

**THE EU/AU PARTNERSHIP IN DARFUR:
NOT YET A WINNING COMBINATION**

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THE EU/AU PARTNERSHIP IN DARFUR: NOT YET A WINNING COMBINATION

EXECUTIVE SUMMARY AND RECOMMENDATIONS

The African Union's (AU) intervention in Sudan's Darfur region tests the effectiveness of its own peace and security structures and those of the European Union (EU). The AU has taken the lead both in the political negotiations between the government and the rebels and in deploying a peace-monitoring mission, the AU Mission in Sudan (AMIS). It has had to rely on outside support for AMIS, with nearly two thirds of its funding coming from the EU's African Peace Facility. The results are mixed. If Darfur is to have stability anytime soon, and the two organisations are to fulfil their ambitions to be major players in crisis prevention and crisis resolution, AMIS must get more troops and a more proactive, civilian-protection mandate, and the EU needs to find ways to go beyond the present limitations of the African Peace Facility in providing assistance.

The EU/AU relationship on Darfur involves a mutually steep learning curve. It has been generally successful from a technical point of view, although coordination within and between each could be much improved, and has laid a foundation for further cooperation between Addis Ababa and Brussels. However, the security situation is worsening, with none of the parties fully respecting the ceasefire, and the political process is stalled. Crisis Group continues to believe that the troop level on the ground in Darfur needs to be brought up to 12,000-15,000 immediately in order to create the requisite security to protect civilians, encourage displaced persons to begin to return home and establish conditions conducive to more productive negotiations for a political settlement.

We have argued elsewhere that a NATO bridging force would be the most practical way of achieving this deployment,¹ but unfortunately neither NATO nor the AU appear prepared to consider such a radical measure. Another option, now being widely discussed, is folding AMIS into the United Nations Mission in Sudan (UNMIS) operation, established in March 2005 to support implementation of the Comprehensive Peace Agreement (CPA) between Khartoum and the Sudan People's

Liberation Movement/Army (SPLM). Such a "double-hatted" UNMIS would, arguably, be a more efficient way of conducting two inter-related peace operations in a single country, give the Darfur peace operation a more secure financial base, and open up a broader pool of potential troop contributing countries than at present. But the planning and deployment of such an extended mission would take many months, and the AU is for the moment quite resistant to winding up its own distinctively AU-badged operation in Darfur.

While Crisis Group believes the UN -- and NATO -- options need to be very seriously considered further, this policy report focuses on what more can and should be done to meet Darfur's needs within the present organisational arrangements, involving the continuation of AMIS, and on the basis of financial support coming primarily from Europe.

In this context, the most immediate need is to bring AMIS up to its presently authorised size (7,731), a task that is behind schedule, and make it more effective within the limited terms of its present mandate. Beyond that, AMIS urgently needs to become larger and more militarily powerful, with an expanded Chapter VII-type civilian protection mandate, and with the operation sustainable for as long as it takes for normality to be restored. All this will be possible only with greater international support, but the EU's €250 million African Peace Facility is already largely committed and not due for regular review until 2007.

Crisis Group has reported frequently on all aspects of Sudan's complex situation. This policy report, the first in a series that will examine in depth the strengths and weaknesses of the EU's growing crisis response capability and its more ambitious policies in conflict prevention situations around the world, focuses on how the partnership between Brussels and the AU has been working in Darfur and what should be done to make it more effective.²

¹ See Crisis Group Africa Briefing N°28, *The AU's Mission in Darfur: Bridging the Gaps*, 6 July 2005.

² For more detailed analysis of political and security issues in Darfur and their relationship to national issues in Sudan with which the EU and other elements of the international community

RECOMMENDATIONS

To the European Union:

1. Find the political will and the financial means (whether through a restocked African Peace Facility or special budgetary measures) to support an expanded AMIS.
2. Give the new Special Representative the authority and resources to coordinate effectively the roles of Council, Commission, EU military staff and member states, so that the EU more consistently speaks with one voice on both policy and administrative issues.
3. Improve coordination with the AU, and do a better job of identifying and assigning personnel to work with the AU who have African expertise and knowledge of EU military structures, including officials seconded from member states.
4. Mesh its support to the AU more effectively with that of other donors.
5. Identify a way, at least by 2007 when the authorisation for the African Peace Facility expires, to overcome its prohibition on funding direct military assistance to peace support missions.
6. Be prepared to support other organisational means of delivering the necessary military support if and when the AU is willing to embrace them.

To the African Union:

7. Prioritise efforts to reach maximum efficiency within the current AMIS structure, as well as at AU headquarters, including by streamlining donor coordination mechanisms.
8. Create a better foundation for implementation of the ceasefire by emphasising proactive elements in the current AMIS mandate, such as identifying the territory dominated by each party to the conflict and identifying government-aligned militias.
9. Press the Sudanese government harder to allow the immediate delivery of equipment donors have provided and which AMIS needs to operate more effectively on the ground in Darfur, in particular 105 Grizzly armoured personnel carriers supplied by Canada.
10. Begin planning immediately for the urgent expansion of AMIS and the strengthening of its mandate to authorise clearly the proactive protection of civilians, and press the EU and other donors to provide the necessary additional financial, logistical and material help.
11. Consider very seriously other organisational options, including a NATO bridging force and a "double-hatted" UNMIS operation, for delivering the military support necessary to achieve sustainable peace in Darfur.

Nairobi/Brussels, 25 October 2005

are involved, see recent Crisis Group reporting, including Africa Briefing N°32, *Unifying Darfur's Rebels: A Prerequisite for Peace*, 6 October 2005; Africa Briefing N°30, *Garang's Death: Implications for Peace in Sudan*, 9 August 2005; Africa Report N°96, *The Khartoum-SPLM Agreement: Sudan's Uncertain Peace*, 25 July 2005; Africa Briefing N°24, *A New Sudan Action Plan*, 26 April 2005; and Africa Report N°89, *Darfur: The Failure to Protect*, 8 March 2005.

THE EU/AU PARTNERSHIP IN DARFUR: NOT YET A WINNING COMBINATION

I. THE AU IN DARFUR

A. THE AU'S PEACE AND SECURITY ARCHITECTURE

Newly independent African states created the Organisation of African Unity (OAU) in 1963 to protect the independence and promote the unity of Africa and rid the continent of the remnants of colonialism. The OAU charter emphasised the sovereignty of member states and non-interference in their internal affairs, principles which weakened the organisation's ability to prevent and manage conflicts, especially civil wars. Despite these limitations, the OAU did undertake limited peacekeeping operations, including sending a multinational force of 3,500 troops to end the civil war in Chad (1981-1982) and a peace-keeping mission to Rwanda (1990-1993). These suffered, however, from financial difficulties, logistical shortcomings and unclear mandates. A "Mechanism for Conflict Prevention, Management and Resolution", created by the Cairo Declaration of 1993, was toothless.³

The organisation's decolonisation mandate expired with Namibia's independence in 1990 and the demise of apartheid in South Africa in 1994, while the end of the Cold War brought its double image as what was sometimes called a "club of dictators" and "hub of populist and socialist ideologies" into higher relief and caused leaders like South African President Thabo Mbeki and Nigerian President Olusegun Obasanjo to worry that the West might disengage from the continent. The decision to establish the AU was taken at an extraordinary OAU summit in Libya (Sirte) in September 1999, and it came into existence as successor to the OAU at a summit meeting of African leaders in South Africa (Durban) on 9 July 2002.

The new organisation was endowed with much more ambitious peace and security architecture. The Constitutive Act of the Union, adopted in July 2002, paid

deference to state sovereignty but empowered the AU to intervene in the internal affairs of a member state that faced the threat of genocide, war crimes or crimes against humanity and took a tough line on unconstitutional change of government through coup or mercenary activity. It pledged the AU to promote dialogue and peaceful resolution of conflicts as the only way to guarantee enduring peace and stability and build democratic institutions.

The Durban summit also adopted a protocol creating a Peace and Security Council (PSC) as the main decision-making organ for the prevention, management and resolution of conflicts. Made up of fifteen elected member states, it came into existence in May 2004 with South Africa's Foreign Minister Nkosazana Dlamini-Zuma, as chairperson. Algeria, Ethiopia, Gabon, Nigeria and South Africa were elected for three-year terms; Cameroon, Congo, Ghana, Kenya, Libya, Lesotho, Mozambique, Senegal, Sudan, and Togo each have two-year terms.⁴

To give the PSC the wherewithal to deploy peace support missions in member states, the AU is constructing an African Standby Force (ASF), to be composed of multi-disciplinary contingents or regional brigades (3,500-5,000 troops each, plus a civilian component). This rapid response capacity is not expected to be available before 2010, however. The PSC has inherited and refurbished the Peace Fund, which the OAU used to support its initiatives.⁵ It gets its resources from the regular AU budget, voluntary contributions from member states and other sources within Africa, including the private sector, civil society, individuals and fund-raising. In practice the additional support given to the PSC by wealthier member

³ For an analysis of the OAU's security architecture, see Anthoni van Nieukerk, "The Role of the AU and NEPAD in Africa's New Security Regime", in *Peace in Africa: Towards a Collaborative Security Regime*, Shannon Field (ed.), (Institute of Global Dialogue, January 2004), pp. 41-46.

⁴ The chairperson of the African Union Commission, acting under the authority of the Council, can take the necessary initiatives to prevent, manage and resolve conflicts. The Council is to be supported by a Panel of the Wise -- five respected African personalities who are yet to be identified and appointed. Also aiding the Council in anticipating and preventing conflict is a continental early warning system based in Addis Ababa. When fully operational, it will be connected to the observation and monitoring units of the Southern Africa Development Community (SADC), the Economic Community of West African States (ECOWAS), the Inter-Governmental Authority on Development (IGAD), and the Accord de Non Aggression et d'Assistance en Matière de Défense (ANAD).

⁵ Article 21 of the PSC Protocol.

states such as South Africa, Nigeria and Libya is controversial since it tends to be viewed through the prism of competition for influence and prestige in the organisation.⁶

The chairperson of the Commission is also authorised to seek voluntary donations from outside the continent, provided they are "in conformity with the objectives and principles of the Union".⁷ This has resulted in the EU, through the African Peace Facility discussed below, becoming the main financial support for AMIS in Darfur.

The PSC is designed to work closely with civil society and other pan-African organisations which, like it, are new and still in the developmental stage, including the Pan-African Parliament (launched in May 2004) and the African Commission on Human and People's Rights. Progress in this direction has been correspondingly slow. A more significant problem stems from the fact that the African continent has a number of bodies with peace and security responsibilities, in particular its various sub-regional organisations like the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC). The PSC is tasked with streamlining this multiplicity of mechanisms⁸ but the relationships between the AU and the sub-regional organisations are sensitive. Fortunately this aspect of competition is not a serious problem in Darfur since the sub-regional body, the Intergovernmental Authority on Development (IGAD), has concentrated on negotiation and implementation of the agreement between Khartoum and the SPLM to end the civil war that has devastated the south of the country since 1983.

Nevertheless, Darfur is only one, if perhaps the most dramatic, of the challenges that have presented themselves to the AU at a very early stage of its existence, well before it had developed the means with which to address most of them adequately on its own. It is to the organisation's credit that it has not shirked its responsibilities and has sought to cope with a range of internal conflicts that its predecessor almost surely would have sidestepped. The PSC has been proactive and aggressive in diagnosing and responding to threats. For example, in November 2004, it appointed

South Africa's Mbeki as mediator for the conflict in Côte d'Ivoire. In February 2005, it sent a fact-finding mission to Somalia to support implementation of the October 2004 agreement establishing a new government, and it has since backed IGAD's initiatives there.⁹ It successfully intervened in Togo to restore constitutional order, endorsing ECOWAS sanctions in the wake of the February 2005 seizure of power by Faure Gnassingbe, following the death of his father, the president.¹⁰

This is an impressive record, but in other crises the AU risks losing credibility. The gap between political will and capacity was demonstrated with the PSC's January 2005 call for the AU to disarm forcibly the FDLR, the Rwandan Hutu rebels whose continued presence in eastern Congo (DRC) threatens new conflict.¹¹ Although the AU is conducting a reconnaissance mission in Kinshasa, and Nigeria, Gabon, Congo-Brazzaville and Angola have offered to contribute troops, an enforcement mission estimated to cost \$300 million over a half-year and present a very difficult military task appears unlikely to get off the ground.¹² The Darfur case is the other great challenge to an AU peace and security ambition that must of necessity be pursued ad hoc, as events dictate, and so requires a great deal of outside help.

B. THE DEVELOPMENT OF AMIS

When the war in Darfur began in February 2003, most attention was focused on the negotiations between the Sudanese government and the SPLM insurgency, which IGAD was facilitating in Kenya.¹³ Crisis Group was one of the first to call attention to the extreme brutality against

⁶ Crisis Group interview with a senior AU official, Addis Ababa April 2005.

⁷ "Protocol relating to the establishment of the Peace and Security Council of the African Union", Article 21 (3). How to ensure that fund raising and donations conform to the Union's ideals has generated much heat at AU summits. Some members argue for greater economic autonomy and correspondingly less reliance on external funding for peace efforts. Suspicion of external funding, within the context of Cold War polarisation, weakened the peace efforts of the OAU.

⁸ *Ibid.*, Article 16 (1).

⁹ African Union, Peace and Security Council, 29th meeting, 12 May 2005, Addis Ababa, Ethiopia, PSC/PR/2(XXIX).

¹⁰ African Union, "Report of the chairperson of the Commission on the developments in Togo", Peace and Security Council, 30th Meeting, 27 May 2005, Addis Ababa, Ethiopia, PSC/PR/2(XXX).

¹¹ The communiqué of the 23rd meeting of the PSC held in Libreville, 10 January 2005, stated: "...the problem posed by the continued presence of the ex-FAR and Interahamwe and other armed groups in Eastern DRC requires a decisive action by the international community at large and Africa in particular, to effectively disarm and neutralise these armed groups. In this regard, [the] Council welcomes the support expressed by the President of the DRC to the principle of forceful disarmament of these armed groups by an African force. In this respect, [the] Council urges AU Member States to extend the necessary security assistance, including troops, to contribute to the effective disarmament and neutralisation of the armed groups".

¹² Crisis Group interviews, Kinshasa, September 2005.

¹³ The ruling National Congress Party and the SPLM eventually signed the Comprehensive Peace Agreement on 9 January 2005. For more see Crisis Group Africa Report N°96, *The Khartoum-SPLM Agreement: Sudan's Uncertain Peace*, 25 July 2005.

civilians by which Khartoum and its allied Janjaweed militias were seeking to put down the new rebellion. The international community was slow to react, however, in part out of concern that too much pressure on the government could derail the IGAD process. Chad, Sudan's western neighbour, was the first to react, out of alarm produced by a steady flow of refugees from Darfur. It brokered a ceasefire between Khartoum and the larger of the two main insurgent groups, the Sudan Liberation Army/Movement (SLA) in August-September 2003,¹⁴ which, however, collapsed before the end of the year, triggering a massive new government offensive.¹⁵

Between March and June 2004, as humanitarian workers began spreading out in the region measuring the full extent of the humanitarian disaster, the devastation became harder to ignore. The international outcry that followed demanded action, fuelled by memories of the costly inaction during the Rwandan genocide ten years before.¹⁶ The AU was the obvious choice to take over. It was ill prepared for what eventually followed but at first matters went well. In response to growing demands for action, it assisted Chad in organising a new round of negotiations between the government and the rebels, to which European and U.S. observers were invited for the first time. On 8 April 2004 the Sudanese government, the SLA and the second major rebel group, the Justice and Equality Movement (JEM), signed the N'djamena Ceasefire Agreement, which established a Ceasefire Commission (CFC) to monitor implementation. The CFC was to be staffed by the signatory parties and observers from the EU, U.S. and UN.¹⁷

On 28 May, the parties signed a further agreement in Addis Ababa on implementation modalities, which acknowledged the AU as the lead international body in Darfur and the operational arm of the N'djamena agreement, with the right to appoint the chairperson of the CFC while the EU appointed the deputy. The AU was responsible for

fielding a team of 60 military observers, and Khartoum agreed to allow it to send up to 300 troops from member states to protect that team.

Wide-spread violence continued, however, leaving some two million internally displaced persons (IDPs) and refugees insecure, and causing frequent disruptions in delivery of humanitarian assistance. As international outrage increased, expectations for the AU mission grew. It was quickly understood that a much larger force was required, combined with more serious international pressure on Khartoum to rein in the Janjaweed militias and end its ethnic cleansing campaign. Despite a series of UN Security Council resolutions -- most notably Resolutions 1591 and 1593 of March 2005, which banned offensive military flights in Darfur and referred jurisdiction over atrocity crimes to the International Criminal Court respectively -- the pressure has never been sufficiently strong or credible in Khartoum, which has largely failed to comply with its repeated commitments, particularly those related to the neutralisation of its allied militias.

On 27 July 2004 the PSC requested the chairperson of the AU Commission, Alpha Oumar Konaré, to prepare a plan for the possible conversion of AMIS into a full-fledged peacekeeping mission. In doing so, it correctly outlined the key objectives -- prioritise civilian protection, disarm and neutralise the Janjaweed militia, facilitate the delivery of humanitarian assistance -- and the size and mandate required to ensure implementation of the N'djamena agreement.¹⁸ Over the coming months, however, it retreated from its initial assessment due both to lack of capacity and to the realisation that deployment of such a mission required the cooperation of the Sudanese government, which thus in effect had a veto over its scope.¹⁹ Khartoum was strongly opposed to both a larger force and a stronger mandate.

When the PSC finally approved the revised mission (AMIS II) on 20 October, it limited the force expansion to 3,320 soldiers and police, who were tasked primarily with monitoring and verification and provided with a significantly weaker mandate than had been proposed in July. The expanded force was given the mandate only to monitor and verify IDP returns and IDP camps, militia activity against the civilian population, efforts by the government to disarm allied militias, and the cessation of hostilities by all parties. The civilian protection mandate was cast in these limited terms: to "protect civilians whom

¹⁴ The number of refugees from Darfur in Chad is roughly 200,000, while there are an estimated two million internally displaced persons (IDPs) inside Darfur.

¹⁵ The ceasefire was routinely violated by all parties, but particularly the government and its allied Janjaweed militias. Moreover, it did not include the Justice and Equality Movement (JEM), the smaller of the two rebel movements in Darfur.

¹⁶ In March 2004, the outgoing UN resident representative, Mukesh Kapila, said in a BBC interview that an ethnic cleansing campaign was underway in Darfur that was "comparable in character if not scale" to the Rwandan genocide. "Mass rape atrocity in West Sudan", BBC News, 19 March 2004.

¹⁷ The ceasefire agreement lists the CFC members as representatives of the parties, the Chad mediation team, and the international community. The agreement was signed by a representative from the Chad government, the Sudanese government, the SLA, the JEM and the AU.

¹⁸ AU PSC Communique, PSC/PR/Comm. (XIII), 27 July 2004. Available at www.africa-union.org.

¹⁹ The AU received assistance in planning and assessing AMIS II from military experts from the EU, UN, the U.S., and Canada.

it encounters under imminent threat and in the immediate vicinity, within resources and capability..."²⁰

The first three military observers of phase I of the AU mission (AMIS I) arrived in El Fasher, the historic capital of the greater Darfur region, on 4 June 2004, with no equipment, vehicles, or communications gear apart from a handheld satellite phone to speak with the AU headquarters in Addis Ababa. The start of the mission was not preceded by a pre-deployment assessment, training or deployment of civilian support systems.²¹ This modest beginning suggests how far AMIS has come in its short existence but also illustrates the structural weaknesses that continue to hamper its effectiveness in the face of continued violations by all parties to the ceasefire.

Despite the deteriorating situation on the ground, it took more than six months to deploy AMIS II fully: 450 military observers (MILOBS), 815 civilian police, a 2,341-strong military protection force, and 26 international observers and civilian staff. The main obstacles were delays by troop-contributing countries in generating forces and in establishing field accommodation and the AU's overall lack of expertise in planning and executing complex peace support operations.²²

Despite these handicaps, AMIS had some successes in the areas where it was deployed but its small size, limited capabilities and weak mandate severely limited its effectiveness. In March 2005, the AU led a Joint Assessment Mission (JAM) that included the EU, U.S. and UN to look at AMIS strengths and weaknesses. The subsequent report identified many gaps in the mission and recommended expansion of the force but not of its mandate.

On 28 April, the PSC approved expansion of AMIS personnel to 7,731. This was to have been completed by the end of September and as of 20 October, some 6,773 were in country, including 4,847 soldiers in the protection force, 700 military observers, 1,188 civilian police and 38 international staff of various kinds.²³ AMIS is still

operating below full authorised capacity, and many key tasks remain unfulfilled. A diplomat involved in supporting the mission commented:

AMIS is currently fulfilling its reactive responsibilities such as verifying alleged ceasefire violations, but has yet to fully implement the proactive aspects of its mandate, such as troop verification and the identification of militias [aligned with the government].²⁴

If the ceasefire is to be stabilised (much less the more extensive steps taken that are necessary to resolve the conflict), the AMIS leadership in Khartoum and El Fasher needs to prioritise those elements.

It is premature to make a definitive judgment on AMIS. Darfur remains extremely insecure, with fighting intensifying again since early September, including deadly attacks on the peacekeepers themselves. The AU alone is not to blame. The largest problem stems from the actions of the parties to the conflict, not only the Sudanese government, which has yet to take meaningful action against the Janjaweed militias, but also the rebel movements, which are increasingly divided and appear to be descending slowly into warlordism and banditry.²⁵

AMIS was born out of the N'djamena agreement, which lacked a true enforcement mechanism and was based on the assumption of compliance and goodwill by the parties. International pressure on those parties to respect their commitments has been ineffective, thus undermining the AU mission. The UN Security Council took more than eight months from its first ultimatum in July 2004 to Khartoum to disarm the Janjaweed before it finally applied limited sanctions in March 2005 and referred the Darfur situation to the International Criminal Court.

The AU Special Representative, Ambassador Baba Gana Kingibe, has openly acknowledged the inability of AMIS to succeed in this environment:

...the mechanisms in place...could have worked if the parties in Darfur were acting in good faith and if they were generally committed to their undertakings in the various agreements they have signed. However, in the light of our experience in the past fourteen months we must conclude that there is neither good faith nor commitment on the part of any of the parties.²⁶

²⁰ AU PSC Communique, PSC/PR/COMM. (XVII), 20 October 2005. Available at www.africa-union.org.

²¹ Seth Appiah-Mensah, "AU's critical assignment in Darfur, challenges and constraints", Institute for Security Studies, *African Security Review*, vol. 14 no. 2, 2005, pp. 7-21.

²² Delays in deployment also stemmed from difficulties in obtaining airlift to get the troops to Sudan. The bulk of the protection force deployed thus far has been provided by Nigeria, Rwanda, Senegal and South Africa. Other contributors are Kenya and Chad.

²³ Information provided to Crisis Group. AU Commission Chairperson Konaré also recommended a third expansion to 12,300, following the full deployment of AMIS II. See Crisis Group Briefing, *The AU's Mission in Darfur*, 6 July 2005.

²⁴ Crisis Group interview, Khartoum, 18 October 2005.

²⁵ For more on the rebel divisions, see Crisis Group Briefing, *Unifying Darfur's Rebels*, op. cit.

²⁶ Press statement by Ambassador Baba Gana Kingibe, Special Representative of the Chairperson of the African Union

For the AU mission to succeed, one of two things must happen. Either the parties to the conflict must radically change their behaviour and respect their commitments, or the AU mission must be significantly enlarged and be given a much more specific Chapter VII mandate to protect civilians proactively. Given that the first of these alternatives has frequently been shown to be unrealistic, only the second offers a prospect that Darfur can emerge any time soon from its tragedy. However, for that second alternative to be realistic the AU and its key supporters, above all the EU, must be prepared to do more than they have yet done.

II. THE EU SEEKS AN AFRICAN PARTNER

A. EVOLVING AU/EU RELATIONS

Strong EU support for the AU in a wide variety of endeavours predates the Darfur crisis: this has, however, come to be seen by both sides as the test for how far the partnership can be taken, at least on peace and security issues. The emergence of an African regional body in 2002 partially modelled on the EU and the surface similarities between the AU and its own institutional set-up flattered Brussels and encouraged it to seize what it saw as an opportunity to advance the effective multilateralism it has described as the cornerstone of its security strategy.²⁷ The EU commitment to the AU was symbolised by the presence of then Development Commissioner Poul Nielson at the inauguration of the AU Peace and Security Council in May 2004 and expressed concretely by establishment of the African Peace Facility. The AU's Konaré attended the launch in Brussels on 12 October 2005 of the new EU Strategy for Africa.²⁸

The idea for an African Peace Facility was discussed at the July 2003 AU summit in Maputo. The EU then created it as a financial instrument to support AU peace keeping operations in Africa in March 2004.²⁹ It was funded with €250 million through 2007, with an initial provision that this could be increased by 20 per cent (a further €50 million), but current thinking may allow flexibility for greater replenishment. The Peace Facility is based on the principle of African ownership; its use is initiated by a request from the AU or from one of the African sub-regional bodies with support from the AU.

²⁷ For a detailed discussion of EU efforts to take a more active, global conflict prevention role and to create the requisite institutions and mechanisms, see Crisis Group Europe Report N°160, *EU Crisis Response Capability Revisited*, 17 January 2005. The EU conceptualised its security strategy in the document "A Secure Europe in a Better World", 12 December 2003. Available at <http://ue.eu.int/uedocs/cmsUpload/78367.pdf>.

²⁸ The European Commission adopted the "EU Strategy for Africa: Towards a Euro-African pact to accelerate Africa's development", COM 2005 (489), on 12 October 2005 after receiving political direction from the June 2005 European Council. The Strategy was developed with two rounds of written consultation as well as an in-person consultation with the AU and sub-regional African organisations in an effort to ensure it matched the aspirations of African leaders. It is the EU's response to helping Africa meet the Millennium Development Goals by the target year of 2015. It also seeks to focus more development aid on Africa. The Strategy is expected to be adopted by the Council of Ministers at the Foreign Affairs ministerial meeting on 12-13 December 2005.

²⁹ Council-ACP Decision No. 14955/03, November 2003 and EDF Committee Decision March 2004.

Commission, on the deteriorating security situation in Darfur, 1 October 2005.

The Europeans are expected to avoid heavy-handed insistence on how, when and where the money should be used.

With nearly two years of its life still to run, the Peace Facility is almost exhausted. Nearly €103.8 million has been committed to peace keeping operations, including €2 million for AMIS, and a further €35 million has been committed to capacity building for the AU and African sub-regional organisations.³⁰ In August 2005 the AU officially requested an additional €70 million for its Darfur mission.³¹ While no formal decision has yet been made, the European Commission is expected to recommend that the Council of Ministers approve the request.³² Even if this money is authorised, AMIS faces a projected shortfall of a further €70 million. The AU has also requested that funds be earmarked for two further missions: €15 million for one in Somalia and €15 million for another in the Democratic Republic of Congo. Should all these requests be filled, less than 5 per cent would remain of the original fund. As noted above there is authority to top-up the Peace Facility by another €50 million or more. This money would have to come from unused EDF funds and/or from the EDF reserves, or be redirected from programs already budgeted and planned for by the EDF.³³

³⁰ €1.8 million has been committed to the Central African Economic and Monetary Community (CEMAC) peace support mission in the Central African Republic. Information provided to Crisis Group in Brussels.

³¹ This is to be used for supporting the next phase of the AMIS mission, known as AMIS IIE or AMIS II+, which involves expanding the forces in Darfur to 7,731.

³² Crisis Group interview, Brussels, 14 October 2005.

³³ Crisis Group interviews, Brussels, October 2005. How important EU funding is for AMIS, and how important the African Peace Facility is to EU funding can be appreciated from the following. The AU advised the European Commission in August 2005 that its estimated cash requirements for a year of AMIS operation (1 July 2005-30 June 2006) at a projected personnel level of 7,936 was \$252,405,835. This figure was broken down as follows: \$183,335,719 (73 per cent) for personnel costs; \$21,648,675 (8.5 per cent) for aviation fuel; \$24,753,790 (9.8 per cent) for medical services; and \$14,970,066 (5.7 per cent) for other operational costs. The EU has already committed to pay \$72,136,000 from the Peace Facility. If as anticipated it commits the further €70 million the AU has requested, it will be paying just under two-thirds of the total cash requirements for the year. The cash contributions of EU member states will raise that proportion slightly above two-thirds and allow AMIS to operate until March 2006, leaving it with the above-mentioned €70 million shortfall to make good in order to get through June 2006. Moreover, the AU calculates that the total value of the pledges it has received for the year, in cash and in kind, amount to \$445,685,793. Of this the EU and its member states contribute slightly over one third, the U.S. and

The African Peace Facility is not the only tool, nor is it without application problems (as discussed in the next section), but it is by far the strongest available to the EU for assisting peace support operations by African institutions. The European Commission used its Rapid Reaction Mechanism (RRM) in 2004 to give €1.5 million to support the IGAD peace process between the Sudanese government and the SPLM.³⁴ The European Development Fund (EDF) allocated €2 million to the AU for peace building and security.³⁵ Even before the Peace Facility was set up, the EU gave the AU €25 million in 2003 for its mission in Burundi (AMIB).³⁶

However, there are limitations on how far and how fast the EU can develop its partnership with the AU:

- **The relationship is relatively new.** The AU has only existed since 2002, and its peace and security structures have only been in place since mid-2004. It is still developing its political credibility as the de facto representative of the African continent as a whole. The EU's peace and security policy is similarly in an evolutionary phase.³⁷
- **The EU is not a single actor.** EU external actions have several different components and are managed by different institutional actors. An official in Brussels noted: "The (EU) Political and Security Committee gives political direction to the EU's

Canada each slightly less than one-third, and a number of other states and international organisations smaller amounts. These figures were made available to Crisis Group in Brussels.

³⁴ The Rapid Reaction Mechanism (RRM) is a financing tool developed by the EU to address quickly "crisis or emerging crisis, situations posing a threat to law and order, the security and safety of individuals, situations threatening to escalate into armed conflict or to destabilise the country". The RRM covers those areas that are not dealt with by emergency provisions of other EU financing tools. Its budget for 2005 was €30 million. For more on the RRM, see Crisis Group Report, *EU Crisis Response Capability Revisited*, op. cit.

³⁵ The European Development Fund (EDF) is the main tool of the European Union for supporting development initiatives in ACP (African, Caribbean and Pacific) countries. It is not part of the EU budget but is funded by direct contributions from EU member states, not necessarily in proportion to national income. The main donors are France and Germany, which contribute approximately twice as much as the UK and Italy to the current EDF. The EDF is renegotiated with ACP countries every five years and is administered by the European Commission's Development Directorate-General. For more on the EDF, see *ibid*.

³⁶ This was funded through the so-called B-envelope of the EDF.

³⁷ The EU undertook the first African mission under its European Security and Defence Policy (ESDP) in 2003, to Ituri in the Congo. See Crisis Group Africa Report N°64, *Congo Crisis: Military Intervention in Ituri*, 13 June 2003.

external action, although it is often too distant from the reality on the ground to manage all the different priorities of the EU actors involved".³⁸ In general terms, the European Commission is responsible for development and trade policy, while the Council and the member states have primary responsibility for the Common Foreign and Security Policy and its ESDP component.³⁹ The African Peace Facility is something of an anomaly: it supports a peace and security operation but is administered by the Commission, which has no mandate for and thus experience in military matters because these normally are reserved for the Council. An action like that in Darfur, which is so dependent upon the Peace Facility, requires the EU institutions to work together in new ways.

Moreover, in addition to action taken in the name of the EU as a whole, member states have independent bilateral relationships not only with individual African states but also with the AU. The historical colonial states such as the UK and France have particularly strong interests, independent donor profiles and non-EU military programs in Africa.

- **The AU is not the only focus of EU policy in Africa.** In important ways the main vector of EU policy in Africa is the 2000 Cotonou Agreement with the African, Caribbean and Pacific (ACP) countries.⁴⁰ On political and security issues, the AU increasingly has a privileged relationship with the EU. Nevertheless, funding for the African Peace Facility is derived from an EU-ACP mechanism.
- **Mismatched ambitions and capabilities.** Although they recognised the Darfur crisis from the beginning as a major challenge, neither the EU nor the AU could fully appreciate the extent to which the AU's nascent capabilities would be stretched by its requirements. Adjustments are being

made but as the AMIS mission proceeds and as other tasks are considered in the future, the partners will need to define more precisely what each can realistically contribute if disappointment is not to set in.

The EU Strategy for Africa elaborated by the European Commission this month⁴¹ sets out a comprehensive approach for everything from peace and security matters to use of natural resources. It proceeds from the reasonable assumption that the AU and EU agendas are complementary, both on the continent and more widely.⁴² The Commission -- understandably given its own special competencies -- seeks to encourage cooperation with the AU beyond peace and security issues on matters such as trade and social policy.⁴³ However, AU priorities are likely to remain fixed for some time on Africa's most pressing conflict problems, not least because the West's reluctance to deploy its own peacekeepers there leaves little alternative.

B. THE AFRICAN PEACE FACILITY: CRISIS RESPONSE OR CAPACITY BUILDING?

As noted, the African Peace Facility has become the primary mechanism through which the EU works with the AU to address the Darfur crisis. There was perhaps little alternative. The EU Battle Group concept, intended to give Brussels a more credible option to project military force in peacekeeping operations, is not yet fully operational, and there remains concern that European publics would not be willing to support deployment of European troops into what is close to a non-permissive environment in Darfur.

The funding of the Peace Facility from monies that otherwise would be spent on more classical development activities in the ACP countries signifies both African solidarity and African ownership.⁴⁴ Moreover, the Peace Facility, by emphasising the importance of African choices and African response mechanisms, represents a significant alteration in EU peace-building and peacekeeping efforts, which no longer are concentrated on UN missions.

In many ways, however, the Peace Facility has been unbalanced by the requirements of the Darfur crisis. It was envisaged that its monies would be adequate to

³⁸ Crisis Group interview, Brussels, 30 September 2005.

³⁹ There are a number of EU bodies with which the AU could or should engage; in the European Commission this includes Directorates General Development and EuropeAid Co-operation Office and the Humanitarian Aid Office (ECHO); in the Council of Ministers, the civilian and military cell, CIVCOM (Civilian Crisis Management Committee), EU Special Representatives and the PSC. For an explanation of the workings of the institutions of EU foreign policy, see Crisis Group Report, *EU Crisis Response Capability Revisited*, op. cit.

⁴⁰ The EU has entered into a structured relationship with the ACP countries configured around trade and aid, but the Cotonou Agreement introduced an increasingly strong political element to the relationship. The African members of the ACP are members of the AU, but not all members of the AU, e.g. Algeria, are members of the ACP. Morocco is the only African state that is not a member of the AU.

⁴¹ "EU Strategy for Africa", op. cit.

⁴² Crisis Group interview, Brussels, 4 October 2005.

⁴³ Ibid.

⁴⁴ As noted, the money in the African Peace Facility comes from EDF development funds. It is still considered by the EU as development funding used for development purposes -- support for peace and security -- albeit in the indirect sense that peace and security are central preconditions for sustainable development.

provide significant funding for a minimum of six peace support missions over its three-year life with more than just pocket change left over to pay as well for some capacity training. Instead, the AMIS mission has already consumed virtually the totality of the money available, with more bills due soon. Capacity-building work has largely been sidelined by immediate operational needs. An EU official cited the "distraction"⁴⁵ of Darfur as responsible for the relative slighting of capacity building but another pointed out that the AMIS mission had forced the AU to do on-the-job capacity building.⁴⁶ Other EU officials called AMIS a "catalyst" that compelled the AU to put in place the structures and systems needed for peace support operations at a much faster pace. The AU anticipates hiring an external consultant to advise on spending the €29 million still available for capacity building.⁴⁷ The European Commission's Strategy for Africa calls for the EU to support African peace support missions by "*developing organisational capacities of African institutions, in particular through a proposed ten-year capacity building plan for the AU*".⁴⁸ Crisis Group believes that such a capacity building plan, to be developed by the European Commission in the coming months, should take into consideration the AU external consultant's recommendations in the area of peace support operations.

The Cotonou Agreement/EDF source on which the Peace Facility draws, imposes restrictions in terms of the support that can be provided. In particular, the Peace Facility cannot fund direct military assistance. Consequently, the EU's cash contributions have been directed to personnel and logistical needs.⁴⁹ This has forced the AU to rely on other donors, including a number of EU member states, for important additional support. The restrictions on its own assistance and the mix of other helpers has required the EU to work hard at donor coordination. As discussed

below, the Darfur experience with this never easy task has not been particularly good.

While the Peace Facility is intended to promote African ownership, a high degree of EU oversight of expenditures is built-in. Again as discussed below, there has occasionally been tension between these two elements.

⁴⁵ Crisis Group interview, Brussels, 26 September 2005.

⁴⁶ Crisis Group interviews, Brussels, 30 September and 6 October 2005.

⁴⁷ Crisis Group interview, Brussels, 30 September 2005.

⁴⁸ "EU Strategy for Africa", op. cit., p. 22.

⁴⁹ The prohibition on funding direct military support or equipment is clearly expressed in "Financing Proposal, the 9th EDF", AIDCO/C/4(2004)D/3908, 31 March 2004, made available to Crisis Group in Brussels, which states: "The compulsory list of non-eligible expenditure includes ammunition, arms and specific military equipment, spare parts for arms and military equipment, salaries for soldiers and military training for soldiers. No other costs are excluded. An indicative list of eligible expenditure includes: per diem, communication equipment, medical facilities, wear and tear of civilian equipment, transport, and logistics". This limitation is consistent with guidelines developed within the OECD for official development assistance (ODA). See the OECD/DAC paper, "Helping Prevent Violent Conflict" (2001 supplement to 1997 guidelines). The DAC is the Development Assistance Committee of the OECD.

III. THE EU IN DARFUR

A. SUPPORT TO THE NEGOTIATION PROCESS

The AU took the lead also in the political process following signature of the N'djamena agreement,⁵⁰ gaining more credit for stepping in when no one else was willing to do so, but achievements have been minimal. Once again the AU is only partly to blame, as the parties ultimately have shown little political will to seek a genuine political solution. However, the AU has also done a poor job of establishing a credible negotiation process. It has not helped that over the past year it has had two special envoys and three lead negotiators. The appointment in May 2005 of Dr Salim Salim, a former OAU Secretary General, as the latest special envoy has brought some much needed stability to the process and contributed significantly to the Declaration of Principles the parties finally signed on 5 July 2005. However, the increasing divisions within the rebel movements make it difficult to envisage further significant movement in the near term.⁵¹

The AU did not have an established mediation capacity when the negotiations began. It sought to draw expertise from within its own Conflict Management Centre but it made a crucial mistake in failing to consult with and engage the experienced mediation team from the IGAD process between Khartoum and the SPLM. Donor support to the negotiations has been limited, in terms of both political and financial support. The EU, however, has given aid to the Centre for Humanitarian Dialogue, an NGO involved in the early phases of the negotiations and partially responsible for getting the initial N'djamena talks underway, and together with the member states, it has given more than €4 million to support the peace talks now being conducted in Abuja.⁵²

The EU has also assigned two senior diplomats to assist the negotiations. Sten Rylander (Sweden) has been acting as the special envoy on Darfur and member of the

mediation team for the past year. In July 2005, Pekka Haavisto (Finland) was appointed EU Special Representative for Sudan. The two will work together until Rylander takes up a new position in December. Haavisto presides over an ad hoc coordination cell in Addis Ababa focusing on the Abuja talks and cooperation with AMIS, as well as implementation of the Comprehensive Peace Agreement (CPA) between Khartoum and the SPLM -- a large combination of responsibilities for which he should be better resourced, including with an office in Khartoum.⁵³ The U.S., Canada and the UK, have also sent observers to the talks and provided financial support, as well as limited negotiation training for the rebel delegations.⁵⁴

A main weakness of the political negotiations is that the AU and the EU, as well as the other international participants, have yet to develop a clear vision for where the talks are heading. The parties have compounded this confusion; the rebels -- particularly the SLA -- have been ambiguous about their political demands, and the government has refused to make any substantial offer for a political settlement in these circumstances. The U.S., especially, believes that a solution for Darfur should hew closely to the agreement reached by the government and the SPLM in January 2005.⁵⁵ This will not be easy: the CPA's power and wealth sharing and security arrangements do not translate into the Darfur situation without considerable adjustment. However, neither the AU nor the EU have offered any worked-through negotiating models.

B. MILITARY SUPPORT AND CAPACITY BUILDING

The EU's support through the European Commission and members states has, as noted, largely been directed at helping AMIS meet its logistical requirements. EU advisers, however, have also supplemented the mission's planning and operational capabilities.

The EU's financial contributions are paid to the AU out of the Peace Facility approximately six weeks from the time

⁵⁰ The negotiations proceeded with Chad and the AU acting as "co-mediators". The next attempt was held in N'djamena less than two weeks after the signing of the N'djamena agreement and resulted in a political agreement signed on 25 April 2004. However, this agreement was essentially scrapped when the leadership of both rebel movements disavowed it, claiming that their respective delegations were not mandated to negotiate it. The AU tried again in July 2004 to convene talks in Addis Ababa but the rebel leaders refused to attend, demanding instead a number of pre-conditions relating to government compliance with the N'djamena agreement. The parties finally met face to face in Abuja in late August 2004.

⁵¹ For more on problems within and between the SLA and JEM, see Crisis Group Briefing, *Unifying Darfur's Rebels*, op. cit.

⁵² Crisis Group interview, October 2005.

⁵³ Crisis Group interviews, October 2005. The EU Special Representative for Sudan was established by 2005/556/CFSP. The Coordination Cell includes a political adviser, a military adviser and a civilian police adviser.

⁵⁴ Various donors have also helped with the facilitation of travel across international borders for the exiled leaders of the Darfur rebel groups, many of whom lack the appropriate documents. Some also have guaranteed the security of rebel delegates passing from Darfur through a neighbouring country to Abuja or other sites of talks.

⁵⁵ The Comprehensive Peace Agreement (CPA).

of request. As most other donor support is "in kind", this cash offers the AU welcome flexibility.⁵⁶ Nevertheless, though the situation is improving, the AU's still relatively rudimentary administrative and management capacity has been an obstacle to harmonising donor contributions with mission needs.⁵⁷ A number of specific problems have arisen. Some AU staff complain that the EU disbursement process is too short-term and restricts AMIS's ability to plan ahead.⁵⁸ Secondly, in order to receive the requested support, the AU must meet EU reporting requirements. While the EU has sought to keep these from being too onerous, the AU has sometimes failed to meet them, resulting in delays.

A more serious problem has been generally poor coordination between donors, not least between the EU and some of its member states, but also including the U.S., though efforts to improve this have been made in capitals.⁵⁹ The UK is the biggest EU bilateral donor, having provided £34.7 million worth of ground vehicles, radios, deployment equipment and rations, as well as strategic airlift, planners and advisers. Other EU members which have pledged funds bilaterally for equipment and logistical assistance include the Netherlands (€13.6 million), Germany (€4.2 million), France (€3.2 million), Italy (€1.1 million), and Sweden (€1.2 million). Denmark, Belgium, Ireland, Finland, Greece and Luxembourg have all made smaller donations to AMIS.

The Netherlands and Canada are providing leased rotary and fixed wing aircraft. Jet A1 fuel for these aircraft has become a critical issue; it is not fully covered by the lease, and the difference has not been picked up by any other donor. The AU is asking the EU to cover the present gap but this is the most significant still open stress point in the EU assistance program. The U.S. is helping to provide accommodation and related services through subcontractors such as Pacific Architects and Engineers (PAE), to the value of \$95.4 million, and has pledged a further \$52.5 million for airlifts, logistical equipment and expertise. Canada has loaned 105 badly needed Grizzly armoured

personnel carriers to AMIS to improve its mobility, protection and firepower.⁶⁰ AMIS has trained with these vehicles but Khartoum is still, extraordinarily and indefensibly, delaying approval for the AU to bring them into Sudan.

In Addis Ababa, the EU and its member states are joined by all other donors, including the UN, on the Partnership Technical Support Group (PTSG), which the European Commission chairs. The EU and a number of the others also sit on the Liaison Group, which manages, along with the Darfur Integrated Task Force (DITF), the relationship between donors and the AU. An EU official complained about individual donors "buying a seat at the table", thus making the Liaison Group increasingly unwieldy.⁶¹

This plethora of interested parties, even of interested EU parties, presents a problem for the AU, which has struggled to deal with a large number of bilateral relationships at multiple levels. At the same time, however, the lack of a single clear European donor voice has made it easier for the AU to keep control of the AMIS mission. Likewise, the European Commission's lack of military expertise has meant that it has presented no threat to AU direction of AMIS on-the-ground operations.⁶² In fact, the Commission has acknowledged this innate deficiency in its own expertise and has sought closer involvement in Brussels of the Council Secretariat.⁶³

AMIS has wanted the Commission to serve as a clearing house for individual contributions from EU member states, but it was felt that the Commission's structures are too loose to take on such a strong coordinating role.⁶⁴ This may be as much a matter of internal EU politics, however. It is likely that member state foreign ministries would be reluctant to cede that much control and opportunity to advance their special interests; for example, Sweden is talking directly with the AU about using its €1.2 million contribution to strengthen the gender and human rights aspects of AMIS.⁶⁵

At the DITF in Addis Ababa, the Administrative Control and Management Centre (ACMC) is the primary interface for donor support at the strategic level of logistical planning and coordination. Below it is a logistics cell at the Head of Mission headquarters in Khartoum and the Joint Logistics Operations Centre (JLOC) at the force headquarters in El

⁵⁶ There are two sides to this, however. Although cash provides the recipient more flexibility, the AU considers that many bilateral donor contributions are delivered quicker and with fewer reporting constraints than those from the EU.

⁵⁷ Although the EU has allocated funding to build the AU's administrative capacity, the latter has been slow in finding and hiring personnel.

⁵⁸ Crisis Group interview, Addis Ababa, September 2005.

⁵⁹ Coordination at the capital city level is run by weekly conference calls led by Washington DC. At the EU institutional level there are weekly meetings between Commission and Council officials in what is known as the Brussels Joint Coordination Cell. In Addis Ababa there are a number of different forums for donor coordination (full explanation appears later in this section).

⁶⁰ For the relationship of the contributions listed in this and the preceding paragraphs to total AMIS requirements and to EU contributions from the African Peace Facility, see Section III A and fn. 33 above.

⁶¹ Crisis Group interview, Brussels, 30 September 2005.

⁶² Crisis Group interview, Brussels, 4 October 2005.

⁶³ Crisis Group interview, Brussels, 26 September 2005.

⁶⁴ Ibid.

⁶⁵ Crisis Group telephone interview, 14 October 2005.

Fasher. Within this structure, military staff officers from various donor countries are seconded as deputies to AU officers. The organisation provides a reasonable separation of responsibilities between the strategic, operational and tactical levels, although unlike in UN peace support operations, more is done at the strategic level within AU headquarters and the DITF than at the operational level.⁶⁶ Development of a joint logistical structure to support all mission elements (military, policy and civilian)⁶⁷ and establish the necessary joint command and control mechanisms for the whole mission has been impeded by the Force Commander's reluctance to relinquish control. Another reform that might be considered is establishment of an overall "Joint Commander" for all tactical operations (observation, protection, police and the like) and possible integration of the position with the joint logistical structure.

The EU has deployed field staff to AMIS from the beginning, under the modalities agreement the AU initially negotiated with the parties. This presence is part of the effort the EU makes to follow how its money is spent. However, the officers assigned by the EU Military Staff (EUMS) and working out of Brussels, Addis Ababa, Khartoum and El Fasher also provide liaison and technical advice on both operational and logistical aspects of the mission. In addition, a French brigadier general as vice chair and eleven military observers are embedded in the CFC; five EU officers and four technical experts take part in the DITF; and seven officers are included in the AMIS logistics support structure.

Civilian policing is an aspect of AMIS that has been the source of some friction in the relationship. The EU has committed to send 50 civilian police advisers but only sixteen have been deployed. While the EU seeks to stay within the concept of African Ownership, this sometimes comes into conflict with its own view of what is necessary to achieve the aims of the mission. On a number of occasions and in a number of areas, the AU has resisted allowing EU personnel to serve as integral parts of AMIS, in part to assuage Khartoum's sensitivity about non-African troops. However, EU and other international advisers have at times been able to take advantage of AMIS's relatively

loose structures to provide more hands-on help than formally acknowledged.

Though the view is not necessarily shared by other donors, including some EU member states, the EU generally considers that the amount and nature of its assistance (cash rather than in-kind contributions) has resulted in a "privileged partnership" with the AU in Darfur.⁶⁸ The matter of prestige aside, donor preferences do influence what is done on the ground because the resource-strapped AU is so dependent on outside assistance to keep AMIS viable. The Brussels preference is for greater emphasis on "soft power", including force sustainment, police/justice and confidence-building activity, rather than force enabling measures and classical military action. This can be traced back to the European Commission's expertise, the developmental assistance sourcing of the African Peace Facility, and the explicit limits on the use of the Peace Facility's funds for direct military purposes.

An approach that tends to favour peace-building strategies over peace enforcement runs up against the stark reality of Darfur: a crisis in which the path to an early political settlement is unpromising and the security situation is worsening again. The latest round of AU-facilitated political talks adjourned in Abuja on 20 October without meaningful progress. September and October have seen renewed government-rebel clashes, an upsurge in banditry and animal theft, more signs of anarchy in West Darfur,⁶⁹ coordinated attacks on several villages and camps of displaced persons (IDPs) in West and North Darfur by Janjaweed militias together with government regular forces,⁷⁰ serious divisions between and within the rebel movements, and attacks directly targeting AMIS personnel.⁷¹ Crisis Group has argued and still contends

⁶⁶ This may reflect the financial security that the UN has due to assessed contributions that provide a degree of predictability and allow delegation of financial responsibility to the Head of Mission. The AU is almost totally reliant upon ad hoc donor contributions. This means that most financial decisions need to be made at the strategic level where the donors tend to be represented rather than at Head of Mission level. The AMIS Military Force Commander is located at the tactical level in El Fasher instead of being co-located, as he probably would be if AMIS were a UN mission, at the Head of Mission level with the AU Special Representative and the Chief Administrative Officer.

⁶⁷ Crisis Group interview, Addis Ababa, September 2005.

⁶⁸ Crisis Group interviews with donor missions, Addis Ababa, September 2005.

⁶⁹ Following an attack in early October 2005 by militia elements supported by the government, the police in the West Darfur capital of El Geneina confronted the gang, killing at least one and arresting several others. The following day as many as 100 militia surrounded the police station, demanding the release of those captured and blood money for the dead bandit. After a brief firefight, in which the army did not intervene, the police reportedly handed the arrested bandit over to the militia and paid the blood money. Crisis Group interviews, October 2005. See also: Marc Lacey, "Chaos grows in Darfur conflict as militias turn on government", *The New York Times*, 18 October 2005.

⁷⁰ Press statement by Ambassador Baba Gana Kingibe, Special Representative of the Chairperson of the African Union Commission, on the deteriorating security situation in Darfur, 1 October 2005.

⁷¹ In separate incidents in the first week of October, three Nigerian peacekeepers and two civilian contractors were killed in an ambush in South Darfur, the first AU casualties since the beginning of the AMIS mission. The AU initially blamed the SLA but then backed away from the allegation and is still

that an immediate increase in troops -- at least doubling the numbers presently in-country to 12,000 to 15,000 -- is necessary to establish the kind of security that would protect civilians, encourage the displaced to begin thinking seriously about returning home, and improve the prospects for a negotiated settlement.

There are various options other than AMIS potentially available for delivering that support, which in Crisis Group's view should certainly be explored,⁷² but for the moment Addis Ababa and donor capitals are concentrating on what can be done within the framework of the AMIS mission. Even within this narrower range, there is a troubling lack of resolution. The requisite political will seems lacking on the part of both the AU and donors to expand the scope of the mandate to make the mission more proactive and oriented toward civilian protection or to increase its troop numbers and military capabilities.⁷³

investigating. At roughly the same time, as many as 40 AU peacekeepers were kidnapped by a small rebel splinter group in North Darfur that is allegedly controlled by a former JEM commander, Mohamed Salih Harba. The soldiers were released unharmed. "Sudan: AU condemns murder of Darfur peacekeepers", IRIN, 10 October 2005.

⁷² We have argued elsewhere that only a NATO bridging force could provide the speed, numbers and capabilities required to address the situation properly until the AU has developed sufficiently to do the job on its own: Crisis Group Briefing, *The AU's Mission in Darfur*, op. cit. The alternative option of a "double-hatting" of UNMIS, as mentioned briefly in the Executive Summary section above, needs further exploration as a possibly sounder basis than the voluntarily funded AMIS for sustainable long-term military commitment. It is possible that once the security situation has stabilised, and there is some political progress, AMIS could become a fully fledged UN mission, either a separate one such as the AU Mission in Burundi (AMIB) became or by being absorbed into the UN's wider Sudan mission (UNMIS). This might allow for building on the progress achieved by AMIS, while transferring the financial, personnel and management burden to the UN, which has greater capability and experience. An African lead might be maintained through the majority of forces, which would presumably be from AU member states, and the appointment of Africans to key positions such as Special Representative of the Secretary General and Force Commander, as with most UN missions on the continent. Although the mission would report to New York, it would presumably be possible to establish a framework for strong AU participation in strategic oversight, while the AU would continue to lead the search for a political resolution. Crisis Group will address the "double hatting" issue in subsequent reporting. It is important to keep in mind, however, that "double hatting" does not mean "dual command". Militarily only one organisation should be in command.

⁷³ Most donor assistance has not included military hardware, which AMIS would need to carry out an expanded mission. The notable exception is Canada's provision of armoured personnel

The EU and other donors are preoccupied by budgetary concerns and increasingly question AU capacity and expertise. The prevailing view among them is essentially to maintain the status quo, which is interpreted as concentrating on merely getting the personnel level to the latest AMIS target of 7,731, getting this force up to full operational capacity, and not expanding the mandate, though as a partial measure they are prepared to take the advice of the March 2005 Joint Assessment Mission, which recommended that tasks be "re-prioritise[d]" to give greater emphasis to civilian protection within the existing mandate.

Any personnel increase beyond the AMIS II target that is considered in present circumstances would probably be along the lines of the target suggested by AU Commission Chairperson Konaré in May 2005: to move gradually to 12,300 (all from AU member states) by spring 2006 in order to provide security for IDPs and refugees willing to return to their homes.⁷⁴ European Commission and Council officials consistently tell Crisis Group, however, that they want to see the troops already deployed operating at full capacity before considering any further expansion. Indeed, it is common thinking in Brussels that increased troop numbers in AMIS have been accompanied by declining efficiency.⁷⁵ One EU official claimed AMIS is operating at 40 to 50 per cent capacity,⁷⁶ while another asserted the mission conducted fewer patrols in September than in April and May when it had at least 2,000 fewer troops, although it was acknowledged that factors such as fuel shortages and the rainy season likely contributed to this discrepancy.⁷⁷

carriers, which would greatly enhance the mission's fighting capability if allowed into Darfur by the Sudanese government, see above.

⁷⁴ See fn. 23 above and Crisis Group Briefing, *The AU's Mission in Darfur*, op. cit.

⁷⁵ Crisis Group interviews, Brussels, 26-27 September 2005.

⁷⁶ Crisis Group interview, Brussels, 23 September 2005.

⁷⁷ Crisis Group interview, Brussels, 26 September 2005.

IV. CONCLUSION

It would be premature to judge the success or failure of the AMIS mission and the AU/EU partnership that has been a major support for that mission before the outcome of the Darfur crisis itself can be assessed. At this moment, the achievements that both Addis Ababa and Brussels can point to are overshadowed by the continuing serious and in significant ways worsening situation on the ground. One way or another the international community simply has to do more and be prepared to do it in a tougher manner, if not by alternative mechanisms like the NATO bridging force that Crisis Group has recommended or the "double-hatting" of UNMIS as increasingly being discussed, then through the instrument at hand -- the AU's AMIS mission, assisted even more substantially and more effectively by the EU and other donors. This implies a much longer commitment and involvement by the AU in Darfur but also a significant increase in external support.

Difficult decisions need to be taken quickly. The African Peace Facility, the primary mechanism for EU aid, is nearly depleted. The Commission should take the internal steps required to top up the Facility by the extra 20 per cent that its regulations allow and be prepared to commit most if not all that additional €50 million to maintaining and beefing up AMIS. It should also canvas member states about the prospect of providing additional funds before 2007 -- when the Peace Facility's authorisation expires -- either to meet further AMIS expenses or to allow the EU to address some of the other tasks the mechanism was created for before it was hijacked by the urgency of the Darfur crisis.

It is also not too soon for the EU to decide on how best to revise the Peace Facility. Its life-span is limited by the fact that its financing comes from the EDF, itself renegotiated every five years. If it is to continue past 2007, there will have to be a new agreement by the Council of Ministers, presumably after close consultation with the African states in both the Cotonou and AU frameworks. Many of the issues involved and conceivable alternative solutions are beyond the scope of this policy report but among the various options that might be considered are:

- continuing its financing through the EDF, thus retaining the link to the Cotonou Agreement and its development assistance ethos and, consequently, Commission primacy among EU institutions associated with using the mechanism;
- funding a renewed Peace Facility directly from the EU budget, perhaps by channelling it through an increased budget for the Common Foreign and Security Policy (CFSP), which would bring the Council and member states more directly into its

management than hitherto and could provide additional flexibility as to the type of assistance offered; or

- creating an off-budget fund within the CFSP framework.

Each option would have consequences in terms of where and on what Peace Facility funds could be spent, which EU institutions would control or most influence it, the speed with which help could be given to the AU or other organisations, and the extent to which the mechanism could be considered, as the EU has desired, African-owned. The Commission's preference is to retain an EDF-financing structure but no conclusions have emerged from preliminary discussions between it and the Council.⁷⁸ Crisis Group believes that the EU should retain the Peace Facility but that Commission and Council should be more equally involved in its administration, with better coordination and a more coherent approach than has been the case until now. The two institutions have different and complementary experience and expertise that should be available to the AU and other recipients.

It would also be desirable for the restriction on direct military support to be removed, whether explicitly through amendment of the terms of reference of the Peace Facility -- which would be difficult if the EDF link is retained -- or by other means such as creating a supplemental funding source for that specific purpose. Such a change would give the EU greater flexibility to provide the type of assistance that the AMIS mission and other foreseeable peace support missions in Africa will continue to require, as well as better standing to take the lead role in coordinating overall donor assistance to such missions.

The EU will also need to decide whether it is willing to commit again in such a large way to any single future AU mission. Many officials in Brussels, and even some now in Addis Ababa, believe that UN-hatting is preferable for such major missions because funding sources are likely to be more varied and reliable. This is one reason why the AU is beginning to think seriously for the first time that even its Darfur exercise would be more secure if tied closer to the world body. Regardless of how this debate turns out, however, it is essential that both the EU and the AU see their commitment to peace and security in Darfur through to the end.

The results to date from the EU-AU relationship in Darfur and implementation of the Peace Facility have been mixed, though generally positive. EU officials readily acknowledge that support to AMIS has involved a steep learning curve for both sides, but without access to the

⁷⁸ "EU Strategy for Africa", op. cit.; Crisis Group interview, Brussels, 4 October 2005.

Peace Facility, the AU mission would likely not have expanded beyond its initial limited numbers and functions if indeed it deployed at all.

The experiences of the past year and a half have shown the need for greater internal cooperation by EU bodies, especially the Commission, Council and EU Military Staff. The initial efforts of the EUMS caused friction in the EU-AU relationship due to an understandable focus by military specialists not necessarily attuned to African sensitivities to insist on what they believed was needed to achieve quicker operational effectiveness. This produced some solutions that were largely directive and so undermined the African ownership premise. This is less of a problem than it was at the beginning but the EU should take care to assign personnel with prior African experience, including personnel seconded from member states.

The degree of EU control and direct involvement in AMIS has been another area of friction. The AU initially wanted to have financial support with few personnel interventions,⁷⁹ and officials in Brussels believe the AU has not shown sufficient interest in joint operation centres or made sufficient use of offers of joint logistical structures.⁸⁰ While EU advice is not always welcomed, however, it tends to be accepted or rejected more on the basis of individual relationships than any structural tensions. That so much is dependent on personalities (from both sides) and communication styles is another argument, of course, for very careful vetting before assignments are made.

Whatever difficulties the AU/EU partnership in AMIS may have experienced to date, the two organisations will continue to cooperate out of mutual recognition of their need for each other and the complementarity of their political agendas. Crisis Group soundings in Addis Ababa suggest that U.S. influence on the AU has been gradually growing. Washington gives relatively modest financial support to AU infrastructure but it is an important contributor to AMIS. However, the AU is sceptical of Washington's approach to a number of issues on the continent; for example, it believes a not sufficiently differentiated U.S. counter-terrorism policy tends to undermine fragile democratic transitions in member

countries. The AU will undoubtedly prefer to work with both Brussels and Washington without offering either a privileged status that might circumscribe its own freedom of action.

Bilateral efforts by some EU member states have not always been harmonised with what Brussels has been trying to do with the AU. This, of course, is something of a generic problem in EU foreign policy so it is not surprising that it has made an appearance in Darfur. Much progress has already been made in achieving greater consistency, especially on the ground, but ensuring maximum effectiveness and visibility of the EU contribution is among Special Representative Haavisto's priorities. While it is highly desirable that the EU institutions and member states should more consistently speak with a single voice, there are limits to the extent to which the Commission or any EU institution can or should be the single coordinator of all EU and member state support, as some in the AU would like. Member states sometimes can and do respond more rapidly than EU machinery, especially for immediate contingencies. The Brussels Joint Coordination Cell -- which brings together the various EU institutional actors involved in Darfur/Sudan policy -- should work closely with EUSR Haavisto to ensure greater coherence between EU and member states actions.

All that said, however, the AU, the EU, the U.S., other donors and the UN Security Council must face up to the fact that they have on their hands a still dangerous and indeed deteriorating situation in Darfur. Though AMIS was envisioned as a monitoring mission, it has become apparent that a mission with a stronger protective Chapter VII mandate is likely to be required if the dynamics are to be substantially improved. Thus, while EU support to the AU has largely been a success on a technical level and within the parameters of the African Peace Facility, much more must be done via a larger, empowered international force -- by the AU and with continued EU and other donor support -- to protect civilians and create conditions for a return of the displaced and more promising political negotiations.

Nairobi/Brussels, 25 October 2005

⁷⁹ Crisis Group interviews, Brussels, September 2005. Three months into the AMIS mission, however, one of its senior officials asked for more European observers.

⁸⁰ Crisis Group interviews, Brussels, September 2005. Some EU officials also criticised what they perceived to be the AU's willingness to run AMIS as a political exercise. This mainly referred to what they considered an apparent willingness to increase troop numbers without improving the management structures that would allow the additional troops to be sustained at full capacity. Many EU officials lamented what they called a gap between EU ambitions and AU capabilities.

APPENDIX A

MAP OF SUDAN



APPENDIX B

ABBREVIATIONS AND ACRONYMS

ACMC	Administrative Control and Management Centre within the DITF
ACP	African Caribbean Pacific countries
AMIB	AU Mission in Burundi
AMIS	AU Mission in Sudan
ANAD	Accord de Non Agression et d'Assistance en Matière de Défense (Treaty of Non-Agression, Assistance and Mutual Defence)
APF	African Peace Facility
ASF	African Standby Force
AU	African Union
CEMAC	Central African Economic and Monetary Community
CFC	Ceasefire Commission
CFSP	Common Foreign and Security Policy of the EU
CIVCOM	Civilian Crisis Management Committee of the EU
CPA	Comprehensive Peace Agreement (between the Government of Sudan and SPLM/A)
DAC	Development Assistance Committee (within the OECD)
DITF	Darfur Integration Task Force
DRC	Democratic Republic of the Congo
ECHO	European Humanitarian Aid Office
ECOWAS	Economic Community of West African States
EDF	European Development Fund
ESDP	European Security and Defence Policy
EU	European Union
EUMS	EU Military Staff
EUSR	European Union Special Representative
Ex-FAR	Former Rwandan Armed Forces which took part in the 1994 genocide
IDP	Internally displaced person
IGAD	Inter-Governmental Authority on Development
JAM	Joint Assessment Mission
JEM	Justice and Equality Movement
JLOC	Joint Logistics Operations Centre within the DITF
MILOBS	Military Observers
NATO	Northern Atlantic Treaty Organisation
NEPAD	New Partnership for Africa's Development
OAU	Organisation of the African Union (the precursor to the African Union)
ODA	Official Development Assistance
OECD	Organisation for Economic Co-operation and Development

PAE	Pacific Architects and Engineers (U.S.-hired sub-contractor)
(EU) PSC	Political and Security Committee of the EU Council of Ministers
(AU) PSC	Peace and Security Council of the African Union
PTSG	Partnership Technical Support Group
RRM	Rapid Reaction Mechanism
SADC	Southern African Development Community
SLA	Sudan Liberation Army/Movement
SPLM/A	Sudan People's Liberation Movement/Army
UNMIS	UN Mission in Sudan
U.S.	United States of America

APPENDIX C

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October 2005

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