

Conflict, Arms, and Militarization: The Dynamics of Darfur's IDP Camps

By Clea Kahn

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Abstract

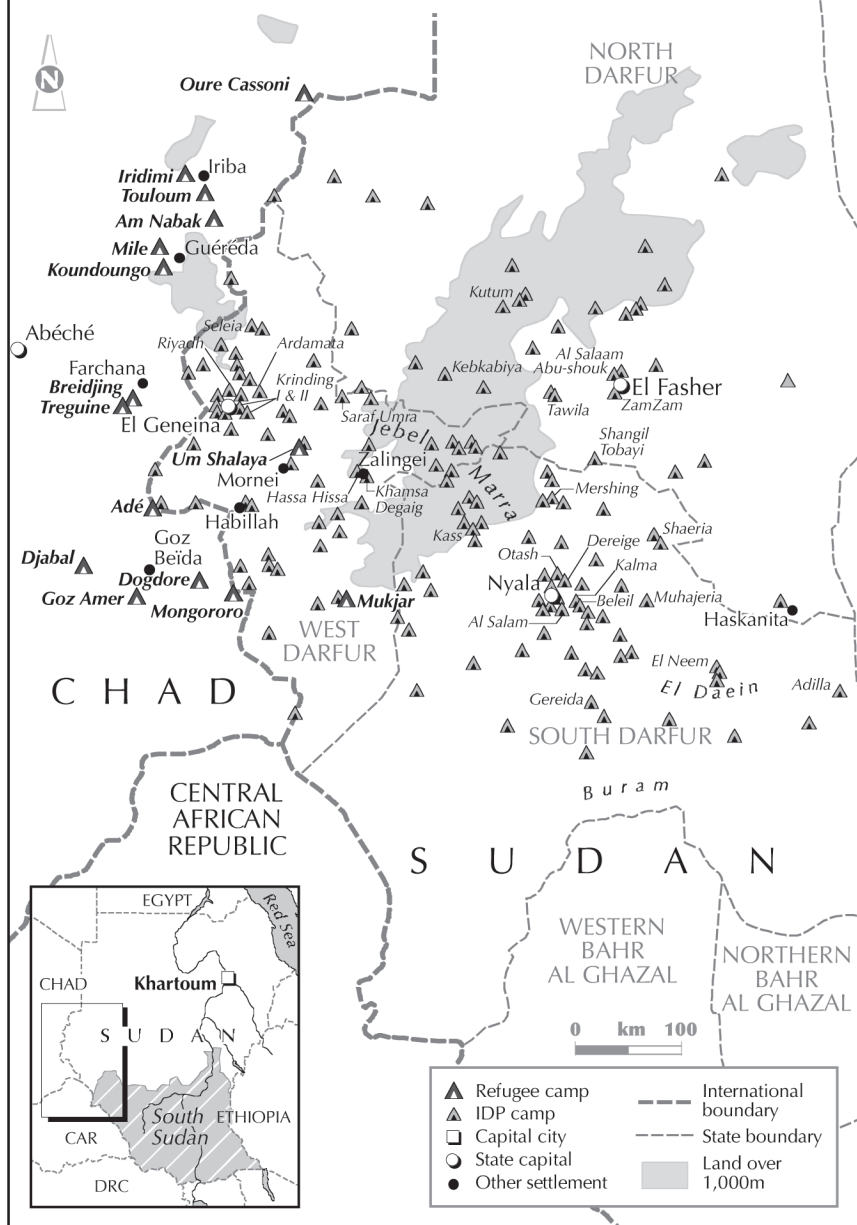
Tensions in internally displaced person (IDP) and refugee camps in Darfur and on the Chadian border have given rise, in recent years, to claims that they are ‘militarized’. To date, little effort has been made to understand the dynamics in these camps, to mitigate the negative impacts of these dynamics, or to reduce the presence of arms and armed actors. The Government of Sudan, however, has used the tensions to justify armed intervention in camps—sometimes with serious consequences for the civilian population—in support of its agenda to return or relocate IDPs. In turn, Darfur’s armed and rebel movements are manipulating the tensions in the camps and are thereby attracting international attention in order to achieve political goals.

Despite the Darfur Peace Agreement and ongoing political negotiations the Darfur conflict continues. Armed movements continue to fragment and shift allegiances; sub-conflicts between political and tribal groups are increasingly common; and the impact of years of conflict on livelihoods is reaching critical levels. Though the camps in which Darfurian civilians live are, in general, not militarized, neither are they neutral, humanitarian spaces. Instead, many have become strategic sites for political and economic activity where, perceiving themselves under threat, the population has little choice but to engage in complex allegiances and negotiations in order to achieve physical security and access to the political process.

Acronyms and abbreviations

AMIS	African Union Mission in the Sudan
AU	African Union
DCPSF	Darfur Community Peace and Stability Fund
DPA	Darfur Peace Agreement
EUFOR	European Union Force
GoS	Government of Sudan
IDP	Internally displaced person
JEM	Justice and Equality Movement
JEM/PW	JEM/Peace Wing
NGO	Non-governmental organization
NRF	National Redemption Front
MINURCAT	UN Mission in the Central African Republic and Chad
OHCHR	Office of the High Commissioner for Human Rights
SLM/A	Sudan Liberation Movement/Army
SLA/AG	SLA/Abu Gassim
SLA/AW	SLA/Abdul Wahid
SLA/MM	SLA/Minni Minnawi
UNAMID	UN–AU Mission in Darfur
UNHCR	UN High Commissioner for Refugees
UNMIS	UN Mission in Sudan
UNMIS HR	UNMIS Human Rights
UNMIS POC	UNMIS Protection of Civilians
UN OCHA	UN Office for the Coordination of Humanitarian Affairs

Map **Refugee and IDP camps in Darfur and eastern Chad**



I. Introduction and key findings

In recent years, the presence of arms in refugee and internally displaced person (IDP) camps in the Darfur region has led observers to describe them as militarized.¹ Though the term is evocative, it is imprecise and does not adequately describe the complex situations in which many displaced Darfurians are living. The militarization label has consequences that extend beyond semantics: it potentially compromises the safety of civilians inside the camps by exposing them to raids, while simultaneously diverting attention from other serious and complex dynamics.

There are currently around 2.5 million IDPs in Darfur, with an additional 230,000 Darfurian refugees across the border in Chad. At the end of 2007 there were an estimated 81 IDP gatherings in Darfur, 21 of which were organized camps (UN Human Rights Council, 2007). Only about one-third of IDPs live in large, highly visible camps, while others live in smaller camps and gatherings that share land, resources, and vulnerabilities with nearby villages. A substantial number live in towns and villages among the local population. These patterns are similar for refugees residing across the border in Chad, a large number of whom live in 12 organized camps, while others remain settled in or around villages closer to the border.

The situation in Darfur and the surrounding region has deteriorated in recent years, particularly since the signing of the Darfur Peace Agreement (DPA) in May 2006. This broad-ranging agreement aimed to create the basis for a durable peace and established mechanisms for addressing the underlying causes of the conflict, including power and wealth sharing provisions. The DPA was highly controversial, however, and at the time of the conference, was signed by only one of three participating rebel groups, the Sudan Liberation Army/Minni Minnawi (SLA/MM). Though other groups later signed a 'Declaration of Commitment' to the agreement,² the SLA/Abdul Wahid (SLA/AW), a particularly influential actor, has refused to engage in subsequent negotiations. There is significant popular support for Abdul Wahid, and it is widely felt that

unless he can be brought into negotiations, there will be no progress towards peace in Darfur.³ As a result, aerial and ground attacks have continued, inter-tribal conflicts have led to further violence and displacement, and there has been an increasing fragmentation of rebel groups. This has been paralleled by a rise in criminality and banditry, making security and livelihoods ever more precarious. All of this is compounded by the cumulative effect of five years of conflict, which has eroded both the coping mechanisms of Darfur's civilians and their capacity to hope.

The consequence is that Darfurians, including IDPs and refugees, live in a constantly changing political and security environment. Although some have found relative physical security in camps under the eye of the international community, most civilians still live in the heart of the conflict and even, depending on their location, on the battlefield.

There are two main factors that determine civilian security in the context of violent conflict: first, the actions and motives of the parties involved in the conflict; and second, the steps that civilians take to protect themselves from its direct and indirect consequences (Pantuliano and O'Callaghan, 2006, p. 12). The current dynamics in Darfur's IDP camps and gatherings clearly illustrate these two points. The different contexts of the camps create different motivations for militaristic groups, varying degrees of receptivity on the part of the civilian population, and diverse types of armed activity. Four contexts will be analysed in the following pages, which, though not exhaustive, are indicative of the general situation: large, self-contained camps in government-controlled areas; camps and gatherings in areas under the control of armed movements; camps and gatherings in rural areas; and camps and gatherings in the Chad-Sudan border area.

In examining the situation in Darfur's camps, however, it is equally important to understand the actions and motives of international actors. The international community's efforts at peace building, protection, and assistance have significantly changed the course of the conflict and raised the stakes for all actors. This carries with it two critical implications.

First, the actions of all local actors—political, military, and civilian—are coloured by their expectations of, or reactions to, international actors. Indeed, as will be discussed below, a significant amount of the current volatility of Darfur

can be directly attributed to groups vying for position and prominence in the eyes of the international community.

Second, the emphasis of the international community on military responses to the Darfur conflict has exacerbated militarization in the region. Political consultation has given priority to military rather than civilian leaders, and support has focused primarily on physical protection. The volatility of Darfur's camps is largely due to poor coordination, management, and monitoring, and slow and inappropriate responses to tensions. This dynamic plays out not only in the camps but throughout Darfur. Given the size of the region, it is impossible for any international force, regardless of its size, to provide effective physical security. Nonetheless, the international community has invested its political will in peacekeeping, neglecting political processes and interventions.

It is argued here that few of Darfur's camps are actually militarized, though they are unquestionably the staging ground for activities by armed factions. Both the military and economic activities of these factions clearly exacerbate the volatile environment in the camps, but, in general, they are limited in scope. Instead, the key motivator for their actions is political, which consequently requires a primarily political response.

A note about methodology is useful here. There is a plethora of information about Darfur, from human rights reports to humanitarian overviews to political analyses. This paper draws on a wide range of these sources. The author also conducted numerous interviews with Darfurians and with staff of national and international organizations working in Darfur, and consulted security and incident reports. Every effort has been made to obtain clear, concrete information on the situation in Darfur's camps, but this remains a challenging task. The vast majority of reported incidents and weapons sightings are attributed to 'unknown armed men' (KPSG, 2008)—either because the identity of those involved is unclear, or because witnesses are protecting themselves. Sometimes attackers are identified as '*janjawid*', a term that is evocative but imprecise (see Box 1). It can also be difficult to determine whether violence-related injuries are the result of inter-group conflict, criminality, inter-personal conflict, or accidents.⁴ Meanwhile, human rights and protection monitors and aid organizations are frequently unable to enter areas due to widespread insecurity and to efforts by the government or armed groups to deny them access.⁵

Box 1 **The *janjawid*—a problem of identification**

The term *janjawid* means, literally, ‘devil-horsemen’ (*jinn-jawad*) in Arabic (Tubiana, 2007, p. 71). Now known worldwide for their role in the atrocities in Darfur, the *janjawid* have a long and complex history.⁶ For international actors the term is understood to refer to ‘government supported and/or controlled militias’, a definition that was formalized in the Report of the International Commission of Inquiry on Darfur in 2005, which ‘established that the Government of the Sudan and the Janjaweed are responsible for serious violations of international human rights and humanitarian law amounting to crimes under international law’ (International Commission of Inquiry on Darfur, 2005, p. 3). The disarmament of the *janjawid* is one of the key provisions in the Darfur Peace Agreement, and their continued activity throughout Darfur has been cited as a major concern by human rights monitors.

For many conflict-affected and displaced Darfurians, however, the term *janjawid* has come to refer to anyone who is Arab, particularly if they are bearing arms, legally or illegally. A livelihoods study found that the term *janjawid* was used by the civilian population to describe five different types of groups:

- Arab militias from elsewhere who burn, rape, attack, and loot;
- Arabs who control the countryside surrounding towns or camps held by the Government of Sudan (GoS), and who restrict movement by attack and rape, or demand ad hoc protection fees if movement does take place;
- local Arabs (from within the community) or settled Arabs who take protection money from others within the community on a regular basis;
- Arab militia who accompany road convoys and demand payment for protection;
- non-Arab armed groups (in particular Tama and Gimir) mobilized by the GoS (Buchanan-Smith and Jaspars, 2006, p. 35).

Not all *janjawid* are Arab and likewise not all Arabs are *janjawid*. Arab nomads in particular have complained that they have come under attack under the assumption that they are *janjawid* (IRIN, 2005). Other Arab groups may have attacked or come into conflict with residents or IDPs without any government association. To complicate matters further, there are also reports of *janjawid* defecting to join rebel groups.

It is clear that the government continues to support armed militias, including those who carry out attacks on civilians. However, the difference in terminology used by international actors and those whose testimonies are taken on the ground risks confusing this phenomenon with other conflict dynamics. This creates a serious risk of interpreting such attacks incorrectly and thus failing to address them appropriately and to hold the perpetrators accountable for their actions.

This paper finds that the different contexts of Darfur’s IDP and refugee gatherings determine the extent and nature of militaristic activity within them:

- *Darfur’s largest IDP camps*, primarily in the relatively stable, government-controlled areas, are highly politicized but do not appear to be militarized. The activities of actors associated with government and armed factions in these camps seem aimed at political rather than military objectives. Inter-tribal conflict, however, is a serious concern, and self-defence strategies may be the greatest risk factor for militarization.
- *Camps in areas controlled by armed factions* are the most consistently militarized, with little or no distinction between military and civilian space. The nature of the relationship between the faction and the civilian population dictates whether the control is coercive or voluntary.
- *Camps along the Chad–Sudan border* are the most susceptible to use for military objectives, with the gatherings closest to the border serving as rear bases for cross-border incursions and recruitment.
- *IDPs in rural areas* are the most vulnerable to both random and targeted violence, far from the eye of the international community. They are preyed upon, along with the resident population, by a range of actors including armed factions, the Government of Sudan (GoS) military, and militias. In these areas there is a high risk of militarization for self-defence purposes.

Other findings of this paper include the following:

- In all contexts IDPs and refugees are routinely exposed to extortion, violence, and recruitment by a variety of armed actors, leading to an overall increase in armed self-defence.
- The sense of vulnerability on the part of Darfur’s IDPs is responsible for a relatively permissive attitude towards armed activity in the camps. This perception of vulnerability is strongest in camps in government-controlled areas.
- The international community has failed to provide adequate protection in Darfur’s IDP camps and gatherings. The focus on immediate physical protection and monitoring has left a gap in the development of strategies for prevention and for the follow-up of protection issues. The notion of ‘pro-

tection by presence', a core part of the UN protection strategy, has a limited, but inadequate, effect. There are not enough protection officers with a clear mandate currently on the ground, and there is too much reliance on non-governmental organizations (NGOs) to carry the burden of protection. 📄

II. Militarization and Darfur's camps

The term 'militarization' is used in a variety of ways. It is used as a legal concept, or to describe a security concern, humanitarian issue, or political objective. At times, the mere presence of arms can be enough to trigger an allegation of militarization in refugee or IDP camps. However, as this report will argue, labelling camps 'militarized' for no other reason than that arms are found there, or that tensions exist in them, can be counterproductive and even harmful, producing reactions that potentially put camp residents at risk. For this reason, it is important to clarify what militarization actually entails, and then examine whether Darfur's camps fulfil the criteria.

The prohibition against militarization of camps is rooted in international law, which stipulates the right of civilians to claim and be granted asylum, and their right not to be expelled or returned home ('refouled'). International humanitarian law provides regulations for the protection of civilians, including the establishment of neutralized zones to shelter them from the effects of war. It also establishes the principle of distinction requiring a clear differentiation between civilian and military targets, and between civilians and combatants.⁷ The Guiding Principles on Internal Displacement⁸ outline the rights and protection to which IDPs are entitled. These entitlements, however, can be difficult to enforce when displaced people remain within their own national borders and under the protection of their own governments. This is particularly relevant in Darfur, where the vast majority of IDPs in camps in government-controlled areas are not supporters of the DPA, and therefore consider themselves in conflict with the very authority responsible for their protection.

Militarization is not, then, merely a descriptive term but also a legal one. This is an important distinction as a camp that is militarized may be seen to have sacrificed some of its legal protection, just as a civilian who takes up arms may effectively change his or her status under international law.

Darfur's camps and gatherings are affected by a complex set of dynamics. Many are highly politicized. Most are used to some extent by criminals and

bandits, and by a range of armed factions. Many camps suffer from serious problems of law and order. They are often situated in areas where local groups may be antagonistic to the camp residents while also maintaining complex economic relationships with them. Many camps are surrounded by predatory or hostile groups driven by various motives, from reducing the competition for resources, to extortion, to politically motivated violence. Many of these actors may be carrying arms, legally or illegally. There is clearly a significant presence of small arms in and around many of Darfur's camps, but the presence of weapons alone does not mean that a camp is militarized. Members of armed movements may engage in militaristic activities without arms, while, conversely, a criminal who has a weapon is not necessarily a combatant.⁹ Although support for a rebel movement is considered an important factor in the militarization of camps and may carry sanctions, refugees and IDPs who voluntarily provide food or shelter should not be considered combatants.¹⁰

These distinctions are critical not only in terms of international law but also in helping to guide responses to the increased presence of arms in camps. So far, a lack of coherent analysis of camp dynamics has meant that measures taken to address militarization have often been inappropriate or inadequate. The failure of the international community in Darfur to identify effectively the various armed actors in the camps and the motives for their actions—whether military, political, or economic—has resulted in a failure to address escalating tensions and to take effective preventive action.

Studies of militarization in refugee crises have found that some primary motivations for militarization include:

- use of the camps as bases for armed attack, usually across borders;
- recruitment of soldiers from among refugee and IDP populations;
- use of the camps as a source of revenue, through diversion of aid or taxation of civilians;
- rest and recuperation of soldiers and their family members;
- trafficking of small arms; and
- increasing legitimacy of armed groups through political manipulation.

The particular context of a camp may determine how and in what way it may be useful to armed actors. The largest of Darfur's IDP camps, for example,

situated in the heart of government-controlled territory and mostly at a significant distance from international borders, are of little use either for staging attacks or for trafficking weapons. While the diversion of assistance is more likely, there is no evidence that this is taking place on a large scale. Instead, the primary use of these sites appears to be political, allowing armed factions to show the strength of political support they receive from IDPs. By contrast, camps along the Chadian border are ideal for rest and recuperation of armed groups, for trafficking weapons, and as potential bases for attacks. There is also evidence that vehicles hijacked from aid organizations working in the camps have found their way into Chad, where they are resold to finance armed factions.

In Darfur, then, the main indicators of militarization in camps include:

- presence, including size and continuity, of armed factions in camps and gatherings;
- recruitment of IDPs and refugees to armed movements;
- taxation and parallel structures (for example, courts) set up by armed factions;
- use of camps as bases for training and/or attacks; and
- diversion of aid relief.

These factors will be examined in the following sections as potential indicators of militarization in refugee camps and IDP gatherings. 📄

III. Background to the conflict in Darfur

Darfur's system of governance has long been structured along tribal lines. In the immediate pre-colonial period the political power of the Fur Sultanate was rooted in the interplay of tribal and leadership dynamics and, through these, the allocation, use, and management of land.¹¹ When the British subdued the Fur Sultanate and brought it under the governance of Khartoum, they installed a system of indirect rule through the Native Administration system. Native Administration gave tribal leaders responsibility for security, taxation, administration, the tribal and subtribal court systems, and allocation of land, including the mediation of disputes over land tenure and use. Predictably, instituting the system involved shifts in power at the local and tribal level, which undermined the historical dominance of the Fur and increased the importance of other tribes and their leaders. This was the first in a sequence of external interventions that caused rifts in Darfur's delicate tribal balance.

The Native Administration system was retained when Sudan achieved independence. For many, however, the system was reminiscent of colonial rule and therefore resented. Subsequent changes to local government have resulted in an uneasy relationship between the Native Administrators and more recent political appointees, and in the further division of territory, including the division of Darfur into three different states. This measure remains highly contentious as it again decreased the authority of groups such as the Fur who, while remaining a majority in Darfur overall, have less prominence in each state and therefore diminished political importance. Further subdivisions of territory have continued to shift the balance of power among tribal groups, sometimes leading to devastating conflict.

The most critical element of Darfur's system of governance has always been the inseparable link between leadership and land. Under the traditional land tenure system, land was allocated in *dars* (meaning 'land' or 'home'), which contained diverse tribal groups but were effectively under the control of the dominant tribe. Allocation of *dars* tended to favour sedentary, so-called 'African'

groups, though a number of Arab tribes also received them, notably the Rezeigat, Habbaniya, Beni Halba, and Taisha. Those without *dars* were mostly Arabs from North and West Darfur. As pastoralists, they had customary migratory routes across various *dars*, and settlement areas or small temporary villages known as *damrat*.

Environmental degradation—including serious drought in the 1980s—underdevelopment, migration, and changes in the balance of power led to local conflicts that have progressively worsened. Over the course of time, desertification resulted both in sedentary tribes extending their areas of cultivation and pastoralists encroaching further onto the same areas. Some pastoralists also began to change their livelihood strategies, which created a growing demand for land for settlement. The situation was exacerbated by increasing militarization in Darfur as Chadian rebels began using the region as a rear base.

These local conflicts over resources eventually culminated in violent land seizures by pastoralists, who, accompanied by Chadian migrants, formed a significant component of the *janjawid*, backed by Khartoum. The spreading of this violence and the rise of Darfur's rebel groups has helped to create the current crisis in Darfur.

The internationalization of Darfur's conflict

Today, the armed actors in Darfur perform under a powerful spotlight. In principle, this should have a positive impact on the behaviour of both state and non-state actors, but, despite the unprecedented international attention on human rights and the protection of civilians, violations continue. Since the beginning of the crisis the international community has prioritized responding to human rights violations and crimes against humanity. The International Criminal Court has handed down indictments, expert groups have convened on human rights and weapons monitoring, and large numbers of international actors have worked on the ground to try to create a safe climate for Darfur's civilians. While the documentation of violations may eventually prove valuable to Darfurians (for example, by providing the basis for criminal proceedings), the emphasis on human rights monitoring has not been accompanied by the development of immediate, effective strategies to prevent such violations.

International organizations began to arrive in large numbers in Darfur in 2004. By the end of the year there were approximately 8,500 humanitarian workers on the ground (UN OCHA, 2004, p. 3). The African Union Mission in the Sudan (AMIS) was initially deployed under the Humanitarian Ceasefire Agreement of April 2004, but with a very limited mandate. Having only a small number of troops, it was restricted to monitoring compliance with the agreement, prohibited from intervening between parties, and allowed only to fire in self-defence if directly threatened. Later the same year the number of personnel increased to more than 3,000, but the mandate stayed largely the same. AMIS remained more or less at this strength until the DPA was signed in May 2006; the number of its troops later rose to 7,000 (AMIS, n.d.; International Crisis Group, 2005). At the same time, under the auspices of UN Security Council Resolution 1590, the UN Mission in Sudan (UNMIS) deployed human rights monitors to Darfur and created a Protection of Civilians (POC) unit, which took over the lead on protection from the UN Office for the Coordination of Humanitarian Affairs (OCHA) in late 2005.

In 2006, particularly after the signing of the DPA, the roles of various protection actors became more complicated. The shift in responsibilities from OCHA to UNMIS POC led to inconsistency and a break in relations between humanitarian actors and UN protection personnel (Pantuliano and O'Callaghan, 2006, p. 24). Meanwhile, AMIS's involvement with the DPA made its troops suspect in the eyes of many IDPs, including those who supported the non-signatory SLA/AW. Moreover, AMIS's collaboration with government security forces in providing physical security increased the general sense of distrust among civilians (International Crisis Group, 2005, p. 6).

In addition, a significant number of governments have been deeply involved in different aspects of the Darfur crisis. By May 2007 it was reported that the governments of Eritrea, Libya, South Africa, and South Sudan, as well as the UN–African Union (AU) joint mediation effort, had all embarked on 'concurrent and, in some cases, competing initiatives' to help create peace in Darfur (UNSC, 2007c, para. 16). In terms of peacekeeping, the region is now flooded with different forces, including the UN–AU Mission in Darfur (UNAMID), UNMIS in South Sudan, the UN Mission in the Central African Republic and Chad (MINURCAT), and the European Union Force (EUFOR) in Chad.

On the ground, the impact of political processes and new deployments is felt through the shifting level of insecurity, which tends to worsen in the lead-up to major peace talks as different actors jockey for position. The fragmentation of armed factions since the DPA is due not only to political differences but also, and perhaps primarily, to competition for gaining a place at the negotiating table. However, this fragmentation is now so pronounced that it is difficult for the international community even to identify interlocutors for talks.

Although aiming at peace, the actual impact of many of the international community's actions has been to valorize and reinforce the use of force. Much effort has been spent on encouraging Darfur's rebels to transform themselves from field commanders into political leaders, which has led to a heavy focus on armed actors and too little attention on civil society. Those with an interest in gaining power respond by collecting weapons, vehicles, and soldiers—often at the expense of humanitarian organizations—to ensure that they are taken seriously. Under the auspices of the DPA, mechanisms were put in place to address critical political issues, but they have been too slow to mobilize. In the preparatory process for one of these mechanisms, the Darfur–Darfur Dialogue and Consultation, civilian actors (including IDPs) have complained that their voices are not being heard. The government, for its part, has been adept at keeping the international community focused on trying to gain access for peacekeeping troops in order to avoid more meaningful political engagement. In short, as one analyst has put it, '[e]ffective peace support is nine parts political work and community relations to one part force or the threat of force, but the Darfur debate has focused on force alone and not the politics of stability' (de Waal, 2007b, p. 5). 📄

IV. Risk factors for militarization

The dynamics and events described above have produced a number of inter-related factors that increase the risk of camp militarization. Primary among these is the use of camps as part of the political agendas of both the government and armed movements. Such use necessarily includes manipulation of IDPs' anxieties around issues such as voluntary return, land ownership, and leadership, as well as physical manipulation through coercion and control. The availability of small arms also creates another major risk factor for the militarization of the camps.

Politicization and militarization

The primacy of military over civilian actors in the political process means that those who want their political voices heard have a much better chance of doing so if they work through an armed faction. For their part, armed factions have a better chance of gaining credibility if they can be seen to have power and control among Darfur's most visible constituency: the IDPs. The result, inevitably, is that rebel factions seek to use the most prominent of Darfur's camps as a platform for political power, and IDPs are receptive to this use. The SLA/AW has been the most savvy of the factions in using the camps in this way, as national and international reports on political demonstrations inside them attest (see Box 2). Evidence of its sophisticated media strategy in the largest of the camps has appeared in many news reports citing an 'official spokesperson of refugees and displaced people in Darfur', whose statements clearly linked him to the SLA/AW (Reuters, 2007b; *Sudan Tribune*, 2007b; *Sudan Tribune*, 2008a).

While demonstrations and press releases are one facet of the political inter-play in Darfur's camps, a great deal also goes on behind the scenes. Factions appear to use the largest camps to demonstrate to both the government and the international community that they can penetrate to the very core of government-

Table 1 Mediated political demonstrations in IDP and refugee camps

Demonstration	When	Camp	Faction cited	Source
Protests against census	April 2008	Reportedly in 20 IDP camps (Darfur) and 11 refugee camps (Chad)	SLA/AW (JEM quoted in follow-up)	BBC Monitoring, 2008/ <i>Sudan Tribune</i> , 2008d
Protests against delay of peace-keepers' deployment	February 2008	IDP camps (unspecified)	No faction cited	<i>Sudan Tribune</i> , 2008a
Protest against Chinese peace-keeping troops	November 2007	Abu Shouk, Al Salam, Kalma	JEM	<i>Sudan Tribune</i> , 2007c
Demonstrations in support of/protests against visit of UN secretary-general	September 2007	El Fasher	SLA/AW GoS ¹²	AP, 2007b
Condemnation of Arusha talks	August 2007	Kalma, Otash (South Darfur), and other camps in North Darfur (reportedly involving 22,000 IDPs)	SLA/AW	<i>Sudan Tribune</i> , 2007b
Protest against the DPA	May 2006	Tawila, Abu Shouk (North Darfur); Kalma, Kass, Otash (South Darfur); Hassa Hissa, Khamsa Degaig, Hamadiya (Zalingei area)	SLA/AW	OHCHR, 2006c

held territory. For the government, the camps are more of an embarrassment—as the IDPs openly display their support for the opposition—than a real security threat, as indicated during the 2007 visit of the UN secretary-general to El Fasher, when the government organized its own protest to counter that of the pro-SLA/AW IDPs. Meanwhile, IDPs complain that the government is manipulating camp leaders to push its agenda in the camps, citing in particular the issue of forced return.

Politicization can be a risk factor for militarization, but it is not a definitive indicator. The tendency on the part of international actors to assume that politicization necessarily leads to militarization can lead to a stifling of political expression or to pressure to 'depoliticize' (Mogire, 2006). The perhaps inadvertent result can be that refugees and IDPs, in seeking refuge, cede their right to a political voice—a result that is not only contrary to the humanitarian principle of impartiality, but also to legal rights enshrined in the Refugee Convention, the Guiding Principles on Internal Displacement, and a number of international human rights conventions (McGuinness, 2003, p. 160). While it is important to ensure that the political expression of a single group does not impinge on the rights of others to hold and express their own views, the principle that camps are neutral spaces does not require that they be strictly apolitical. Indeed, the failure to allow for the peaceful expression of political beliefs may actually encourage violence, as it becomes the only means for the displaced to make themselves heard. Lack of access to the political process has been a concern regularly expressed by IDPs in Darfur.

Forced return and land occupation

Despite provisions reaffirming the traditional land tenure system and the establishing of a land commission, the issue of land and its management remains highly contentious. Concerns among IDPs have consequently largely coalesced around two connected issues: voluntary return and land occupation.

Reports of forced or coerced return have been ongoing in all three Darfur states since 2004 (IRIN, 2004; Refugees International, 2004). During his visit to Darfur in July 2007, President Bashir urged state governors to push forward on return and spoke publicly about the need to empty the camps (International Crisis Group, 2007, p. 7; Reuters, 2007a). The Sudanese general commissioner of humanitarian aid subsequently reported that 45 per cent of Darfur's displaced had returned to their homes, citing figures of roughly 80,000 in each Darfur state (*Sudan Tribune*, 2007a). In early 2008, the government reported that 359,000 IDPs had returned home the previous year (*Sudan Tribune*, 2008c; UN Human Rights Council, 2007, p. 39). The UN's figures for 2007, however, showed no significant return movement and the UN Group of Experts appointed by the

Human Rights Council noted that, '... without taking position on the nature and sustainability of reported returns of displaced persons. . . more than 267,000 persons had been displaced since the beginning of 2007' (UN Human Rights Council, 2007, para. 19). Also in early 2008, and again coinciding with government claims of substantial return, forced relocation reportedly took place in Kalma and Otash camps and in Kass in South Darfur (*Sudan Tribune*, 2008b).

The possibility of being entirely dispossessed through forcible relocation is quite real for Darfur's civilians. Where IDPs have been removed from camps by force, they have often ended up simply disappearing from official records. In Saraf Umra in West Darfur, for example, IDPs were called to a meeting in December 2006 and informed that their IDP status had ceased; if they did not return home, they would have to settle as residents. When they did return to their homes they found that they had been bulldozed. Approximately 18,000 of them consequently arrived in the Zalingei camps, where they remain unregistered more than a year later.¹³ More recently, IDPs who fled Kalma camp during a government raid in October 2007 were prevented by police from returning to the camp in the following days. These Kalma IDPs—more than 10,000 altogether—were also prevented from settling in other camps, and a significant number were bussed out of Nyala from Otash camp later in the month. Information provided by the government to UNMIS and the International Organization for Migration protection staff regarding their whereabouts has been scant and misleading, making follow-up impossible. The location of many of these IDPs remains unknown. Other Kalma IDPs were 'resettled' in the Nyala area, but it remains unclear what legal rights they may have ceded in accepting the resettlement package.¹⁴

IDPs and the international community have also raised concerns about land occupation, in particular the practice of foreign Arabs settling land previously occupied by those displaced to the camps (Human Rights Watch, 2007; Reuters, 2007c; USIP, 2008, p. 10). Widespread opposition to the census—held in April 2008 in line with the Comprehensive Peace Agreement of 2005—also drew attention to this issue. IDPs feared that a census held while so many of them were still displaced would result in the dispossession of their land. One IDP has been quoted as demanding that the government remove people who had recently arrived in Darfur and who were being 'legitimized' by the state

as Sudanese nationals, allowing them to take over the land of those who had been displaced (*Sudan Tribune*, 2008e).

Land occupation and return issues have proven to be major destabilizing factors in the camps on numerous occasions. There is a risk that, if such forced relocation continues, IDPs will start to arm themselves strategically to prevent their removal. Moreover, the lack of a clear international response to the issue of land occupation creates a strong incentive for IDPs and refugees to look to armed movements for support. Finally, the reallocation of land also risks exacerbating inter-tribal tension.

Leadership and inter-tribal tension

Inter-tribal tension is a key factor in most camps and gatherings, but it is felt most strongly in the largest camps where the population tends to be more heterogeneous. In some camps the tension has continued to simmer during a protracted displacement, whereas in others it has come in waves as a result of successive displacements pitting older residents against new arrivals, often from different tribes.

Local leadership in Darfur, already eroded, is now in deep crisis. In the process of displacement many leaders have been separated from those they are meant to represent. In many areas they are losing relevance, either because they are absent or because of the general dissatisfaction of the population.¹⁵ In their place have arisen 'camp sheikhs', as they have come to be known, who are elected from within the IDP population. There are several key differences between the role of the traditional authorities and this camp leadership.

While traditional leaders are normally representatives of the dominant tribe, they have had responsibility for managing security and mediating disputes between all members of the population in the area under their responsibility, regardless of tribal origin. By contrast, camp sheikhs tend to preside over sectors of the displaced population that are more or less homogenous in terms of tribal composition. As a result, when inter-tribal conflict arises, these leaders are less likely to be viewed as impartial arbiters. This situation has arisen mainly because camp sheikhs, unlike the traditional leadership, derive their authority from election, often premised on their capacity to attain goods and

services for their constituency. While the sheikhs have been critical interlocutors with the international community, particularly humanitarian actors, they also tend to be highly politicized and are often responsible for manipulating camp resources, such as food and water (Pantuliano and O'Callaghan, 2006, p. 19). It is unclear what will happen to leadership structures when IDPs do start to return or resettle, but the prevailing assumption is that some variation on the traditional leadership system will resume. If this is the case, camp sheikhs will lose the considerable status they have attained in the sites of displacement. This may make them more susceptible to manipulation and political manoeuvring.

The role of youth¹⁶ is also important in the dynamics of Darfur's camps and gatherings. There is a dearth of opportunities for young people in most camps, either educational or occupational, especially in rural areas.¹⁷ Although most of the larger camps have youth committees or groups, the extent to which their voices are heard within camp power structures varies (UNMIS, 2007a). Consequently, they are mainly mobilized for security and community patrolling, either by camp leaders or by armed movements (KPSG, 2008).¹⁸ On the whole, it is rare to see youth armed with anything more than sticks, but in some camps many apparently have or can gain access to small arms. Mobilized youth are increasingly flexing their muscles, particularly to challenge leadership structures, and there is concern in some places that the camp leadership is losing control of them.¹⁹

Violence as a means of control

Personal safety is the primary security concern cited by most IDPs, both within the camps and during the voluntary return to their homes. Violent attacks targeting IDPs around camps, particularly when they are collecting firewood or walking to tend their crops, are well documented, and human rights groups have criticized the government for its failure to prevent them (UN Human Rights Council, 2007, para. 19). Women are most at risk, and sexual violence against them is common. Such assaults are often attributed to 'unknown armed men' or '*janjawid*', though sometimes the assailants can be identified more specifically.

It is difficult to quantify the number of attacks taking place, especially those involving sexual violence. This is partly because of chronic underreporting of

rape, and partly because there has been a concerted campaign on the part of the government to reduce the reporting of sexual violence in Darfur. It was in conjunction with such reporting that Médecins Sans Frontières staff were arrested in 2005. Other NGOs, notably the International Rescue Committee and the Norwegian Refugee Council, have been harassed by the government for similar reasons. Writing on this subject in 2005, Human Rights Watch reported that, 'more than twenty aid workers have been arbitrarily arrested, detained or threatened with arrest in the past six months. . . .' (Human Rights Watch, 2005).

In general, attackers aim to control the movement of the camp population through intimidation. In many areas, limiting competition for resources is a motivation. The perpetrators include GoS military, paramilitary groups, or militias, and occasionally, in the case of sexual assault, civilians (Feinstein International Center, 2007, p. 13; Human Rights Watch, 2008b, pp. 12–14). There has been little organized response to these attacks, which has created considerable anger and fear among IDP populations in both the camps and rural gatherings.

Many of the beatings and rapes that take place around camps are strategic, but the general breakdown in law and order has also led to an increase in opportunistic assaults, in which individuals or small groups of men commit acts of sexual violence, safe in the knowledge that there will be no repercussions. The lack of any security response feeds the likelihood of self-defence groups forming. Indeed, in some camps and settlements, self-defence groups or patrols already exist.

Proliferation of small arms

Small arms were flowing into Darfur well before the eruption of the conflict in 2003. In addition to those carried legally and for self-protection, weapons were in the hands of Chadian rebels based in Darfur and of Darfurians who had fought in South Sudan, among others.²⁰ Despite the embargo imposed by the UN Security Council in 2004, and its extension in 2005, arms continue to arrive in Darfur. Early on in the conflict, regional support networks supplied rebel movements to a limited degree with weapons, which were supplemented by arms from Eritrea and the Sudan People's Liberation Army, and from local supporters. The GoS was responsible for providing the largest quantity of weapons,

both to the military and to aligned militias but also, inadvertently, to the rebels, who acquired them either through attacks or through markets (Flint, 2007, p. 147).

Despite the embargo, it is widely believed that the government continues to ship significant arms supplies into Darfur, and although the disarmament of the *janjawid* was a critical provision of the DPA, there is evidence of ongoing government support to armed militias. Weapons from a variety of other sources are still finding their way into the hands of both Darfur rebels and government-aligned groups, with suppliers traced back to China, Israel, and Russia among other countries (Human Rights First, 2008; UNSC, 2007c, paras. 77, 78). The Chadian regime and/or elements associated with its security services have been identified as providing weapons to the Justice and Equality Movement (JEM) and the National Redemption Front (NRF) (Tubiana, 2008, p. 40). Meanwhile, customs authorities have seized weapons entering Darfur from Egypt and Eritrea (UNSC, 2007c, para. 129). Arms have also reportedly found their way to Darfur from the Democratic Republic of Congo, first through the Central African Republic, then through Chad (Tubiana, 2008, p. 38). Beneficiaries included not only armed factions, tribal militias, and various government security forces but also civilian self-defence groups. On at least two occasions in 2007 South Darfur's markets were flooded with weapons following the alleged distribution of large numbers of weapons to civilians for self-defence by the SLA/MM and by local tribal leaders.

The impact of this small arms proliferation has been felt throughout the region and has severely affected humanitarian operations. Between January and September 2007, for example, aid agencies relocated staff 25 times, with five of their members killed and 11 wounded. Armed men carried out 65 attacks on humanitarian premises in the same period (UNMIS, 2007b, p. 12). The trend has continued in 2008, and in April the World Food Programme announced that it would cut rations in half because of food delivery hijackings. Although armed activity is not necessarily the norm within the camps, weapons have been observed there in the hands of both armed factions and criminal elements. There is also evidence of civilian self-defence groups using small arms.²¹ It must be noted, however, that insecurity is not restricted to the use of firearms. One serious incident from Kebkabiya in North Darfur involved 200 demonstrators armed only with sticks and stones (UN Human Rights Council, 2007, p. 32).

The feasibility of controlling the flow of small arms in Darfur is low. Among the recommendations of the Panel of Experts is that UNAMID deploy at the Chadian border to control the flow of weapons (UNSC, 2007c, para 141).²² The border is long and porous, however, and such an effort could absorb all of UNAMID's capacity. Moreover, as the Panel itself pointed out, the Mission's ability to monitor weapons will be constrained unless it can determine their source, given that 'presence of arms and related *materiel* in Darfur does not in itself constitute a violation' of UN Security Council resolutions (UNSC, 2007c, para. 65). Even if efforts to control or monitor arms were restricted to camps, it would require tremendous capacity to monitor more than 80 of them. To date there has been no serious effort on the part of the international community to monitor or source weapons in camps.

There have been no concerted attempts to disarm any of the camps in Darfur either. The government has initiated a few search and seizure operations but these have been ineffectual and unilateral, drawing criticism for lack of compliance with obligations under the DPA. For example, in December 2006, the government ordered police to collect and seize arms in Dereig camp, but they emerged with only nine weapons, even though UN monitors reported seeing people carrying arms openly in the camp the same day.²³ Moreover, human rights monitors have tied government disarmament to other agendas, including expediting the return or relocation of IDPs (Refugees International, 2007).

Meanwhile, despite its inclusion as a key provision of the DPA, the government admits that it has made no progress towards disarming the *janjawid* (UN Human Rights Council, 2007, para. 20). The Sudan Liberation Movement (SLM) has stated that, for their part, they will not disarm until there has been some sign of disarmament on the other side.²⁴

Although a large number of weapons in Darfur are in the hands of the government, militias, or armed factions, it is important to highlight that a substantial number are held by civilian self-defence groups. In the past, these groups organized primarily around territory: today, with the impact that conflict and displacement have had on local tribal and leadership dynamics, they are increasingly organized along tribal lines. Where this is the case, the easy access to small arms clearly poses a risk to the security of the civilian population. ■

V. Context assessments

Throughout Darfur, IDP camps and gatherings share a number of common characteristics. Shelters are made of straw, plastic sheeting, and other available materials, and are either randomly scattered in an area or quite organized, depending on the size and scope of the camp. Some camps contain just a few thousand people while others, such as Gereida, may have as many as 120,000. Large camps are essentially small cities, with markets, schools, community centres, and distribution points for water and food. Agricultural space is typically extremely limited, as are recreational areas for children and youth.

Darfur's large, organized camps are, for the most part, situated on the edge of urban areas. A few have checkpoints on the roads that may be used to restrict movement. Even in these camps, however, there are no fences or barriers to prevent IDPs from moving outside, or outsiders from entering, but it is rare that any such movement goes unnoticed by either residents or camp authorities. Word spreads very quickly when visitors arrive, whether they are aid workers registering new arrivals or armed men passing through.

Where checkpoints exist, the movement of visitors, including NGOs, UN agencies, and members of peacekeeping forces, is monitored and sometimes restricted. In the case of UN agencies and NGOs, the justification for such restrictions is often based on security concerns and/or the lack of appropriate paperwork. This has been a challenge for many NGOs, particularly as there are often delays in having paperwork issued. Such obstacles are a common form of harassment on the part of the government and are consistent with the difficulties that humanitarian organizations face in acquiring visas, permits, identity cards, and technical agreements issued by the authorities.

Camp residents may also find their movements restricted. Camp authorities have stopped some IDPs from leaving camps while preventing others from entering them to settle there. At times this has been necessary either because camps have reached their capacity due to space or water limitations, or because they have simply become unmanageable. In some such cases, camp authorities

have directed IDPs to other sites. In other cases, such as when more than 10,000 Kalma IDPs sought to enter other camps following a government raid in 2007, authorities have blocked them from doing so, without necessarily providing other solutions.

Government-controlled urban centres

Approximately one-third of Darfur's IDPs live in large, crowded camps in urban areas. Their numbers continue to increase as a result of new displacements caused either directly by the violence or, increasingly, by the impact of the violence on their livelihoods. A small but growing proportion of IDPs are trickling into the camps because of crop damage resulting from pests, or because their crops have been destroyed and access to their land cut off by the conflict (Young and Osman, 2006, p. 12). This kind of displacement is likely to increase throughout 2008, as the long-term impact of both the wider conflict and local coercion have led to the increasing failure of crop cultivation and harvests.

The dynamics within Darfur's largest camps are heavily influenced by inter-tribal conflict, often linked to the tensions between DPA signatory and non-signatory factions. The primary interest of armed actors in these camps appears to be political; economic motivations are a secondary consideration.

Box 3 Causes of insecurity

The security events listed here are those recorded by the UN Office for the Coordination of Humanitarian Affairs (UN OCHA) that resulted in suspension or interruption of services in IDP camps throughout Darfur over a three-month period (1 June–17 September 2007):

Distribution of aid	5
Tribal tension/issues	3
Hijackings/attacks on NGO staff/premises	4
Gunfire/sound of gunfire	3
Identified armed factions	1
Total number of events	13

An 'event' is defined as a series of interruptions occurring in a single location over a relatively brief period of time (for example, one week). OCHA keeps a running database of incidents affecting access to humanitarian assistance. This data was obtained in April 2008.

Population

The large camps are predominantly made up of African tribes, including Fur, Massaleit, Zaghawa, Dajo, Bergit, Berti, and Tama. The populations are mixed but the majority are Fur, who account for roughly 70 per cent in the Abu Shouk and Kalma camps and about 95 per cent in the Zalingei camps (UNMIS, 2007a). Camps that have grown more recently tend to be more heterogeneous, such as the two Al Salam camps in North and South Darfur. This is partly because they are overflow camps, opened when others reached or surpassed their capacity to take new arrivals.

Presence of armed factions in camps

Darfur's IDP camps are relatively open and various armed factions move freely through them. In general the IDP leadership seems to tolerate, even regulate, armed group activity, so long as it does not disturb the smooth functioning of the camp.²⁵

It is undeniable that armed groups are often present in camps, but it is less clear how consistent their presence is. In October 2007, in one of the year's more violent clashes, government forces raided Kalma camp and confronted SLA/MM fighters. While various sources attested to the presence of these soldiers, reports also indicated that the initial cause of the conflict was inter-tribal tension, with the SLA/MM arriving from outside to assist their Zaghawa supporters (UN Human Rights Council, 2007, para. 32). The presence of the SLA/MM in other camps has been raised in formal and informal meetings, and on several occasions the faction's leaders have admitted that its members' activities there have resulted from a lack of discipline. In one instance, it even enlisted the support of the government to help arrest fighters 'hiding' in a camp.²⁶ Reports from other camps indicate that the presence of armed factions is often temporary, deliberately established at particular moments as leverage in negotiations with the government.²⁷

Despite the strong level of support among IDPs for the non-signatory factions, and for the SLA/AW in particular, protection workers report that the DPA signatory and government-affiliated factions are also present and active in the large camps (KPSG, 2008). There are also indications that the government has delegated policing functions to affiliated factions such as the SLA/Abu

Gassim (SLA/AG) in Mornei camp. Such unofficial outsourcing of state policing responsibilities to armed groups raises serious concerns about accountability, command and control, and recourse to justice in the case of abuse. The government has unrestrained access to most camps, being responsible for their security and for maintaining their civilian and humanitarian character, but its neutrality is frequently questioned by IDPs and international actors, particularly in relation to disarmament initiatives (Refugees International, 2007).

Recruitment

Reports of recruitment have been common in organized IDP camps in the Nyala area, including Kalma, Dereige, and Al Salam, with the SLA/MM, the SLA/Peace Wing, and the JEM/Peace Wing cited as the armed factions involved. Other groups, including the SLA/AG, were also mentioned as having been involved in forced recruitment from Manawashi and Duma, where there are substantial IDP gatherings (KPSG, 2008; UN Human Rights Council, 2007, para. 29).

Taxation and parallel governance structures

There are few reports of taxation by armed groups within the camps, although demands for protection money are not uncommon from local armed Arabs or militias controlling access to agricultural land. The fact that forced taxation is rarely reported suggests that contributions are made voluntarily. In the Zalingei camps, for example, a financial committee was reportedly established in mid-2007 to collect contributions to the SLA/AW. Local courts were also set up, with fines being paid into the faction's logistical support fund (UNMIS, 2007a, p. 5).

There have been allegations in several Nyala-area camps that the SLA/MM has attempted to impose curfews, deny access to medical and water facilities, and demand taxation. Regarding the latter, some people who refused to pay taxes were reportedly removed from the camp to be tried in an SLA court.²⁸ There have also been allegations of illegal detention facilities in various sectors of Kalma camp (KPSG, 2008).

Diversion of aid

Diversion of some humanitarian resources is inevitable by those in a position to manipulate the system. In North Darfur, there have been accusations in Abu

Shouk and Al Salam camps that leaders have tampered with registration lists, while distributions in all three states have been interrupted or prevented by demonstrations. In general, however, this has not been attributed to the presence of armed factions so much as to the economic interests of camp leaders. Aid distribution is a common source of tension regarding unequal allocation of supplies and resource insecurity.

Criminality

Criminality is a problem in most camps but its extent varies from one location to the next. Many issues are resolved at the local level by camp sheikhs; other cases involve the police. In camps where a police presence is more limited due to tensions with the government, law and order problems can become quite severe. Kalma camp is perhaps the best example of this, having had no government police presence for nearly two years. Significant tension has arisen around criminal activity there, particularly over a well-established pattern of bandits stealing cattle or camels from Arab pastoralists in the surrounding area. On a number of occasions armed pastoralists have come to the edge of the camp to retrieve their cattle, and sheikhs have had to intervene either to locate and return the stolen animals or to arrange for compensation. Although these incidents are often cited as attacks by *janjawid*, sheikhs have acknowledged the extent of the problems caused by criminal elements from within the camps. In some cases they have had to ask the AU or UN for assistance in removing the criminals; on other occasions they have handed them over to government police in nearby Beileil. Some criminals, however, are well-embedded and efforts to remove them have led to violence.²⁹

Assaults on humanitarian and UN staff, premises, and vehicles have been increasing in camps, but there has also been a simultaneous rise in hijackings and attacks within large urban centres. Overall, in Darfur's urban areas the vast majority of incidents occur in the towns themselves rather than in the camps.³⁰

Areas controlled by armed factions

There are few areas in Darfur that are confidently held by any one armed faction. Since the signing of the DPA, the factions have increasingly fragmented,

dissolved, and re-formed, thereby undermining their strength and potential for control. Recently, in SLA/MM-controlled areas, claims to power have shifted from one group to another while the commanders on the ground have remained the same.³¹ In Jebel Marra, the stronghold of the SLA/AW, power has shifted back and forth between the SLA/AW and the SLA/AS although it appeared to stabilize at the end of 2007, with territory primarily under SLA/AW control. Despite these shifts, some areas, particularly those controlled by the SLA/MM and the SLA/AW, have remained more or less consistently under the influence of particular armed factions and are understood to be under their effective control. This section will examine in more detail the dynamics of these areas.

Overall, areas under the control of armed factions display certain commonalities, including:

- A lack of distinction between civilian and military space.
- A lack of civilian infrastructure. In principle, both the SLA/AW and the SLA/MM are responsible for governance in their areas of control, but in reality there are few civilian services provided. Those structures that are in place are completely inadequate. There is little to distinguish between the police and the military, and courts and detention facilities have been highly criticized for their inadequate training, lack of consistency, and abuses of subjects in detention (Human Rights Watch, 2008b, p. 17; UN Human Rights Council, 2007, paras. 64, 68).
- General instability and ongoing population movement. This is the case in many parts of Darfur but particularly in SLA-controlled areas. Despite the SLA/MM's status as a signatory to the DPA, it has frequently found itself under siege by GoS and GoS-aligned forces. As a result, the populations in areas under both SLA/MM and SLA/AW control are routinely displaced. Recent examples include attacks in 2007 and 2008 in North Darfur, in the area in and around Muhajeria in South Darfur, and in the Jebel Marra region, which covers parts of all three states.

Civilian self-defence groups are quite common in areas under SLA control, sometimes acting in cooperation with the factions, and sometimes at arm's length from them.

Population

The SLA/MM now draws the bulk of its support from the Zaghawa community, with a more limited following from other tribal groups. The areas under its control are far more heterogeneous, however, than those under the SLA/AW. In the Jebel Marra area where the SLA/AW has its main base, the population is predominantly Fur, which largely supports the movement.³²

Presence of armed elements

IDP camps and gatherings in areas under the control of SLA factions are not so much militarized as under military control. Factions have little capacity or motivation to distinguish between policing and military functions. Moreover, as a signatory to the DPA, the SLA/MM has a legal right to carry arms, and it does so openly both in its own areas of control and elsewhere (UN Human Rights Council, 2007, para. 88).

Recruitment

There are reports of recruitment, including of children, from all areas controlled by SLA factions. The SLA/MM is the group most consistently accused of forced recruitment, particularly in Gereida, where youth have reportedly fled the camp to avoid compulsory recruitment. There have also been allegations of abductions carried out by the SLA/AW (UNMIS, 2007a; UNSC, 2007d, p. 43).

Taxation and parallel governance structures

Coercive taxation of the IDP and resident population in Gereida by the SLA/MM has been reported, in terms of both financial and in-kind levies. There are fewer reports of taxation in SLA/AW areas, but it is a virtual certainty that this is taking place and that lack of information is due to the voluntary nature of contributions. Both SLA factions maintain courts and detention facilities, though the standards of these institutions have been highly questioned.

Diversion of aid

Although there are few reports of aid diversion on a large scale, taxation generally includes some in-kind support. In many areas, soldiers' families are likely to be receiving aid and thus, by extension, the soldiers are too. In a meeting with

the humanitarian community in South Darfur, the SLA/MM humanitarian affairs commissioner requested that food be distributed to soldiers as well as civilians in SLA/MM areas: he argued that the movement could not properly control soldiers whom it could not feed, and that this was contributing to insecurity.³³

More critical are thefts and hijackings of vehicles, which provide vital resources for armed groups, further fuelling the conflict. The SLA/MM has been implicated in a number of incidents involving NGO, UN, and AMIS staff and vehicles. But even where factions are not directly implicated in the thefts, the lack of protection for humanitarian actors against hijackings in SLA-controlled areas is indicative of either a lack of capacity or a lack of willingness to provide effective protection for humanitarian access.

Coercive and voluntary militarization

Whatever popular support the SLA/MM once enjoyed has long since faded.³⁴ The signing of the DPA created divisions and antagonisms between the signatory and non-signatory factions, and had a severe impact on the credibility of the SLA/MM as the only signatory rebel group. Its popular following has been further eroded by its current inability or unwillingness to protect those living in its areas of control, and by its track record of extortion, coercion, and violence (Fadul and Tanner, 2007; Flint, 2007). As a result, even in the areas most consistently under its command, such as Gereida, Muhajeria, Shangil Tobayi, and certain places near El Fasher, the SLA/MM does not necessarily enjoy the support of the local population. Indeed, in Gereida, the hostility of both residents and IDPs is openly expressed (UNMIS, 2007a).

By contrast, the SLA/AW enjoys much greater popular support from the local and IDP populations in its areas of control, despite the fact that these zones are clearly militarized and, as a result, a target for attack.

IDPs in rural areas

IDPs in rural areas live primarily in informal gatherings clustered next to villages rather than in camps. They have often been displaced multiple times and may have chosen to avoid urban centres for security reasons, sometimes

connected with tribal affiliation, or for personal reasons, including the desire to remain closer to their land.

The majority of these rural areas are under government control, but many nevertheless host a variety of factions and militias. As with SLA-controlled areas, there is little distinction between military and civilian space in rural areas, though civilians will often abandon their homes in order to distance themselves from government military or militia bases. In a number of places military bases have been positioned near resources, particularly water sources, often after local villages have been emptied by attacks. Where this has occurred, villagers are uncomfortable reinstalling themselves. For example, in Amakassara, a village in South Darfur that is high on the government's list for voluntary return, the military base is only separated from the village by a small road. The original residents of the town have never returned and now reside in Kalma camp, and IDPs who fled to Amakassara after their village was attacked also arrived in Kalma a few years later, citing harassment as their reason for relocating.

These rural areas are spread over large geographical regions and are generally sparsely populated. It has thus proven difficult for international actors to access them regularly or to maintain a presence there. Such areas are not necessarily of strategic interest to any of the main armed factions. As a result, authorities generally fail to provide adequate protection, and self-defence groups are not uncommon.

There are three major dynamics of conflict in the rural areas that are closely related and that all come into play at different times: predation, coercion, and control; large-scale attacks; and inter-tribal violence.

Predation, coercion, and control

Often displaced multiple times, IDPs settle in central locations with access to water and other resources including, occasionally, land. This way of life is generally very restricted, as the areas around villages are typically inhabited for much of the year by pastoralists—nomadic or semi-nomadic groups—with whom the IDPs compete for resources. There are also frequently military camps or militia groups in the vicinity that prey upon IDPs and residents alike. Sometimes this results in clashes, but in most cases the population is controlled through ongoing, intermittent violence, often sexual violence, and the payment

of protection money or fees to access land. This situation is occurring in parts of all three Darfur states, including in Kebkabiya, Saraf Umra, Kutum, and Shangil Tobayi in North Darfur, in Kass and Shaeria in South Darfur, and in large parts of rural West Darfur (Buchanan-Smith and Jaspars, 2006, pp. 32–33; Human Rights Watch, 2008b, p. 20; OHCHR, 2006a, section IV A; OHCHR, 2006b, section III).

Large-scale attacks

Periodically, factions claim presence in or control over a rural area, particularly if it is strategic. In response, government attacks are largely indiscriminate, even when the faction's dominance of the area is questionable. Factions have also been accused of failing to maintain a sufficient distinction between civilian and military space, making civilians a target of the conflict. This was the case in 2007 in the north Adilla/Haskanita areas, and in early 2008 when the JEM claimed control over areas on the border of West Darfur. The result in both cases was a series of government military offensives and rebel responses that resulted in civilian deaths, large-scale displacement, and, in the case of Adilla, the eventual overrunning of Haskanita and the AMIS contingent that was based there (UN Human Rights Council, 2007, para. 29).

Inter-tribal violence

Inter-tribal violence, particularly between Arabs, has destabilized large parts of rural Darfur. There are frequently allegations of government manipulation in fuelling such conflicts, often with the goal of securing new territory. This was the case in the 2006 Buram conflict, the 2007 Tarjem–Rezeigat Abballa conflict in the Bulbul area, and the Ma'alia attacks on villages west of Muhajeria, which culminated in the October 2007 attack on Muhajeria itself (UN Human Rights Council, 2007, para. 30).

The Chad–Sudan border

There are an estimated 230,000 refugees from Darfur living in 12 camps along the Chad–Sudan border. The camps have been growing since the first major influx in 2003, with the last significant wave of displacement from Darfur in

February and March 2008 following aerial and ground attacks in West Darfur. Insecurity in Chad has also resulted in displaced Chadians on both sides of the border.

Historically, the border has been very active, commercially and politically. The migration of Chadians to Sudan has played an important role in the Darfur conflict, not least because of the involvement of some migrants in the *janjawid* (Flint, 2007, p. 145). Sudan has also acted as an important rear base for Chadian rebels, including those who brought Chadian president Idriss Déby to power and, more recently, those who seek to oust him (Marchal, 2007).

The border has been insecure since the first influx of refugees, and cross-border attacks have affected not only displaced Darfurians in Chad but also Chadian villages.

Population

Populations are mixed in the camps on both sides of the border. The predominance of one tribe over another differs from north to south according to population distribution. Massaleit refugees, for example, have tended to flee to the Chadian areas populated predominantly by Massaleit, while the Tama have fled to Tama areas. Few Fur have gone to Chad, instead remaining internally displaced in Darfur.

Presence of armed movements

The UN High Commissioner for Refugees (UNHCR) has reported the infiltration of camps by armed groups on the Chadian side of the border, including Oure Cassoni, Treguine, Breidjing, and Goz Amer. Some groups are suspected of using the camps as rest and recuperation sites (Marchal, 2007).

Recruitment

There is evidence of recruitment in Breidjing, Djabal, Koundoungo, Mile, and Oure Cassoni camps in Chad by both Chadian and Sudanese rebels. This has included the recruitment of children (Human Rights Watch, 2008a; UNHCR, 2006; UNSC, 2007a). Recruitment has been attributed to paramilitaries, GoS-backed militias, and Sudanese armed groups backed by the Chadian government, as well as to self-defence groups operating in Adé, Dogdore, and Mongororo.

There is little documentation or information available about taxation, parallel structures, or diversion of humanitarian aid in camps along the Chad–Sudan border. However, it is clear that at least some of the humanitarian vehicles hijacked in Darfur have found their way into Chad.

Targets for attack

Camps in the border areas have been more prone to attack than those within Darfur. Amnesty International reported what were presumed to be GoS air strikes near Oure Cassoni camp in October 2006, January 2007, and March 2007 (Amnesty International, 2007, p. 17). More recently, attacks in West Darfur in early 2008 targeted Abu Sharow camp (IRIN, 2008b; UNSC, 2008). IDPs interviewed in Habila in 2006 feared increased insecurity and attacks by the Chadian army (Buchanan-Smith and Jaspars, 2006, p. 34).

As elsewhere, self-defence groups have formed in the Chad–Sudan border areas to protect resident communities and IDPs and refugees. There is concern that the MINURCAT and EUFOR mandates focus exclusively on formal camps, leading to the potential for greater insecurity and the militarization of villages and smaller refugee gatherings in areas closer to the border. 🗨️

VI. Responses to military activity in camps

The primary responsibility for protection of civilians in Darfur rests with the Government of Sudan and, on the Chadian side of the border, with the Government of Chad. Though a wide range of international actors, both civilian and military, are present on both sides, this does not in any way reduce state responsibility for the protection of civilians within its territory, including maintaining the civilian and humanitarian character of IDP camps and gatherings. Having said that, in the Darfur context, where the government is an active party to a conflict and is charged with violations against its civilian population, the role of the government can be highly problematic. Indeed, as noted above, the role of the government in both manipulating tensions in camps and actively engaging in them, often in the name of security, is a primary cause of concern. The international community has long recognized this as a particular challenge of crises of internal displacement, but few effective solutions have emerged. The analysis that follows focuses predominantly on possible solutions that the international community could foster or support.

In 1998 UNHCR proposed a ‘ladder of options’ for ensuring that the civilian and humanitarian character of camps was maintained (UNHCR, 1999). The executive committee outlined a series of responses in 1999, ranging from ‘soft’ options, primarily administrative and practical in nature, to the ‘hard’ option of international or multinational military deployment under a UN Security Council Chapter VI or Chapter VII mandate.

All levels of intervention have been employed in Darfur and on the Chad–Sudan border. However, too much has been invested in the hard option of military deployment without sufficiently strengthening or supporting civilian and humanitarian protection mechanisms. To some extent this has been unavoidable, due to the absence of partners or to the unwillingness of the GoS to cooperate or facilitate.

For example, the GoS has been resistant to allowing UNHCR to assume responsibility for protection and camp coordination in North and South Darfur

on the grounds that it has a mandate only to work with refugees. The UN has also been at fault, however, in its failure to invest adequately in protection mechanisms, both financially, in terms of human resources, and, crucially, politically. This has been particularly true of the United Nations Population Fund, tasked with addressing sexual and gender-based violence, which has been consistently weak and has a tendency to respond primarily to sexual violence from a reproductive health perspective rather than taking a more holistic and preventive approach (Pantuliano and O'Callaghan, 2006). Overall, the UN has lacked high-level representation in Darfur, and although the transition from UNMIS to UNAMID has partially remedied this in terms of human rights personnel, there is currently a crucial gap in the protection of civilians.

Soft options

In Chad, the government has made efforts to relocate refugees at a reasonable distance from the border. Camp sizes are maintained at the relatively manageable average of 20,000 people, and Chadian law enforcement authorities were brought in early on to help manage security. Some attempts were made to prevent weapons from entering the camps and to separate military from civilian elements. Given the camps' openness, however, it was likely that some armed elements would gain access.

The security situation has subsequently deteriorated in the camps in Chad, and UNHCR has raised concerns about the infiltration of rebel groups. The worsening relationship between Chad and Sudan—including supporting rebel attacks on one another's territory—has exacerbated a security situation that was already difficult, and in late 2007 hard options were engaged.

In the beginning, the situation in Chad was arguably simpler to manage than Darfur. The Chadian government has generally been more cooperative than the Sudanese about allowing the international community access. The influx of refugees was in many respects a textbook case: a conflict-affected population poured over an border, triggering a clear response from a UN-mandated organization.

The situation in Darfur, by contrast, is more complex. Access for international actors has been difficult to negotiate, and continues to be problematic. The government, responsible for the security and protection of IDPs, remains an active

party to the conflict. For its part, the international community has had difficulty defining which body should take the lead on protection of civilians and camp coordination. Effective resolution of this problem remains elusive.

In terms of employing soft options, therefore, Darfur has not been a success. The camps are packed to overflowing and continue to grow. No real attempts have been made to separate military from civilian elements. The government's role in the conflict and its relationship with IDPs has complicated efforts to involve national law enforcement authorities in disarmament. When the government has taken steps to 'demilitarize' the camps, it has triggered alarm and insecurity.³⁵

Other measures have similarly found limited success. For example, in order to minimize the risk of food being diverted to armed groups, it is usually advisable, where possible, to distribute food aid in camps directly to individuals rather than to community leaders, but in many cases this strategy has not been employed or has become impossible because of insecurity (UNHCR, 2007; UN OCHA, 2008, p. 5). Although the amount of food reaching armed groups is probably small, there is undoubtedly unequal and preferential distribution, which both exacerbates tension in the camps and increases the likelihood of criminality and manipulation among camp leadership.

Many soft options for preventing the use of camps by armed elements rely on effective camp coordination, which is largely absent in Darfur. This is partly due to a confusion of roles and responsibilities within the UN, but it is more often the result of calculated attacks on those carrying out the day-to-day work of managing and running the camps. More than in any other sector, NGOs and UN agencies involved in camp coordination functions have found themselves closely monitored and harassed by government officials, who have subjected them to bureaucratic restrictions, accusations of inappropriate activities, and sometimes expulsions. The most visible example of this treatment was the suspension on several occasions of the Norwegian Refugee Council, in charge of coordination activities in Kalma; it eventually withdrew completely from Darfur. A growing number of prominent international NGOs followed suit, leaving many camps either without any management at all or managed by organizations with limited capacity and experience. Increasingly, these are national NGOs, which are even more susceptible to government harassment.

In rural areas, little has been done to delimit areas or reinforce protection for either IDPs or resident civilians. Increasingly, civilian populations are forced into islands of relative security, outside of which there is little or no intervention. Although the government occasionally undertakes political reconciliations between groups fighting in these areas, it is often implicated on one or other side of the conflict, raising serious doubts about the sincerity of its involvement in any mediation efforts. The international community, meanwhile, has made only limited efforts to mediate disputes in rural areas.

It is important to note, however, that protection and reconciliation must be well-informed and carefully nuanced if it is to avoid putting civilians at greater risk. This is an area where more investment is required from the international community. In 2006, for example, the Office of the High Commissioner for Human Rights (OHCHR) reported that the Habbaniya Arabs had forcibly displaced African tribes from the Buram area. The report acknowledged that the Habbaniya had a prior claim to the territory, but simply recommended that conditions be created conducive to the return of the displaced population, and that they be given adequate protection (OHCHR, 2006d), without stipulating how this was to be done. There was neither any investigation into land claims nor any effort to mediate between the tribes. Had the recommendations been implemented, a large number of people would have ‘returned’ to land to which they may not have had a legitimate claim, requiring constant protection that neither the government nor the international community could provide.

Moving up the ladder—hard options

Chad–Sudan border area

The continuing deterioration of security in the border areas between Sudan, Chad, and the Central African Republic resulted in the UN Security Council authorizing the deployment of two forces in September 2007. MINURCAT, a UN force, is intended to focus on human rights and the rule of law, and on the security and protection of civilians—the latter in collaboration with the Chadian authorities, in particular through the establishment of a special Chadian police force. The deployment will consist of 300 police and 50 military liaison officers as well as logistical support for civilians (such as provision of food

and water). EUFOR, a European Union force with a robust Security Council mandate, will deploy approximately 3,700 troops to protect civilians, facilitate the delivery of humanitarian aid, and protect UN personnel, facilities, installations, and equipment (UNSC, 2007b).

EUFOR faces major challenges. There are already a great number of armed, uniformed actors on the ground in Chad, including French forces and the Chadian military, which raises questions about how easily the population will distinguish between them. Moreover, with a substantial number of EUFOR’s troops supplied by France, there are concerns about the perception of neutrality of the force and the possibility that it will come under attack (Small Arms Survey, 2008).

The fact that the force will be deployed only around camps towards the interior of the country is also potentially problematic (IRIN, 2008a). This will help to manage any infiltration of camps on the Chadian side, but it will not increase security in the border area overall. There have also been concerns that the deployment of EUFOR will allow the Chadian government to neglect its own responsibilities for the security of the refugees and Chadian civilians in this area.

Darfur

AMIS was deployed in 2004 to monitor the Humanitarian Ceasefire Agreement. It took on further responsibilities after the signing of the DPA in May 2006. However, with its neutrality undermined by its involvement in the DPA and its mandate and resources very limited, AMIS grew steadily weaker and the international community increasingly pushed for a United Nations force. In 2007 the Sudanese government finally agreed to the replacement of AMIS with a joint UN–AU force under a Security Council Chapter VII mandate. The first force of its kind, and the largest peacekeeping force to date with a projected strength of 26,000 military and civilian personnel, UNAMID will nonetheless face stiff challenges. Darfurians’ expectations of it have been extremely—even unreasonably—high. The force is currently operating far below its projected strength and is not expected to deploy fully until at least the end of 2008. Nevertheless, UNAMID has already achieved some gains. Notably, it has managed to increase the overall number of patrols and has provided sig-

nificantly more female officers, particularly among the civilian police in camps, though there remains a shortage of female higher-ranking officers (Human Rights Watch, 2008b, p. 35). Despite these improvements, the number of patrols is still inadequate for Darfur's needs.

Expanding the types of protection offered

The emphasis of the international community has tended to be on physical rather than other kinds of protection, such as legal support and active intervention in mediation and dispute resolution. An analysis of the strengths and weaknesses of these approaches follows.

Physical protection

Measures to reduce IDP exposure to physical risks are a core intervention in Darfur, including fuel-efficient stove initiatives, firewood distribution, and (to a lesser extent) harvest patrols. These measures, while successful in some contexts, have failed elsewhere due to their inconsistency, lack of adequate communications, or political manipulation. In some camps, active opposition to the firewood patrols—either by local officials seeking to retain control, or by IDP leadership claiming cultural reasons³⁶—has prevented them from being launched at all.

In terms of violence prevention, military interventions have had some success in limiting violence when conflict breaks out between camp residents and the surrounding population. Tactics typically include a mixture of physical force to separate the parties and mediation efforts, sometimes jointly conducted with UN agencies. These mechanisms are useful for managing insecurity once it has arisen but they do little to prevent tensions flaring in the first place. Nor do they provide any means of addressing the underlying causes of conflict. In the absence of longer-term mediation between camp residents and local communities, or arrests of perpetrators of crimes within and outside the camps, these mechanisms will remain 'band-aid' solutions that may prove unsustainable.

Both the DPA and UNAMID's mandate provide for community policing initiatives. The first example, piloted in Kalma camp in 2006, met with hostility and had to be abandoned when signatory/non-signatory tension flared,

threatening the stability of the camp. This response resulted from the particular relationship between the new policing strategy and the divisions caused by the DPA. Other initiatives are vulnerable to inter-tribal tension, especially where groups have already set up tribal-based self-defence measures such as sector patrols.³⁷

In response to governmental pressure to hasten the implementation of community policing, AMIS began another initiative at the end of 2007. This one, however, only illustrated how easily such schemes can be manipulated. At the inauguration of the programme, the *wali* (governor) of South Darfur significantly changed the tenor and objectives of the strategy by offering financial incentives to volunteers without first consulting AMIS. The success of a community policing scheme relies to a great degree on its accountability to the community, and the introduction of external payment can severely impact the motivations and allegiances of its volunteers. It is questionable, then, whether any form of community policing is possible in a context so prone to manipulation by political authorities, armed factions, or tribal leaders.

Protection of civilians and human rights

The UN adopted the policy of 'protection by presence' throughout Darfur in 2004 and it has remained a core part of its protection strategy. Based on the idea that the presence of international actors alone can be a deterrent to violations, it has had mixed results.

Protection by presence necessarily puts NGOs on the frontline of protection work. Many organizations see this as part of their core duties, but some do not. Others simply have little or no experience and no relevant expertise in this kind of work (Pantuliano and O'Callaghan, 2006). Organizations that have significant experience in advocacy have found themselves actively under attack and facing arrests, expulsions, limitations of access, and programme closures.³⁸

Although UNHCR is present and active in camps for Chadian refugees and IDPs in West Darfur, their presence has been virtually non-existent in North and South Darfur, where the government has challenged its mandate. In the absence of UNHCR, OCHA took the lead on camp coordination and civilian protection, the latter until the deployment of the UNMIS Human Rights (HR) and POC units under the auspices of Security Council Resolution 1590 in late

2005 and early 2006. For a time this was moderately successful, but the severing of protection from camp coordination with the arrival of UNMIS resulted in a disjointed approach to the monitoring and management of the situation in the camps.

UNMIS's capacity to address protection issues has historically been hindered by confusing reporting lines established by the personalities on the ground and by the priority given to this task by the head of office. UNMIS POC reports directly to its hierarchy in Khartoum, while UNMIS HR (now UNAMID HR) reports through its own hierarchy to OHCHR in Geneva. As a result, unless the head of office at state level has been particularly protection-driven, advocacy with state-level government has been severely limited. Even at the level of Khartoum, UNMIS POC has had relatively low-level representation and was required to lobby to have protection concerns raised amid competing political issues.³⁹ Its ability to address issues arising in camps and gatherings was reduced even further with the arrival of UNAMID. Although UNMIS POC officially remains the protection lead in North and South Darfur, it is critically understaffed and has been sidelined administratively and politically by UNAMID.⁴⁰

The UN planned to have UNMIS POC hand over the lead on protection to UNHCR before its withdrawal, though the potential for a gap in protection during the transition period was foreseen some time ago. However, it was only in February 2008 that UNHCR opened its office in North Darfur (UNHCR, 2008a) and only at the end of March 2008 that senior staff were redeployed to South Darfur (UNHCR, 2008b). UNHCR's capacity and will to undertake the lead in camp coordination and protection activities for the whole of Darfur is very much in question,⁴¹ and its efforts to put civilian protection mechanisms in place is further undermined by the government's ongoing resistance to its expansion into these sectors.

UNMIS/UNAMID HR also has a vital role to play in protection, but historically this has been underutilized. Primarily involved in capacity-building, monitoring, and reporting, the unit's long-term relevance is important but its immediate positive impact is minimal. Internal communications between UNMIS HR and UNMIS POC have been strained, partly because they are separate units reporting independently, and partly because of internal politics. This has diminished the capacity of each to do its job effectively.⁴²

With the arrival of UNAMID, roles that were separated between AMIS and UNMIS have become fused, and the civilian functions of human rights, civil affairs, and, to a limited degree, protection, will be brought closer together with the operation's military arm. While this will help to inform both civilian and military activities, there is legitimate concern among NGOs and, to a lesser degree, UN humanitarian agencies and programmes about potential confusion between humanitarian and military functions. 🗨️

VII. Conclusions

From one end of Darfur to the other civilians find themselves living on the battlefield. Despite an enormous effort by the international community—including the UN, regional mechanisms, individual countries, and NGOs—to provide assistance, protection, and peace-building, the situation continues to deteriorate. Moreover, as tension rises in South Sudan and relationships between Sudan and its neighbours, especially Chad, falter, prospects for improvement grow increasingly dim.

The persistent failure of peace negotiations coupled with ongoing attacks—including against the international community—leaves scant confidence that the parties to the conflict are working in good faith toward its resolution. For its part, the international community's efforts to ameliorate the situation of Darfur's displaced are severely constrained by an insufficiently nuanced approach, a lack of capacity to provide concrete solutions to problems, and a limited willingness at field level to confront abuses and violations. On the one hand there has been too much diplomacy in managing political relations, while on the other there is not enough mediation to resolve those situations that can be addressed on the ground.

Kalma camp provides one of the best examples. Despite requests from camp sheikhs to help mediate conflict within the camp, neither the UN nor AMIS was prepared to provide assistance. Ongoing conflict with surrounding pastoralist groups over criminality also prompted requests for help, and again there was no response. A significant proportion of the sexual violence that affects women seeking firewood is linked to the camp's conflict with nomad groups over resources. However, only 'hardware', in the form of firewood patrols, has been put in place to deal with this violence, without providing the necessary 'software', in the form of mediation, to deal with the roots of the insecurity.

In August and again in October 2007 the GoS raided Kalma, ostensibly to remove armed elements and address inter-tribal tensions. But the raids were also clearly linked to the government's agenda for IDP return, which it had

pursued in preceding months. The UN criticized the government's refusal to allow international actors access to the camp following the August raid, but this limited response succeeded neither in preventing the October raid nor in improving access in its aftermath. Indeed, the UN's weak response to the expulsion of its own senior staff member in connection with the incidents served to emphasize its impotence: the OCHA head of office was removed under threat of arrest by state authorities, though no formal allegations were ever made against him.⁴³

There are clearly limits to what international actors can do to stop the government from acting on its own territory in the name of security, but the UN and UNAMID must take more coherent and purposeful action, even if it sometimes means a deterioration of relations with the government. In the events surrounding Kalma, for example, the UN allowed competing issues to confuse prioritization⁴⁴ and thereby failed to address any one issue successfully. Unless the international community shows that it can intervene effectively to protect displaced people, the tendency among IDPs to ally with armed factions or to form self-defence mechanisms will only increase.

Protection requires not only monitoring and responding to specific problems as they occur, but a coherent, long-term strategy that addresses protection and security concerns as a whole, including underlying issues. Most immediately, there is a need for consistent monitoring by the UN of the number and types of weapons in camps, and concrete information gathering on the groups that are active there. The UN should also be persistent in raising the issue of human rights violations and provide stronger follow-up to ensure that violations cease.

In the overall picture of IDP protection the underlying issues of land, land occupation, livelihoods, and return are inexorably linked. Dealing with these, individually and as they relate to each other, is critical for establishing a sense of security for displaced populations and reducing the risk of militarization of camps and gatherings. The international community must address these issues more forcefully, and with greater clarity and transparency in order to reassure displaced populations that they have not been forgotten. In this regard, and in relation to concerns about the coercive control of displaced populations in rural areas, a critical second look should be given to initiatives such as the Darfur Community Peace and Stability Fund (DCPSF), set up to fund

'community-based recovery and development activities in areas where local leaders can guarantee security and commit to a political dialogue' (ReliefWeb, 2007). Livelihoods experts have suggested that it is still too soon to look at early recovery activities; others have voiced concern that the effort could add pressure on IDPs to return. Given the changing demographics of the region, the initiative might also risk validating questionable land claims and encourage coercive control over resident populations. A further concern about the DCPSF is that it risks confusing humanitarian objectives with political ones, as many of the NGO partners participating are likely to be those already undertaking humanitarian work in Darfur.⁴⁵

With the increased presence of military actors, the humanitarian community should consider the overall potential for confusing humanitarian assistance with political or military activities. There is a lack of consistency, for example, in its approach towards the use of armed escorts in providing aid. Similarly, careful coordination between aid agencies and UNAMID will be needed to ensure that any quick impact programmes do not confuse humanitarian with political or military 'hearts-and-minds' projects.

Most crucially, the humanitarian community needs to look closely at the role it is playing in fuelling the conflict. Ongoing hijackings and thefts of supplies are not merely a barrier to aid provision but an important source of revenue and stocks to various factions. Manipulation and control of access on the part of both the government and armed factions, including self-defence groups, also makes the impact of humanitarian assistance, for all intents, less than neutral in many locations.

If the international community is to reduce the risk of further militarization in Darfur, it needs to address the question of who has access to the political process. By engaging primarily with armed actors in negotiations and peace-building discussions, it effectively forces civilians to work through armed groups in order to gain a voice.

It should be stressed again that the primary responsibility for ensuring the civilian and humanitarian character of IDP camps and gatherings lies with the Government of Sudan and the armed movements controlling the areas in which they are located. All parties to the conflict are obliged to respect the distinction between military and civilian space, particularly IDP and refugee camps

and gatherings. That means refraining from targeting these spaces or using them as staging grounds for armed activities, and from manipulating the dynamics in camps and gatherings for their own objectives. ■

Endnotes

- 1 It is not uncommon either in the media or in official fora to hear Darfur's camps described as militarized. For example, in a briefing to the United Nations Security Council in April 2007, the under secretary-general for humanitarian affairs and emergency relief coordinator referred to both the IDP camps of Darfur and the refugee camps in Chad as militarized (UNSC, 2007a).
- 2 Groups signing the Declaration of Commitment included the Sudan Liberation Movement/Free Will, Sudan Liberation Movement/Unity, Justice and Equality Movement/Peace Wing (JEM/PW), and, later, Sudan Liberation Army/Abu Gassim.
- 3 For more information on the DPA, see the website of the African Union Mission in the Sudan (AMIS) at <<http://www.amis-sudan.org>>. Analyses of the DPA and Darfur's armed groups can also be found in de Waal (2007a).
- 4 In one reported killing of a woman in an IDP camp, the perpetrator was eventually identified as a member of her family. The motive was unclear, but it can be assumed that it was not conflict-related. A significant number of injuries are also attributable to the mishandling of weapons, while lack of experience with firearms on the part of many fighters or bandits may further explain many incidents. In addition, guns are routinely fired in the air for celebratory purposes or as a show of force, resulting in injuries.
- 5 In 2007, for example, the government denied organizations access to the north Adilla area, South Darfur, for three months following its aerial and ground attacks. The same year, authorities in Jebel Marra refused organizations access to their area for most of August (UN Human Rights Council, 2007, paras. 72, 79). Insecurity in border areas has also interrupted access on numerous occasions (UNSC, 2007d, para. 150).
- 6 For a detailed history of the *janjawid*, see Haggar (2007).
- 7 For a general discussion of refugee and IDP protection under international humanitarian law, see <http://www.icrc.org/web/eng/siteeng.nsf/htmlall/section_ihl_refugees_and_IDPs?OpenDocument>.
- 8 See <<http://www.unhcr.ch/html/menu2/7/b/principles.htm>>.
- 9 A criminal may, however, be exempt from refugee status, depending on the nature of his or her crime. It is also worth noting 'the robust connection between increased criminality and the erosion of public security and refugee and IDP camp militarization' (Muggah, 2006, p. 2).
- 10 'While humanitarian law instruments do not provide a definition, it is generally understood that the commission of acts which, by their nature or purpose are intended to cause actual harm to enemy personnel or *materiel*, amounts to a direct participation in hostilities, while the supply of food and shelter to combatants or generally "sympathising" with them does not' (ICRC, 2003).
- 11 For further background, see de Waal (2007a).
- 12 Two articles highlighted two different demonstrations during the visit of the UN secretary-general to camps in El Fasher. The first demonstration, supporting the SLA/AW, displayed banners with slogans highlighting the insecurity in camps and the need to disarm the *janjawid*.

The second was '... an obvious mobilization by the ruling National Congress Party, the government wanted to say it is not only the rebel SLM [Sudan Liberation Movement] which has supporters in Darfur. Khartoum seems bothered by capacity of mobilization in the camp by the supporters of the Key (sic) rebel leader Abdelwahid al-Nur' (AP, 2007a). The secretary-general's team reportedly believed that the GoS had infiltrated the camp population.

- 13 Interview by email with a UN staff member, Khartoum, April 2008.
- 14 Telephone interview with a UN staff member, Nyala, March 2008.
- 15 Traditional leaders who opted either to remain behind when the people in their area were displaced to camps, or to flee to safety rather than stay in rural areas largely cut off by conflict, have lost a significant amount of support from their population base.
- 16 Youth are defined as those aged roughly 16–30 years old, primarily male.
- 17 Youth are, however, involved in some of the new economic activities that have developed around the camps, such as brick-making (NDAT, 2007, p. 21).
- 18 Specific examples are also cited in UNMIS civil affairs documentation and in minutes of camp coordination and protection meetings in both West and North Darfur States (data provided to the author by UN staff).
- 19 This applies to both the traditional Native Administration leadership and the elected camp leadership. Email exchange, NGO and UN staff in Darfur, April 2008.
- 20 Numerous Darfurians participated in the conflict in the South as members of government-supported militias. In 2007 the El Daein area in South Darfur was destabilized when some of these fighters returned, demanding land and development assistance.
- 21 One report stated that an assassination attempt on a camp sheikh resulted in his bodyguards returning fire. Email with an NGO staff member, April 2008.
- 22 The Panel of Experts established pursuant to Security Council Resolution 1591 (2005) concerning the Sudan reported in September 2007 on four substantive task areas: '(1) monitoring implementation of the arms embargo on Darfur; (2) monitoring implementation of targeted financial and travel-related sanctions against individuals designated by the Security Council in its resolution 1672 (2006); (3) submission of recommendations to the Security Council; and (4) provision of information on individuals who impede the peace process, commit violations of international humanitarian and human rights law, violate the arms embargo, or are responsible for offensive military overflights' (UNSC, 2007c).
- 23 Informal interview with a UN staff member, Nyala, December 2006.
- 24 'Al-Tayyib Khamis, spokesman for the SLM, the only rebel faction to make peace, said it would be easy to disarm Darfur, but only, "if the Janjaweed lay down their weapons first"' (Reuters, 2007a).
- 25 Reports indicated that the arrival of the SLA/Ahmed Abdel in Kalma camp in February 2008, for example, was negotiated with the sheikh leadership, and the group was permitted to have a limited presence so long as it did not disturb the camp (email from an NGO staff member, Nyala, April 2008). Reports regarding recruitment in Dereig camp also indicated that public meetings were held between the JEM/PW and IDPs, which could only have occurred with the consent of camp leadership (UN Human Rights Council, 2007, p. 38).
- 26 Documentation provided by a UN staff member, South Darfur, March 2008.
- 27 In an interview with a UN protection staff member, South Darfur, March 2008, it was suggested that this was the case with the SLA/Peace Wing, which moved into Dereig camp in

2007 but removed itself again when the government allowed it to establish a presence in one of the rural areas.

28 Email from an NGO staff member, Nyala, March 2008.

29 It was reported that there was an assassination attempt in 2007 against sheikhs who sought the removal of a criminal from Kalma camp. Email from an NGO staff member, April 2008.

30 A review of incidents in urban centres and surrounding camps throughout Darfur from December 2007 to February 2008 showed that out of 25 reported incidents of either hijackings or attacks on international premises (not including private residences) 19 occurred in the towns and six in the camps (OCHA report on security incidents, provided to the author in April 2008).

31 Following a significant number of attacks against humanitarians in South Darfur towards the end of 2006, particularly in SLA/MM areas, a UN interagency assessment was carried out in early 2007. This was aimed at gaining a better understanding of the dynamics of the armed groups in order to continue to be able to provide humanitarian assistance. The result was largely inconclusive, however, because although the SLA/MM claimed to have control still, on the ground they were unable to prevent hijackings and attacks perpetrated by the NRF (informal interviews with UN and NGO staff, South Darfur, January–March 2007). See also UN Human Rights Council (2007), para. 36.

32 Not all Fur are supporters of the SLA/AW, however. Reports from the attacks on Deribat in December 2006 indicate that a substantial number of Fur were among the factions recruited by Abu Gassim (OHCHR, 2007, para. 11).

33 An account of the meeting was provided by a UN staff member, Nyala, 2007.

34 Informal IDP interviews, South Darfur, 2007 and UNMIS (2007a). See also Fadul and Tanner (2007) and UN Human Rights Council (2007), paras. 31, 43, 44, 63, 64.

35 The raid on Kalma camp in October 2007 was ostensibly aimed at the removal of armed elements, but there has been strong concern among the humanitarian community and the UN that it was also intended to further the agenda of forced return (Refugees International, 2007).

36 In Kass and Gereida, for example, IDP leadership stated that it was inappropriate for women to be escorted by men they did not know. This has not been a barrier in other camps, so there may have been some further motivation for opposition to the measure in Kass and Gereida.

37 This was also the case in Kalma, where Fur youth patrols policed the camp. The patrolling itself was problematic in terms of abuses of power, but the situation worsened considerably when the Massaleit in the camp began their own youth patrols and the two came into conflict. The situation spiralled out of control at the end of 2006 and resulted in deaths and the closure of the camp to humanitarian agencies for some time.

38 In 2005 Médecins Sans Frontières had two members of its staff arrested in connection with the publication of a paper on sexual violence; the International Rescue Committee was likewise targeted. While the expulsion of CARE's country director was another incident that was made very public, there have been numerous other, less publicized, occasions on which NGOs have not had their staff members' visas renewed. Similarly, while the removal of the Norwegian Refugee Council from its position as camp coordinator for Kalma was well known, ongoing governmental pressure also resulted in at least one other organization withdrawing from camp coordination. Consequently, it has been difficult to find organizations willing to take on this role. Rule of law and human rights programming has likewise come under fire—

figuratively in the case of the closure of one programme in Kass, and literally in Kalma camp, where the Justice and Community Centre was one of the buildings destroyed in the October 2007 government raid.

39 This has been particularly challenging given that UNMIS is engaged in both Darfur and South Sudan. As a result, the Mission has often had to raise competing issues from two very different contexts, and prioritization has not always favoured protection in Darfur.

40 At the time of writing, there were two national and two international UNMIS POC staff in North and South Darfur States. Further recruitment is highly unlikely given the unit's impending closure and the vast recruitment needs of UNAMID as it deploys.

41 Although discussions have been ongoing for at least a year, UNHCR stated in its March 2008 situation report that '[d]iscussions with OCHA, UNMIS POC on planning a gradual handover of roles and responsibilities in protection and camp management issues have been initiated' (UNHCR, 2008b, p. 5). However, UN protection staff say that UNHCR is dragging its feet.

42 Interviews with UN staff, Sudan, April 2008. See also Pantuliano and O'Callaghan (2006).

43 Allegations were printed in the newspaper rather than made formally, creating a useful piece of propaganda without providing any legal grounds on which to challenge the expulsion. The allegations included efforts to mediate and resolve conflict in Kalma camp, follow-up on allegations of land occupation and forced return, and publicizing information about human rights abuses in camps (working translation of an article that appeared in *Akhar Al Yom* (Khartoum), 11 November 2007, supplied by UN staffer).

44 The raids on Kalma, the forced relocation of IDPs from Otash, the expulsion of the OCHA head of office, and the threat of forcible disarmament in Kalma (the government gave AMIS a 48-hour deadline to produce a plan for disarmament or it would disarm the camp by force, though this never materialized) all took place virtually simultaneously. At the same time, the UN was in a process of difficult negotiations over access for UNAMID. It has been noted in the past that the GoS employs a strategy of sowing confusion either to reduce international capacity to respond effectively or to create a diversion. This strategy is also relevant in terms of the government's return agenda. For example, while a significant proportion of the international community's protection capacity was engaged in attempting to monitor camps and countless sites of voluntary return, a significant number of new displacements were caused by conflict in Buram, in the Bulbul area, and in the eastern part of South Darfur. In each of these conflicts there have been confirmed reports of government involvement.

45 It is important to emphasize that humanitarian assistance is impartial and based on an assessment of current needs. The DCPSE, by combining assistance with engagement in political dialogue, necessarily links assistance to politics. This can put humanitarian actors at risk, both by calling into question their impartiality and by associating them with potentially contentious political outcomes.

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