for 2007.
- **Compensation:** The Mediation, with the assistance of resource persons, has finalized a proposal, which has been submitted to the parties for discussion.

51. The two remaining agenda items relating to the implementation modalities and guarantees, as well as the general provisions, will be discussed after full agreement is reached on the above issues.

52. Intensive consultations are continuing on all the outstanding issues. The parties have become more positive in their various approaches. The Mediation is of the view that, provided they continue to demonstrate the same willingness and determination, an agreement could be reached soon.

#### **IX. REPORT OF THE PANEL OF EXPERTS ESTABLISHED PURSUANT TO PARAGRAPH 3 OF RESOLUTION 1591 (2005) CONCERNING THE SUDAN**

53. In my report of 12 January 2006, I informed the PSC of the activities of the Panel of Experts established pursuant to Security Council resolution 1591 (2005) adopted on 29 March 2005. On 9 December 2005, the Panel submitted its final report to the Committee established pursuant to resolution 1591 (2005) concerning the Sudan. The report sets out the Panel's findings and

recommendations in the following investigative areas (i) assisting in monitoring the implementation of the arms embargo imposed by resolution 1556 (2004) and 1591 (2005); (ii) assisting in monitoring the implementation of targeted financial and travel related sanctions that may be imposed against individuals designated by the Committee established by resolution 1591 (2005); and (iii) providing information to the Committee on individuals who impede the peace process, commit violations of international law or are responsible for offensive military over flights.

54. The Panel indicated that arms, especially small arms and ammunition, continue to enter Darfur from a number of countries and from other regions of the Sudan. In addition, there have been numerous reports that the rebel groups receive financial, political and other material support from neighboring countries. The Panel also indicated that the Sudanese Government had violated and continues to violate the provisions of the arms embargo. The Panel identified individuals who impede the peace process. Furthermore, the Panel stated that the Government of the Sudan and the SLM/A and, to a lesser extent, JEM have committed consistent, willful and systematic violations of the N'djamena Humanitarian Ceasefire Agreement. In addition, the Government of the Sudan has failed to fulfill its agreed commitments to identify, neutralize and disarm armed militia groups under its control or influence. The Panel found evidence of widespread violations of international humanitarian law in Darfur during the period from 29 March to 5 December 2005. It also identified several instances of the conduct of offensive military over flights since 29 March 2005.

55. In order to address these problems, the Panel made, among others, the following recommendations:

- strengthening the existing arms embargo;
- adopting targeted measures, as provided for in the relevant paragraphs of resolution 1591 (2005), and other additional measures against individuals who impede the peace process;
- adopting a "zero tolerance" policy approach to violations of the N'djamena Humanitarian Ceasefire Agreement;
- consideration by the Security Council of options for establishing a standing civilian protection monitoring capacity; and
- consideration by the Security Council of options for ensuring that the Government does not employ military air assets for offensive purposes in the future

56. The Chairman of the Committee established pursuant to resolution 1591 (2005) transmitted the Panel's report to the President of the Security Council, on 30 January 2006. In his transmittal letter, he indicated that the Committee intended to complete a thorough consideration of the recommendations contained in the Panel's report, after which he will present the Committee's views on the report to the Security Council.

## X. RELATIONS BETWEEN CHAD AND SUDAN

57. The PSC will recall that, in my report of 12 January 2006, I reported on the tension between Chad and Sudan, following the attack on the Chadian city of Adré by Chadian rebels, on 18 December 2005, as well as the efforts to convene a Summit of African leaders in Tripoli. The Summit, which was held on 8 February 2006, was attended by the Libyan Leader, Colonel Kaddafi, Presidents Denis Sassou Nguesso of the Republic of Congo and the current Chair of the AU, Blaise Compaoré of Burkina Faso and François Bozize of Central African Republic, and myself. The Summit led to an agreement signed by Presidents Idriss Déby Itno of Chad and Omar Hassan Al Beshir of Sudan, as well as to the Tripoli Declaration on the situation between Chad and Sudan. In the Declaration, the Summit, *inter alia*:

- invited both parties to establish a dialogue and bilateral consultations;
- urged both parties to stop interfering in the internal affairs of the other, and to cease support to armed groups in each other's countries;
- decided to set up a ministerial follow-up committee which would meet periodically in order to assess the evolution of the situation, as well as a field information mission and a peace and security force to ensure the security of their mutual border.

58. In terms of the Agreement, the two parties committed themselves *to inter alia*:

- work for the restoration of a climate of confidence, good neighborliness and the co-operation which has always existed between the two countries;
- prevent the use of their respective territories for purposes of subversive activities against the sovereignty and the territorial integrity of the other ; and
- put an end to the hostile media campaigns and to work toward fraternity and harmony.

## XI. OBSERVATIONS

59. In the preceding paragraphs, I have endeavoured to provide to the PSC the additional information requested in its decision of 12 January 2006, including the results of the Commission's consultations with the relevant stakeholders. On the basis of this information and following its own deliberations, the PSC is expected to take a final decision on the matter of a transition towards a UN operation in Darfur and the modalities thereof.

60. It should be recalled that, over the past 20 months, the AU, with the support of its partners and the wider international community, has made sustained efforts to support the implementation of the agreements reached thus far by the parties, contain the violence and facilitate the restoration of lasting peace and reconciliation in Darfur. The ultimate goal was to achieve the early conclusion of a peace agreement between the parties that would enable the Sudanese themselves to eventually take on the responsibility of fully normalizing the situation in Darfur and achieving durable peace and reconciliation in the region. Undoubtedly, some progress has been made in this respect, as demonstrated by the improved security situation in areas where AMIS is deployed, the overall improvement of the humanitarian situation, as well as the launching of the inter-Sudanese Peace Talks in Abuja and the progress, albeit slow, made in the negotiations there. However, much remains to be done to fully achieve the AU's objectives. The persistent violence against civilians, in complete disregard of basic humanitarian and human rights norms, the fact that no significant return of IDPs and refugees has taken place, the continued attacks against humanitarian workers, the precarious situation at the Chad/ Sudan border, and the inability of the Sudanese parties to conclude a peace agreement more than a year and half after the start of the negotiations bear testimony to the challenges ahead.

61. Nevertheless, the achievements of the AU, through AMIS, cannot be ignored, especially given that the Mission has, from the very beginning, operated under difficult circumstances. On the one hand, the Sudanese parties have not been fully cooperated with AMIS, having failed to comply with the very commitments into which they solemnly entered under the N'djamena Humanitarian Ceasefire Agreement and the Abuja Protocols. On the other hand, the increasing factionalization of the rebel movements and the continuing tribal tensions and conflicts, which have contributed to the perpetuation of the prevailing situation of violence and insecurity, have further compounded the problems confronting the Mission on the ground.

62. In addition, the exponential expansion of AMIS forces, from its modest beginnings of 360, to the current total of more than 7,000, has placed further strains on the already limited capacity of the AU to manage peace support operations, as demonstrated by the difficulties encountered with respect to command and control, communications and other logistic aspects. It is also worth noting that the AMIS operation in Darfur was *ab initio* conceived and executed in the spirit of partnership with the international community. While the AU took the lead in addressing the crisis, with its member states contributing troops and civilian police, the partners provided the necessary logistical support and finance and assisted in the planning and training. The exclusive dependency on funding based on voluntary contributions and *ad hoc* arrangements has exposed a further vulnerability in the AU's peace support operation in Darfur. This is clearly highlighted by the current state of affairs whereby the continuing funding of AMIS is not guaranteed beyond the next few weeks.

63. It is in this context, and in view of the progress made in the initial stabilization phase in Darfur and the ongoing efforts to finalize a peace agreement, that the 45<sup>th</sup> meeting of the PSC took the decision, in principle, to consider the option of a transition to a UN operation in Darfur. In its deliberations, the PSC may wish to consider the following elements:

- (i) As pointed out by the AU-led Joint Assessment Mission that visited Darfur from 10 to 20 December 2005, and reiterated by a number of NGOs involved in the efforts aimed at putting an end to the crisis, there is a need for a sustained and effective peace support operation in Darfur to facilitate compliance with existing agreements, enhance the protection of the civilian population, and create conditions conducive to the early conclusion of a peace agreement. The Assessment Mission further stressed the need, as part of the peace process, to address the complex tasks of post-conflict reconstruction, including DDR and security sector reform. This would demand an increased integration of the different aspects of the peace process and the establishment of a multidimensional peacekeeping operation, requiring expertise and experience, as well as the mobilization of considerable and predictable financial and logistical resources, together with a management capacity, which AU does not yet possess.
- (ii) Calls have been made by a number of AU partners and other actors for the hand-over the Mission to the United Nations both in order to ensure its financial sustainability, as UN peacekeeping missions are funded through assessed contributions, and provide the much needed protection to the civilian population in face of continued violence and insecurity.
- (iii) It is equally important to bear in mind the financial difficulties facing the Mission. As of today, no firm commitments have been made to provide funding for the Mission beyond March 2006. However, the partners have indicated their preparedness to support AMIS during the transitional period leading to a handing over of the peacekeeping responsibilities to the UN.
- (iv) The strong opposition of the Sudanese Government to the transfer of the Mission to the UN, as well as the numerous demonstrations against the UN and AMIS, should also be duly taken into account. On one such occasion, at the AMIS Headquarters in El Fasher, the demonstrators threatened the current AU forces in Darfur with major consequences, should the AU decide on a hand-over.
- (v) The pronouncement of the rebel movements and some sections of the civilian population in Darfur, especially in the IDP camps, in favour of a hand-over of the peacekeeping responsibilities to the UN.

64. The PSC should, to the extent possible, try to reconcile these various factors and perspectives, bearing in mind the AU's objective of promoting lasting peace and reconciliation in Darfur, the concerns expressed within the international community and the positions taken by the Sudanese parties,

particularly the Government. Against this background, any decision on a transition from AMIS to a UN-led operation in Darfur should take the following into account:

- i. It is important that the African character of the mission be maintained, in order, as much as possible, to secure the cooperation of all the parties, which is necessary to achieve a lasting solution to the conflict in Darfur.
- ii. The African Union should continue to play an important role in the ongoing Darfur peace process, including the conduct of the Abuja Peace Talks and the implementation of existing and future agreements between the parties. In this respect, it would be necessary, at the appropriate time, to reconfigure the current AU Mission and adjust its mandate and tasks accordingly. It should be made clear that the transfer refers only to the peacekeeping aspects of the AMIS operation in Darfur. It should also be understood that any transfer of AMIS would only be to the United Nations and not any other institution.
- iii. Any decision on the mandate and size of a future UN peacekeeping operation in Darfur should be informed by the evolving situation on the ground. In this respect, a successful outcome of the Abuja Peace Talks and a significant improvement in the security and humanitarian situation on the ground would be key factors in any decision by the UN Security Council on the nature of the peacekeeping operation in Darfur.
- iv. There would be need throughout the transition to maintain consultations between the AU and UN, including between the PSC and the UN Security Council, as well as between the Chairperson of the Commission and the Secretary-General of the United Nations, particularly prior to any decision by the UN Security Council regarding the envisaged UN peacekeeping operation in Darfur. Such consultations would need to be maintained even after a transfer in order to secure the continued cooperation of the parties and facilitate the smooth running of the operation.

65. In the meantime, the AMIS operation should continue and be enhanced. I recommend that the PSC renew the mandate of the Mission for a period of 9 months, until 31<sup>st</sup> December 2006. The renewal of AMIS mandate and the pursuit of its operation should be predicated on the following:

- i. A firm commitment by the AU partners to provide the required financial and logistical support, based on the budget prepared by the Commission for the period 1<sup>st</sup> April – 31<sup>st</sup> December 2006, in order to ensure the sustainability of the Mission.
- ii. The commitment by the Commission to take all the necessary steps to ensure that AMIS speedily attains full operational capability to enable it to discharge its mandate effectively, bearing in mind the relevant recommendations made by the Assessment Mission that visited Darfur last December. Steps would also continue to be taken to ensure that the

mandate of the Mission is interpreted broadly and robustly, with special emphasis on civilian protection.

- iii. The intensification by the AU of efforts aimed at achieving a peace agreement between the Sudanese parties as early as possible. In this respect, additional pressure should be applied on the parties for them to display the necessary flexibility in order to reach compromise on the outstanding issues at the ongoing round of Talks in Abuja. Steps shall shortly be taken to involve the African leadership at ministerial and higher level in the ongoing efforts in Abuja, in order to speed up the conclusion of the Talks.
- iv. The exertion of pressure on the parties for them to fully and unconditionally meet their commitments as spelt out in the agreements they have already signed and as required by the relevant decisions and resolutions of the PSC and the UN Security Council, including, but not limited to, the disarmament and neutralization by the Government of the Janjaweed/armed militia, the communication to AMIS by the rebel movements of the positions occupied by their forces on the ground, an end to the attacks against civilians and the humanitarian workers, as well as the acts of banditry, full cooperation with AMIS and guarantee of the safety of the members of the Mission, and an immediate stop to offensive military flights. In this respect, the PSC should call on the Security Council and its members to take all necessary measures to hold the parties accountable for their acts and apply sanctions as necessary. Any further complacency with the parties will only prolong the suffering of the civilian population and the Darfur conflict, with all the attendant consequences for peace and security in the Sudan and the region as a whole.
- v. The need to address the existing crisis in the relations between Chad and the Sudan, as this continues to impact negatively on the peace process, as well as on the security situation on both sides of the border. Therefore, every effort should be made exerted to encourage the two sides to implement and build upon the agreement reached at the Summit held in Tripoli on 8 February 2006, including the commitment not to allow the utilization of their territories for subversive activities against each other and to put an end to the presence of rebel elements in their respective countries. In this respect, the PSC may wish to authorise AMIS to play a role in the implementation of the Tripoli Agreement.



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# Report of the Chairperson of the Commission Pursuant to Paragraph 5 of the PSC Communique PSC/PR/COMM (XLV) OF 12 January 2006 on the Situation in Darfur

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