Protection of Civilians Mandates and ‘Collateral Damage’ of UN Peacekeeping Missions: Histories of Refugees from Darfur

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ABSTRACT
This article contributes to refining our understanding of how a robust Protection of Civilians mandate in peacekeeping missions may have unintended and harmful consequences for key local actors involved. It focuses specifically on local mission staff employed to collect vital data on human rights abuses, taking the example of the hybrid UN-African Union (AU) peacekeeping mission in Darfur, UNAMID. It further explores how the UN system lacks a clear policy or automatically built-in mechanisms to prevent potential harm to those on whose local knowledge it relies. While predominately based on interview data with a small number of former UNAMID frontline human rights data-collectors from Darfur, the dynamics unveiled speak to more general issues when interrogating protection of civilians as the central pillar of UN peacekeeping missions, also beyond scenarios where the government of a host-state is hostile to the mission. The article concludes that the protection of local staff should feature prominently in any mission’s approach, including an active commitment to withdraw staff from their positions if their security is threatened or compromised.

KEYWORDS Protection of civilians; local staff; human rights; UNAMID; Darfur

Introduction
In the wider literature on United Nations (UN) peacekeeping missions, often contradictory claims are being made about their effectiveness in relation to civilian protection, and the question if such missions may contribute to local conflicts and grievances, or engage in distinctly un-peaceful acts, for example in relation to the distortion of local economies, or sexual exploitation and abuse.1 High profile failures of UN peacekeeping missions in relation to the protection of civilians, perhaps most prominent in Bosnia and Rwanda, and wider UN failures in Sri Lanka, resulted in a modified role and

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mandate of such missions. For UN peacekeeping operations, this has resulted in a move to make the protection of civilians (POC) increasingly a core objective from 1999 onwards, including in settings where peacekeeping exists within a framework where the host government is (partly) hostile to the mission. In particular, since 2015, peacekeeping practice with regards to the PoC has continued to evolve, and new policies have been developed to implement any PoC mandate more effectively. At the time of writing, 16 UN peacekeeping missions have or had an explicit PoC mandate, including seven of the current 13 missions in operation.

This has resulted in the observation that the POC has perhaps become the most visible moral standard to judge the credibility of any UN peacekeeping mission. A further argument has been advanced in the literature that suggests peacekeepers should offer POC in a way that allows a community to heal itself, thus advocating for a more comprehensive understanding of civilian protection linked to wider rights. Taken together, international human rights law (IHRL) has always served as an integral part of the normative framework for peacekeeping operations. But making an expanded definition of the POC a core obligation, as also enforced in the UN Report of the High-Level Independent Panel (HIPPO), that in effect amounts to making peace operations accountable to the people they serve and challenges the primacy of sovereign states, can be seen as an important normative shift.

In turn, such a strong mandate for UN peacekeeping operations to protect civilians and uphold their rights, requires as a prerequisite an in-depth, evidence-based understanding of the actual dynamics of conflict, and the potential shortcomings of host governments, as the POC falls primarily to the host state. Furthermore, as I have argued in a previous paper, the perceptions of civilian populations about threats to their well-being are of prime importance when aiming to address protection needs and human rights violations. For such views from below to make their way into UN information and analysis systems, local civilian staff on the ground, at the interface between local civilian populations and international mission staff, are key.

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6 Ibid., 7; 27.
7 Levine, The Morality of Peacekeeping.
10 This, it has been argued, has implications for UN impartiality, but to further engage with this argument is beyond this paper, see Paddon Rhoads, “Putting Human Rights up Front”, for a recent discussion.
11 Müller with Bashar, “UNAMID is Just Like Clouds in Summer.”
12 UN DPO, The Protection of Civilians, 24.
In turn, providing protection for such staff, in particular in settings where a peacekeeping mission does not enjoy the full support of its host government, or is even seen as hostile to it, becomes vital. But local civilian staff and their potential protection needs are absent as a distinct category from policy documents that engage with the POC mandates of UN peacekeeping missions, even though POC issues and violations of International Humanitarian Law (IHL) and IHRL have received heightened prominence over time, and specific categories of people with specific protection needs have been expanded upon. Local civilian staff are included in evaluations of risk and threats to ‘peacekeepers’ more generally, a fact that does little to take into account their acknowledged importance for the cornerstone of POC efforts, community engagement, that relies on ‘the recruitment and retention of strong national colleagues’. Nor does the general definition of what a POC mandate in UN peacekeeping missions implies, as defined in the latest PoC policy document, take the specific vulnerability of local civilian staff into account when it states that the POC is defined as without prejudice to the primary responsibility of the host state, integrated and coordinated activities by all civilian and uniform mission components to prevent, deter or respond to threats of physical violence against civilians within the mission’s capabilities and areas of deployment through the use of all necessary means, up to and including deadly force.

This article engages with this conundrum in offering in-depth empirical evidence on how vital data collection efforts for the hybrid UN-African Union (AU) peacekeeping mission in Darfur, UNAMID, in turn, harmed those at the apex of such data collection. Based on an analysis of this empirical data it further explores how the UN system lacks a clear policy nor has automatically built-in mechanisms to prevent potential harm to those on whose local knowledge it relies. While predominately based on interview data with a small number of former UNAMID frontline human rights data-collectors from Darfur who worked for the mission between 2007 and 2014, the dynamics unveiled speak to more general issues when considering the protection of local civilian staff employed in sensitive areas.

**Methodology**

Methodologically, the main empirical part of the paper is based on interviews conducted in 2016 by the author in three different urban settings in the UK

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13 OCHA, *Security Council Norms and Practice*.
14 UN DPO, *The Protection of Civilians*, 107. A few paragraphs later, risks for such community engagement are identified, but they focus solely on risk to the community and its civilian members, and do not mention risk to national civilian staff. The only potential reference to the latter comes in a ‘What to do list’ that has as its first point ‘Ensure the safety and security of interlocutors’ – even though from the context ‘interlocutors’ refers to liaison staff from local communities, not civilian national staff.
with four former employees of UNAMID in different functions but all directly or indirectly related to documenting human rights abuses in Darfur or assisting with such documentation. The four, three men and one woman, worked for UNAMID from 2010–2013 (one interviewee), and from 2007–2014 (three interviewees). They were selected through snowball sampling methods through the author’s networks in relation to a three-year research project on peacekeeping data in Darfur. While the number of interviewees seems small, in reality not many people who once worked for UNAMID and subsequently secured asylum and often fundamentally different career prospects or outlooks are willing to talk about their time at UNAMID, even under anonymity. In fact, the author approached some additional potential interviewees who declined to be interviewed. Thus, an in-depth look at the lives of the four interviewees provides a unique window into the difficult trade-offs they faced. To protect the anonymity of the four participants, interviewees are only referred to by letters and the concrete location where the interview was conducted is withheld.

The paper also makes use of additional data collected for the project by its postdoctoral researcher, Zuhair Bashar, namely 53 interviews conducted among Darfurian refugees (41 men and 12 women) in two refugee camps in Eastern Chad, Goz Amir and Goz Beida. The recollections of their engagement with UNAMID, in particular in relation to reporting human rights abuses and abuses of civilians, adds an additional dimension to the dynamics the paper interrogates. Lastly, the paper draws on interview data with peacekeeping staff from other missions actively involved with human rights in UN peacekeeping missions conducted by the author in Addis Ababa, Ethiopia, in March 2016. These participants spoke to the author on condition of anonymity. Ethical approval was granted by the University of Manchester Committee on Research Ethics and all interviewees agreed that anonymised quotes could be used in future publications.

The reminder of this article is organized as follows: The next section provides a brief discussion about the conflict in Darfur and how data aimed at protecting civilians has been collected. The subsequent section analyses the role of local interlocutors as presented in the interviews with former UNAMID employees, triangulated with how refugees in Chad remember such encounters and the literature on data collection within UN peacekeeping missions. This is followed by a section that outlines the various ways in which former UNAMID employees have subsequently been threatened, and the failure of UNAMID to provide proper protection. The plight of these employees is then discussed and reflected upon in light of the POC aspirations of UN peacekeeping missions. The paper concludes by advocating in favour of a

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16 A paper that analyses more in depth how Darfurians in refugee camps in Chad experienced the conflict in Darfur that engages with this dataset in more detail was published in 2017, see Müller with Bashar, “UNAMID Is Just Like Clouds in Summer.”
clear policy for the protection of such staff, and their recognition as a distinct staff category in need of protection.

**The Conflict in Darfur and UNAMID’s Mission**

Much has been written about the intermittent violence and conflict in the Sudanese state of Darfur from the mid-1980s onwards, triggered by a combination of local dynamics but also related to features of national state governance and the structural position of Darfur within Sudan, and shall not be repeated here.17 UNAMID as a hybrid mission made up of AU and UN forces entered the scene in Darfur in December 2007, taking over from an AU mission that had initially been created as an observer mission to monitor the 2004 ceasefire agreement that had preceded the Darfur Peace Agreement (DPA) signed in Abuja, Nigeria, in May 2006.18

The post DPA period saw a decline in large-scale, battlefield-type violence in Darfur, whereas the security situation of civilians remained precarious and the wider quest for a political solution to the conflict elusive. The conflict in many ways had mutated from one between clearly defined rebel groups and the Government of Sudan (GoS) into a ‘violent scramble for power and resources’ involving multiple actors.19 Where in the past the GoS mainly used proxy militias, the so-called *Janjaweed*, to incite violence,20 by the time UNAMID entered the scene, some *Janjaweed* forces had turned against the government, while more generally the *Janjaweed* arguably always used the government for their objectives.21 The post DPA time thus saw increasingly divided rebel groups and new armed factions continue to battle for territory and influence.22 This state of affairs did not alter fundamentally with the 2011 Doha agreement aimed at creating a framework for peace in Darfur.23

Becoming fully operational on 31 December 2007, UNAMID had as its core mandate the protection of civilians including the large population of internally displaced people (IDPs) in the various refugee camps within Darfur.24

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17See for example Abdul-Jalil, "Nomad-Sedentary Relations"; Flint and de Waal, *Darfur: A New History*; Mamdani, *Saviours and Survivors*.
18Caparini et al., *The Role of the Police in UNAMID*.
20According to an International Crisis Group (ICG) report from July 2005, based on interview data with AU officials, 75% of all verified killings in Darfur since June 2004 had been carried out by *Janjaweed* – type proxy militias, see *The AU’s Mission in Darfur*, 4.
21See Flint, *Beyond ‘Janjaweed’*, for a comprehensive discussion of these dynamics.
22De Waal, “Mission Without End?,”
24In addition to the protection of civilians ‘without prejudice to the responsibility of the GoS’, UNAMID is also tasked with facilitating delivery and security of humanitarian assistance; mediate between the GoS and armed groups verifying the implementation of peace agreements, assisting an inclusive political process, contributing to the promotion of human rights and the rule of law; and supporting the mediation of community conflict, see [https://unamid.unmissions.org/unamid-mandate](https://unamid.unmissions.org/unamid-mandate), accessed 2 April 2020.
UNAMID thus from the outset had a clear mandate to record and act upon incidents that threatened the security of civilian populations.25

The fact that the UNAMID mandate explicitly formulated the POC as a core duty indirectly acknowledges that the GoS failed to do so, not least as a large percentage of those civilians by then lived in IDP camps whose security in theory was guaranteed by Sudanese government police and security forces.26 UNAMID’s creation and its POC mandate was also strongly intertwined with the wider ‘Save Darfur’ campaign and its vocal lobbying in favour of intervention on behalf of ‘innocent’ Darfuris and against the GoS, which as a side effect created quite unrealistic expectations among some Darfuri communities of what UNAMID might do for them.27

It should thus have come as no surprise that the most significant challenge to UNAMID’s effectiveness in carrying out its civilian protection mandate came from obstruction by the GoS. Starting with its insistence on a mission predominately African in character instead of an international UN-led peacekeeping force as originally proposed, from its inception UNAMID lacked full cooperation and real consent from its host government.28 This state of affairs was aggravated in 2008 when the International Criminal Court (ICC) charged Sudanese President al-Bashir, leading to his indictment in 2009 on charges that included crimes against humanity and war crimes. The indictment heightened the suspicion against any UNAMID activities aimed at gathering information on violent incidents against civilians.29

Within this challenging environment but based on the mandate to protect civilians, UNAMID systematically collected micro-level data on security incidents and abuses of the rights of civilians using a range of techniques, including public meetings, focus groups, interviews with individuals, and local media analysis, in line with wider UN policies.30 These tasks were carried out mainly through staff from UNAMID’s Civil Affairs and Human Rights sections respectively. The wider literature tells us about how such information is compiled into wider UN datasets via Joint Mission Analysis Centres

26UNAMID operates in the context of a host state with a functioning police and security system, even if its presence might be weak in UNAMID deployment areas, thus does not have executive policing power. The only exception here is Kalma IDP camp where no Sudanese government presence exists, see Caparini et al., The Role of the Police in UNAMID.
27It goes beyond this article to discuss the often counter-productive role of the Save Darfur movement in more detail, but see Jumbert, “How Sudan’s ‘Rogue’ State Label Shaped US Responses to the Darfur Conflict”; Lanz, “Save Darfur: A Movement and Its Discontents”; Lanz, The Responsibility to Protect in Darfur; Mamdani, Saviours and Survivors.
28Caparini et al., The Role of the Police in UNAMID.
30For a more comprehensive discussion of these techniques see UN, Understanding and Integrating Local Perceptions.
(JMACs) and transformed into actionable intelligence. Work has also been done that interrogates ethical UN guidelines and actual practices on the ground, and how those may impact the accuracy and credibility of the data collected.

In my discussion, I focus in concrete on what could be called the frontline of data collection, an under-researched field. My focus centres on the vital role of local staff in this process, without whom international staff in any UN peacekeeping mission could often neither collect nor interpret interview and observation data in light of local conditions. The importance of local civilian staff for the mission is also visible in their comparatively large numbers, as on average they make up 50 percent or more of civilian staff. Currently, as of January 2020, the mission deploys 492 international civilian staff and 945 national civilian staff, down from 1185 international civilian staff and 2970 national civilian staff in 2012. This reduction in numbers is related to UNAMID’s changed mandate in 2018, manifesting its transition from a peacekeeping to a peacebuilding mission, with an envisaged end of the mission on 31 December 2020. Thus, while the political situation in Sudan and the deployment environment of UNAMID have changed, and with it the concrete workings of UNAMID, the broader questions at the heart of this article, how local civilian staff employed in sensitive but vital data collection of UN peacekeeping missions lack protection, remains an important issue beyond UNAMID and for any UN peacekeeping mission with a POC mandate.

Generally speaking, UN peacekeeping data collected in a quest to document security incidents and threats to civilians under a POC mandate are a vital source of information, in spite of the potential pitfalls experienced when collecting and subsequently analysing it, not least because such data is often one of very few sources of data collected over an extended period of time on the ground. In particular, in a setting like Darfur, where access

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31 Ramjoué, “Improving UN Intelligence”; Shetler-Jones, “Intelligence in Integrated UN Peacekeeping Missions.”
32 Read, Russell, and Bashar, “Capturing Conflict.”
33 Saleyan, “Best Practices in the Collection of Conflict Data.”
34 https://unamid.unmissions.org/. Potential risk to local civilian staff is also visible in the comparatively high number of fatalities among non-military staff. For UNAMID, by April 2020 33 local civilian staff were recorded as fatalities, compared to 9 international civilian staff (in addition to 172 military and 59 police staff), see https://peacekeeping.un.org/en/fatalities. Causes of death include accident and illness, in addition to the categories ‘malicious act’ and ‘other’, and for UNAMID in the timeframe from 2008–2013, death through ‘malicious act’ was the highest for all DPKO missions.
36 Duursma, “Counting Deaths while Keeping Peace”; Mac Ginty, “Peacekeeping and Data.”
for outside actors has been contentious and difficult, leading to often questionable remote data collection techniques in order to understand what may happen on the ground, such data collection can be of prime importance, also beyond the protection of civilians.\textsuperscript{37}

Turning now specifically to UNAMID and its POC mandate, while most of the mission’s sections were involved in gathering data with the purpose of monitoring and reflecting conflict situations on the ground, it were the Civil Affairs and Human Rights sections that had extensive day-to-day engagement with local populations to document threats to the safety of civilians and their human rights. These sections were usually made up of a team leader and human rights officers and reporters, all international staff, accompanied by local staff who worked as a mixture of interpreters and local human rights officers. International staff often lacked language skills not only in local languages but equally Arabic, ‘so they rely on you and you go to the field and do the interviews’.\textsuperscript{38} A description of how such field visits took place is provided in the recollection of interviewee ‘B’:

At that time [2007 onwards] human rights was a very important section, we were about 18 staff with our team leader […] we went on missions with other sections, like civil affairs, humanitarian affairs, but also other UN agencies and NGOs, we go on field missions with 15–20 vehicles for 5 days or so to collect data, my job was to translate or speak myself to people, we focus specifically on our mandate, human rights issues, like we report about rape cases, killings of civilians, arbitrary arrest and detention … and also I attended many court hearings with the international human rights officer […] because I am from Darfur, from the Fur tribe, which are the owners of the land of Darfur ['B' says this laughingly as a joke], I know the villages very well and the way they operate, so whenever my colleagues also from other sections go on missions, they come and consult me.\textsuperscript{39}

The data collected in these field visits was subsequently compiled into micro-level reports of security incidents and human rights violations across the mission through the Joint Operation Centres. The data eventually became part of JMAC reports on Darfur and was ultimately sent to UN headquarters in New York, where it fed into an analysis of events in Darfur over time. In this analysis, each individual incident has less and less relevance.\textsuperscript{40} But without the recording of these individual occurrences, reporting on human rights violations and insecurity in Darfur, or any other setting where a UN peacekeeping mission is active, would not exist. And as enforced in the latest UN document on the POC, the first step to a strategic approach of

\textsuperscript{37}On remote data collection and the issues around it see Duffield, "From Immersion to Simulation."
\textsuperscript{38}Interview, ‘A’, 3 February 2016, UK.
\textsuperscript{39}Interview, ‘B’, 6 February 2016, UK.
\textsuperscript{40}Mac Ginty, “Peacekeeping and Data.”
the latter is to comprehensively understand the local context of violence against civilians.41

Interestingly, the local human rights section staff at the forefront of collecting this micro data had little idea what became of their data, what was reported upwards and how. As ‘A’ explains:

I have seen initial drafts [of human rights reports], then they are sent to the head office in El Fasher [where the UNAMID head quarter was based]42 and in El Fasher the director of human rights is a high-profile person and he writes the final report and sends it to New York, but I have never seen any of these final reports.43

Thus, while being at the frontline of what will eventually grow to become a comprehensive dataset of security incidents and human rights violations over time, the vital role of local staff in collecting and interpreting collected information is neither acknowledged nor made the best use of, as they have little influence on what is being reported upwards. This state of affairs might partly be responsible for the various contentious issues around UNAMID reporting that have made the limelight, most prominent perhaps in the case of whistleblower Aicha Elbasri and the subsequent assertion that GoS involvement in atrocities might be underreported.44 More importantly, not only are the personal threats local staff may be exposed to when regarded as involved in documenting abuses by the GoS being ignored, but in not relying on such staff for wider data analysis and processing, important insights that could lead to different sets of policies with respect to the safeguarding of civilians are potentially put into jeopardy. The subsequent section deals with this disjoint of what is being documented by local mission staff and the relationships with local populations they develop while doing so, and action by the UNAMID mission, or the lack of it.

‘For eight years UNAMID has collected stories in IDP camps, but nothing has happened as a result’45

The quote above from ‘C’, who worked for UNAMID for five years in the media section, more specifically in the production of a UNAMID radio programme, sums up a general feeling not only among interviewees but also among many of those who were interviewed in refugee camps in Chad.

A key part of ‘C’s work was to travel with international UNAMID staff to IPD camps and record peoples’ testimonies and narratives. ‘C’ in that way

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41 UN DPO, The Protection of Civilians, 42.
42 Field Offices exist in the five states of Darfur: North Darfur, South Darfur, West Darfur, Central Darfur and East Darfur.
43 Interview, ‘A’, 3 February 2016, UK.
44 Elbasri, “We Can’t Say All that We See in Darfur”; Lynch, “They Just Stood Watching”; UN Review Team, Report of the Review Team into Allegations of Manipulation of Reporting on Darfur.
45 Interview, ‘C’, 27 February 2016, UK.
listened to multiple accounts of theft, rape, or forms of harassment and intimidation. These would then be made into a radio broadcast as in the original agreement with the GoS, UNAMID was to be able to broadcast its own radio programme. In practice, however, UNAMID in a bout of self-censorship (partly also to protect those who shared their stories) deleted content ‘that the GoS might find sensitive’. Before broadcast – not by UNAMID, but usually three days after production by the official Sudanese radio station – Sudanese censors also made sure that no content that cast it in a negative light was left.\footnote{This is the description given by ‘C’ of the process in the interview referred to in footnote 34 above. Ironically, according to ‘C’, the censors of the GoS are paid for from the UNAMID budget, as are most supporting services for UNAMID. ‘C’ also says that even though not broadcast, the original footage does still exist and was being sent to an archive in New York on a regular basis. I was unable to verify this assertion but in theory there could be interesting material from these radio programmes archived somewhere at HQ in New York that could shed new insights on events in Darfur on the ground.} While these proceedings may make sense in light of the aim not to harm civilians who have shared their stories with the radio-team, it eliminates an important source of evidence in a scenario where to be documented as official human rights abuses, three independent sources of evidence are needed. More generally, in a number of areas of Darfur, quite comprehensive data has been collected by the Human Rights section of UNAMID or other sources, like those working for the radio programme, but not fed into JMAC or other data sets because it could not be verified in line with these strict UN triangulation guidelines.\footnote{Interview with International Human Rights staff who has worked in various UN peacekeeping missions, 5 March 2016, Addis Ababa.} For local staff at the front line of collecting often disturbing data it is not always easy to understand that the evidence they so painstakingly collect in the end might count for little in the greater scheme of things.

In addition, as ‘A’ explains, local people do not fully understand the role of UNAMID either, ‘they do not understand UNAMID is this huge force but they only protect by patrolling’. ‘A’ continues to describe that when going on field missions,

when we talk to people about any violations, any sort of harassment from the local authorities, they talk to you but they are not really happy to talk to you, and at the very last they expect you to give them some material assistance as well, they see you come with all your vehicles, and when they ask what happens with the information they give you, all you can say is that a report will go to the head office, it does not make sense to them and next time you come, they will be reluctant to even come forward to talk to you.\footnote{Interview, ‘A’, 3 February 2016, UK.}

This perception of UNAMID as a force that provided little actual benefits, in material terms but also in relation to follow up on incidents, was also echoed by interviewees in the refugee camps in Chad. One refugee in Goz Amir refugee camp put it like this:
I knew many people who have contacted UNAMID and provided them with reports about incidents that took place. Surprisingly, they have not come afterwards to investigate these particular incidents. Someone told me that UNAMID staff cannot file a complaint, except through the local police, but then what is the point of talking to UNAMID? 49

In addition, many of the refugees witnessed how powerless UNAMID could be when facing attacks by local forces, and how UNAMID was prevented from investigating incidents close to the time when they happened. As this refugee who lived in Kalma Camp in South Darfur before fleeing to Chad remembers:

Many incidents happened almost on a daily basis. But the government [of Sudan] did not allow an immediate intervention by UNAMID. They were only allowed to visit the scene after 24–72 hours, when the evidence had gone. Even after UNAMID had established an office around the camp, people were arrested, beaten and injured and killed several times in front of the eyes of the UNAMID staff; but they were unable to intervene. When people were injured UNAMID argued that they could not rescue them unless they get permission from the Sudanese authorities. 50

That UNAMID usually only came a prolonged period of time after an incident had taken place is a theme that many interviewees in Chad picked up on, as this refugee said: ‘Their questions were naïve and came too late. They came to ask three days to one week after the incident. Sometimes they came to carry out investigations after two weeks from the date of an incident’. 51 While local populations may find it hard to appreciate that valuable testimonies can also be collected in retrospect, and thus that such an exercise of data collection can indeed add value, from their point of view it is also easy to understand that the propensity to share information with UNAMID in the first place under such conditions will diminish. This in turn has severe implications for the quality of data collected. At the same time, for some refugees the fact that UNAMID collected that data, however late, was still of value, as this refugee said:

We had nowhere to go to speak about incidents. The only option was to report to UNAMID. And UNAMID, when they heard about an incident, they used to visit the place where the incident took place, gather information about what has happened, speak to people, but usually they did so very late, after several hours and maybe days. The problem was, they never went after the perpetrators. Still, the UNAMID work of reporting incidents and coming to visit places where incidents have taken place made perpetrators feel that they have to be careful as their actions might be reported and they might be held responsible. 52

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49 Interview Darfurian refugee in Chad, Goz Amir Refugee Camp, 7 May 2015.
50 Interview Darfurian refugee in Chad, Goz Amir Refugee Camp, 5 May 2015
51 Interview Darfurian refugee in Chad, Goz Amir Refugee Camp, 5 May 2015
52 Interview Darfurian refugee in Chad, Goz Beida Refugee Camp, 19 May 2015.
For many people, however, reporting to UNAMID carried too great a risk in terms of personal safety, and in particular in rural areas, people often rather reported to Radio Dabanga, as this refugee confirms: ‘In the urban centre, people would report to UNAMID. But those who live in rural areas tend to report incidents and complain to Radio Dabanga.’ Radio Dabanga is an independent Sudaneses radio station in exile, broadcasting from the Netherlands, and an important source of information also for local UNAMID staff working for the human rights section, as interviewee ‘A’ explains:

One important part of my role was to monitor Radio Dabanga, as often you hear more about incidents there than asking local people who may be afraid to talk to you, but they find ways to report to Radio Dabanga, so we [the human rights section] rely on that. ‘A’ continues to say that in particular in rural areas or the IDP camps, it was not too difficult for GoS forces to work out who may have talked to UNAMID and then punish them, not least because the GoS has made sure staff loyal to it work for UNAMID as well. All this makes it easier to contact trusted people from the Radio Dabanga network for local people, and this in turn has implications for the role and type of evidence that may be collected by staff from the human rights section on the ground.

‘A’ also reflects upon the fact that in essence, while UNAMID has a mandate to protect civilians and document human rights abuses, it at the same time should stay impartial and not take sides, thus UNAMID needs to collect evidence and the narratives from local people and communities as well as the GoS.

But for the local people, they think the international community should uphold their rights, and they criticise UNAMID for holding meetings with the government or fly government officials to Darfur, they have to believe UNAMID is on their side and if not they become suspicious. On the other hand, many of the local UNAMID staff (often in contrast to the international staff) continued to be trusted by local people, in particular if they had been in their position for some time, as ‘B’ reflects:

Yes the local people trust us, whenever we arrive at a IDP camp for example, the sheikh will know me well, but also other people know me and trust me, they know I report the information they tell me in an honest way, they have known me for a long time and trust me.

This trust, however, was being undermined by the fact that UNAMID was often unable to protect its own staff. This inability was made clearly visible in

53 Interview Darfurian refugee in Chad, Goz Beida Refugee Camp, 22 May 2015.
56 Interview, ‘A’, 3 February 2016, UK.
57 Interview, ‘B’, 6 February 2016, UK.
numerous incidents of car-jacking, as the UN landcruisers were a valuable resource for local militias. This refugee remembers:

Usually there was little response to security incidents. The NGOs used to come, but they only distributed food. UNAMID used to come too, but they did nothing to stop these incidents from happening; in fact, they had their vehicles stolen without being able to defend themselves.\(^{58}\)

Another interviewee recalls a concrete example of such an attack, even though he did not witness it himself:

I was not an eyewitness, but I heard about UNAMID vehicle, which was attacked inside the market of Furbaranga. One of the UNAMID military officers was killed in this incident and the vehicle was looted. This has happened during the day and UNAMID were unable to protect themselves, in spite of the fact that they were armed.\(^{59}\)

The impact of car-jacking on the work of the human rights section is confirmed by ‘B’, who in fact collected systematic data on the phenomenon between 2009 and 2013. He recalls how the indictment of Sudanese President Al-Bashir by the International Criminal Court in March 2009 led to clear orders to prevent UNAMID as well as other UN agencies from going on field missions to report human rights violations. ‘Even some of my colleagues have been car-jacked, at human rights we lost two cars that way’, and he then showed me pictures of thousands of vehicles across all UN and NGO operations parked at the so-called Super Camp near Nyala, South Darfur, ‘all of them parked here for fear of carjacking instead of doing their job, going to the field’\(^{60}\).

Taken together, the verdict among civilian populations as well as those who interviewed them to collect data on human rights violations about UNAMID is mixed, as could have been expected. The words of a refugee sum this up well in the following expert:

There were attempts from UNAMID to intervene, but not in a serious manner; they only take reports about incidents without taking any action to resolve the problems behind. Several cases of incidents such as looting, rape were reported to UNAMID. Perpetrators were well known to people and their names were reported and they have been identified, yet UNAMID was unable to arrest them. Only a few days after committing the crimes and reports were made, we can see the same perpetrators moving around and committing similar crimes again and again. This means the government was not serious to hold criminals responsible, and UNAMID was not able to change this reality.\(^{61}\)

\(^{58}\)Interview Darfurian refugee in Chad, Goz Amir Refugee Camp, 6 May 2015
\(^{59}\)Interview Darfurian refugee in Chad, Goz Amir Refugee Camp, 7 May 2015; the same incident is being recalled in two interviews with other Darfurian refugees in Chad, Goz Amir Refugee Camp, 10 May 2015.
\(^{60}\)Interview, ‘B’, 6 February 2016, UK.
\(^{61}\)Interview Darfurian refugee in Chad, Goz Amir Refugee Camp, 8 May 2015
At the same time, the four local staff members who were interviewed for this article, while sharing much of the frustration with UNAMID as also evident in the quote used as headline of this section, also felt they had a useful role to play. In that respect, ‘A’ believes that the main importance of UNAMID is its presence in itself […] when people like me come and listen to what happened in a community, it shows somebody is there ready to help those who are vulnerable […] it is not real protection but something.62

And ‘B’ reflects that, even if after the ICC indictment a lot of the work of UNAMID and other agencies was hampered, I played a useful role, I am one of the founders of the human rights section, and I helped report thousands of incidents until the Darfur issue reached the highest point, the ICC, the indictment of the president was made possible by going to many hundreds of missions, having many hundreds of meetings with people and taking their testimony.63

But being at the forefront of providing that evidence or collecting it, also made the local staff working for the human rights section potential targets for the GoS and its allies, including the Janjaweed. And a UN peacekeeping force unable to protect civilian populations or indeed its vehicles proofed equally unable to protect its local staff in many situations, as the following section will demonstrate.

‘I have been arrested many times’: disillusionment with UNAMID Protection Up-close

For the four interviewees at the centre of this article, working for UNAMID was partly out of conviction to do something useful and helpful for Darfur and its communities, partly a move related to wider career aspirations in a civil service function in a future Sudan – none had any plans to leave Sudan and migrate to a Western country. It was their work for UNAMID and the threats not only to themselves but also their families that left them little option but to leave, and UNAMID not only was unable to always provide protection while they were still carrying out their work assignments, but also largely failed to help them get to safety.

A typical story that happened in similar forms to all interviewees is recalled by ‘B’.64

I have been arrested three times. My first arrest was in 2010, I was in the market in the evening after working hours, it was the 5th of January 2010, I remember every detail because it was the first time, I saw two security agents, they call me

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63 Interview, ‘B’, 6 February 2016, UK.
64 Interview, ‘B’, 6 February 2016, UK.
by my name, ‘B’, I said yes and they said come over, I then realized they were wearing civilian clothes but had weapons on their belts, they asked for my identification but they knew me, because I visited a detention centre where they worked many times with human rights officers, they told me they wanted to ask me some questions, then they took me to a vehicle hiding in a corner, the windows were blackened you could not see anything, they blindfolded me and took me somewhere to a security facility, there were other officers and they interrogated me, told me I was giving wrong information to international people, and that they will kill me if I do not confess to give wrong information against the government to the internationals, but I told them I only reported the truth and it was not even me writing the reports, I did not know what was in the final reports, then they started beating me with gun butts on my head, and some of them also with a stick, and they told me if I did not leave UNAMID they were going to kill me, then they threw me into a cell […] the next morning they came and gave me some beans and some water, then they put some cloths over my head and drove me to their headquarters, and there I saw somebody had alerted UNAMID that I had been arrested and a UNAMID security officer came, they put pressure on them and so this time they released me.

‘B’ went through scenarios like the above two more times, the last incident having taken place in January 2013. He also knows of many of his colleagues who went through similar experiences, ‘most of them from black African tribes, many of them were arrested, tortured and beaten and threatened to leave the mission, because of the nature of our work [recording human rights abuses] we suffered a lot’.65 These local staff, often from the same ‘tribes’ as the people they interviewed, a fact that created the trust to make people speak to them, thus found themselves in a conundrum almost impossible to solve.

‘B’ was lucky in the sense that he applied and was sent for a training course to the UK, a course that was also useful for the research he was conducting in parallel to his work for UNAMID at the time to gain a Masters degree from the University of Nyala in Darfur. While at this training course in March 2014, shortly before he was to return to Sudan, as he intended to do, pro-government militias attacked a string of 27 villages including his home village in South Darfur, and a number of people from his extended family were killed. He also learned that two of his colleagues from the human rights section of UNAMID had been arrested and tortured, and were asked about his own whereabouts, while in parallel state security agents were searching for him in Darfur. This convinced him to apply for asylum in the UK, which was granted, and he could eventually bring his wife and two young children under family reunion law. When I met him and his family in 2016, they were trying to find their feet again, as he had no qualification that was recognized in the UK, so he started re-training to eventually be able to work. They

65Interview, ‘B’, 6 February 2016, UK.
lived in very sub-standard housing in a UK city, where the heating was not working properly and the children very always coughing, but they were together as a family and alive. When he informed his team leader at UNAMID that it was too dangerous for him to return, after the arrest of his colleagues and learning the security forces were looking for him, his team leader reacted angrily, accusing him of taking advantage of having been sent to his training course. ‘This hurt me a lot’, ‘B’ says,

I never wanted to leave my country and my extended family had a lot of trouble over time because I worked for UNAMID, but when I complained to UNAMID about that they did nothing, and while I was at this course in the UK, Dr Aisha came here and spoke,66 and she was right, I now realized, UNAMID is shameful, and we who knew the truth about what was happening were not writing the reports or were allowed to speak to the top-officials.67

In the same way ‘A’ outlines how his work for UNAMID forced him to leave: ‘It is fair to say the government [referring to the GoS] had blacklisted me, so I was just waiting for my life to be in danger’.68 He already had three colleagues and friends detained who also worked for different sections of UNAMID, civil affairs and humanitarian affairs respectively:

They were held in captivity and detention by national security officers for three months and more, and UNAMID, even the leadership, did nothing to release them […] they simply tried to talk to the government but nothing happened, and they were deprived of seeing their families […] in particular one case I knew well, he was held in Nyala for more than five months, and UNAMID said they cannot do anything, they only have soft power but also rely on the government [GoS], but international staff cannot be held in captivity, it is only you as a national staff where the government [of Sudan] has all the power in the equation […] so this case in Nyala contributed to my decision to leave, because if they would have arrested me, UNAMID would have done nothing.69

‘A’ had to plan his own escape and received no help or support from UNAMID or anybody else, so all that was left for ‘A’ was to pay smugglers, and because he had some savings from his work for UNAMID he came to the UK via Egypt and France. ‘I came the normal way that everybody knows’, he says, ‘I spent a few months in Calais, then you pay a smuggler and they try to get you into the back of a truck, and you try many times and eventually you succeed’.70 Like ‘B’, he subsequently became a recognized refugee and through family reunion polices has meanwhile been united with his wife and his son, and at the time of the interview also had a second child, a

66Referring to Aisha Elbasri, see footnote 33 and Elbasri, “We Can’t Say All that We See in Darfur.”
68Interview, ‘A’, 3 February 2016, UK.
69Interview, ‘A’, 3 February 2016, UK.
70Interview, ‘A’, 3 February 2016, UK.
daughter. ‘A’ knows of ‘many people who used to work for UNAMID who came on the same dangerous journey, I was following in their footsteps’. The hardest thing for him is not to be able to go back to Sudan even for a visit, ‘I can go anywhere but not back to Sudan, if I would be arrested there the UK government could do nothing about it, so I have to stay away and it is hard, I am missing my family especially my mother, because I am very close to her’ – even though this may hopefully change eventually in the process of political transition now underway in Sudan.

Like ‘B’, and also ‘C’ and ‘D’, he has work in jobs for which he is theoretically overqualified, as the need to leave Sudan put the careers of all interviewees (in their early 30s to late 40s age-wise) in jeopardy, a career disruption that is unlikely to be mended. Taken together, all have paid a high prize for their contribution to the workings of UNAMID human rights reporting, and ironically their own life trajectories expose clearly the limitations of a POC mandate that seeks to uphold human rights more generally.

Discussion: Local Civilian Staff as ‘Collateral’ Damage in POC Mandates of UN Peacekeeping Missions?

The in-depth presentation of some of the experiences of former local staff of UNAMID who worked either for the human rights section or other parts of the mission that collected data on human rights abuses has demonstrated some of the conundrums involved in making the protection of civilians a cornerstone of UN peacekeeping missions. While the interface of the local and the international in peacekeeping missions, and how one may understand the security issues emerging from it as relational and embedded into wider struggles over power and resources, has received scholarly attention, the literature is largely silent on the issues facing local staff who play an important ‘international’ role, in that their ‘localness’ is decisive for the gathering of data that the ‘international’ may act (or fail to act) upon.

As the in-depth cases discussed here have demonstrated, while in theory a human-rights based extended POC mandate makes the security of people as central as the security of states to UN engagement, in an international peacekeeping environment it is always likely that the host-state has the upper hand in relation to its nationals, be they civilians or local mission staff. This is at least the case if one does not subscribe to the rather controversial and in many ways odd suggestion that peacekeepers should be mandated

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71See for example Boege and Rinck, “The Local/International Interface”; Simangian, “A Case for Normative Local Involvement.”

72Other aspects of the local workforce of international interventions, mainly around their ‘status’ have been discussed for example in Baker, “The Local Workforce of International Intervention”; De Jong, “Abandoned by the British.”

to proactively use force not only to protect themselves but also for the protection of civilians.\textsuperscript{74}

In the life-histories presented here, while UNAMID was able to intervene at times when its staff was threatened, it could not do so on a continuous basis and even when trying did not always succeed. In addition, no clear protection policy for local civilian staff specifically was in place, nor does such a policy exist to this day.\textsuperscript{75} This in turn set a negative example for local population groups on whose cooperation UNAMID also relies in order to know about and understand protection needs. Their cooperation is put into question when deemed without practical consequences or even accompanied by threats to their own safety by state actors.\textsuperscript{76}

For the setting of Darfur it has in addition been demonstrated that UNAMID was perceived in various ways as partial, as its POC mandate made it in the eyes of the GoS an actor in collecting one-sided evidence that might be used against state protagonists in the future, a suspicion that became more pronounced after the indictment against Sudanese President Al-Bashir by the ICC.\textsuperscript{77}

What may these dynamics mean for POC mandates within UN peacekeeping mission, and their reliance on strong cooperation between the mission and civilian local populations, for which civilian local staff are important interlocutors? When speaking to this with the four interviewees, their judgement is qualified. All four agree that, as stated in particular in the assertion that little has changed for people in IDP camps, local grievances and security threats have not been addressed through reporting them. At the same time, UNAMID has helped civilian populations in other important ways not least in creating a certain amount of social and physical infrastructure, and employment, thus in an indirect way provided some form of protection even if not directly related to human right violations.\textsuperscript{78} In the words of ‘A’:

The main importance of UNAMID is its presence itself, and I can say it has changed the social parameters, in particular its economic role is very vital [...] through the recruitment of local staff, every individual staff is responsible for many local families, directly or indirectly, and all these families are affected by the war itself, so this employment changes a lot of things [...] for example

\textsuperscript{74}This call has been made prominently in the so-called Cruz report, presented to UN Secretary-General António Guterres in 2017, see Cruz et al., \textit{Improving Security of United Nations Peacekeepers}. For a discussion of its limits and potential damage to Peacebuilding mandates see Andersen, “The HIPPO in the Room”; Howard, “Peacekeeping is Not Counterinsurgency”; Hunt, “All Necessary Means to What Ends?”.

\textsuperscript{75}UN DPO, \textit{The Protection of Civilians}.

\textsuperscript{76}The theme of repercussions against civilians or local leaders who have provided information to UNAMID goes beyond what is discussed in this paper, but see Müller with Bashar, “UNAMID Is Just Like Clouds in Summer.”

\textsuperscript{77}Duursma and Müller, “The ICC indictment Against Al-Bashir”; Read, “Tensions in UN Information Management.”

\textsuperscript{78}Interview, ‘D’, 27 February 2016, UK.
look at me, from my salary I was renting a house from a local person, and I had a form of taxi, so I had to employ a driver, he can support his family through that, and then we employed a cleaner and a cook, my wife was pregnant at the time, so we had two people working in the house [...] of course I also benefitted but I would have found another job even in Khartoum, the real beneficiaries are the local people who are badly affected by the conflict, for them there is some opportunity through UNAMID, but what they do not get is the protection they need.79

In relation to protection needs, UNAMID arguably could have done more in terms of working with all local actors, in line with the more general understanding that the role of peacekeeping forces is to work with all parties to a conflict, outlined for example in the HIPPO report but also in the latest POC policy document.80 ‘B’ in addition wonders why UNAMID has not insisted on doing much more human rights training ‘for example for the Janjaweed militias, but they are afraid to go there’.81 While it is open to question whether such training would have changed any of the dynamics on the ground, ‘B’ believes that at least a proper understanding what a violation is under international human rights law might have had some impact, as Janjaweed leaders and other local militias have little knowledge of such wider dimensions of their actions.

But what if that is not the case and states remain hostile and a UN mission remains powerless to reign in destructive forces like the Janjaweed? Should the solution then be, as suggested by some, to walk away?82

Reflecting on the experiences of the interviewees for this article as well as the wider literature suggests that the presence of UNAMID has been vital in documenting threats to civilian human rights abuses in astonishing detail. While it may be true that not everything that was seen could be said, at least not publicly, as stated by Elbasri,83 and as also evidenced for example in the radio broadcasts that ‘C’ helped produce and that vanished in a metaphorical (or real) dusty drawer in New York, UNAMID still collected, through its JMAC reports and other avenues, very precise data on what happened within local communities. As stated in a recent reflection, ‘even the simple act of patrolling’ can be ‘an extraordinarily effective way of taking the pulse of a community’.84 While such knowledge may not always be acted upon based on conditions on the ground, it still is invaluable in order to understand what has happened and in contributing to justice and reconciliation in the long term. In particular in a setting like Darfur, where a UN peacekeeping

79Interview, ‘A’, 3 February 2016, UK.
81Interview, ‘B’, 6 February 2016, UK.
82Gowan, “When Should Blue Helmets Walk Away from Conflict?”
83Elbasri, “We Can’t Say All that We See in Darfur.”
84MacGinty, “Assessing Dynamics of Change in Peacekeeping,” 2.
mission operates in the environment of a hostile state, few other sources of data or means to collect those with the same depth are available.\textsuperscript{85} The interviewees who worked for UNAMID are aware of the importance of the data they helped collect – visible for example in the assertion by ‘B’ that it ultimately helped the ICC case against Al Bashir. What they lament is the fact that little concrete seems to have come out of the data they collected in terms of active protection, and that they actually do not know what might have been reported upwards or not. Thus an important way towards more field-focused and people centred operations as advocated for UN peacekeeping missions in the UN’s own reports and policies, would be an inclusion of local staff in report writing, and this would also demonstrate to local staff themselves the importance of their role. The use of local staff of course has also to be approached with caution, as they may have their own biases and allegiances, but here the triangulation stipulations of human rights data collection would come in that demands for reporting to be done at different levels and from different angles.\textsuperscript{86}

In addition, clear mechanisms should be in place that reassure local staff that there is an exit option if their work for a UN peacekeeping mission, in particular for a section as sensitive as human rights, threatens their security and well-being or that of their families. This may involve a placement somewhere else, or as a last resort, the opportunity to migrate with active UN help. While, reportedly,\textsuperscript{87} some few local staff in the human rights section, mostly women, though this cannot be verified, were given assistance for resettlement abroad, this was not the norm, and a more systematic policy approach would be helpful here. At the end of the day, the POC is closely aligned with the measures in place to protect local staff of a mission, staff that are vital for understanding the multiple threats civilians may face.

**Conclusion**

This article has interrogated the practicalities of a strong POC mandate within UN peacekeeping missions based on the concrete example of the UNAMID mission in Darfur, Sudan, a hybrid mission operating within an often hostile host-state environment. It has done so with an in-depth focus on the narratives of local staff in the human rights and other sections tasked with collecting data on security threats and human rights violations. The personal histories of some of this staff, reflected also in narratives of civilian populations who fled the conflict to refugee camps in neighbouring Chad, shed light on an important and under-researched aspect of giving primacy

\textsuperscript{85}Duursma, “Counting Deaths While Keeping Peace.”

\textsuperscript{86}Interview with International Human Rights Staff who has worked in various UN peacekeeping missions, 5 March 2016, Addis Ababa.

\textsuperscript{87}Interview, ‘A’, 3 February 2016, UK; Interview, ‘D’, 27 February 2016, UK.
to the POC and their human rights: the fact that UNAMID had no systematic policies in place to protect its local staff, thus letting local staff become ‘collateral damage’ of its POC mandate.\textsuperscript{88} The normative shift towards making peace operations accountable to the people they serve and in doing so challenge the primacy of sovereign states,\textsuperscript{89} this paper suggests, has fallen short in terms of the protection of those civilians who as local staff are vital for implementing POC mandates.

For human rights monitoring in particular, staff with in-depth local knowledge on the ground are of great importance, even if geospatial application techniques are likely to play an increasing role in the future, but their accuracy and wider relevance are still being questioned.\textsuperscript{90} In any case, such data needs to be contextualized in a way that only somebody embedded into the local context can provide the necessary expertise for, a fact also acknowledged in the latest POC policy.\textsuperscript{91}

The sub-category of local staff at the centre of this article are thus key actors in peacekeeping missions, but through their work for the mission jeopardize their status as locals and may become ‘enemies’ for any government hostile to a peacekeeping mission on its territory. While this group of staff is on the one hand crucial for the success of important parts of the protection mandate of peacekeeping missions, on the other hand they are quasi by definition of their job description in danger, in particular in settings where different parts of the UN system deal with alleged human rights abuses of the host government in question in different ways, as was the case for Sudan in the time period discussed here.\textsuperscript{92}

This does not mean to suggest that the POC should not be an important core of any UN peacekeeping mission, but cautions that when failing to fulfil expected protection needs, be they reasonable or not, a mission’s legitimacy and acceptance by local actors is easily put into jeopardy.\textsuperscript{93}

Thus, in relation to the POC, UN peacekeeping missions should arguably take a situational, pragmatic approach, an approach that stays realistic and contextualized.\textsuperscript{94} In a scenario like UNAMID, where the government of the state where the mission is based has often been hostile to it, this may take different forms than in a more welcoming environment. It is still important to not lose sight of the precondition of a civilian protection and human rights mandate, namely the fact that in order to combat abuses and provide

\textsuperscript{88}For a discussion of examples mainly focused on civilians in other settings with UN Peacekeeping Missions see Hunt, “All Necessary Means to What Ends?”


\textsuperscript{90}Duffield, “From Immersion to Simulation”; Sulik and Edwards, “Feature Extraction for Darfur.”

\textsuperscript{91}Read et al., “Data Hybris?”; UN DPO, \textit{Policy: The Protection of Civilians in United Nations Peacekeeping}.

\textsuperscript{92}For a more detailed discussion of the latter see Read, “Tensions in UN Information Management”; for a more general discussion of external politics and its impact on peacekeeping missions see Newby, “Power, Politics and Perception.”

\textsuperscript{93}For a discussion of legitimacy see Mersiades, “Peacekeeping and Legitimacy”; Whalan, \textit{How Peace Operations Work}.

\textsuperscript{94}See also Andersen, “The HIPPO in the Room.”
protection, as clear a picture as possible of local power and resource struggles that underline most conflicts is available. For that, local staff will always remain a key prerequisite and the protection of local staff should feature prominently in any mission’s approach as well as in wider POC policies, including an active commitment to withdraw staff from their positions if their security is threatened or compromised.

Lastly, even in settings like that encountered by UNAMID, the verdict on the fulfilment of its core mandate to protect civilians is not as clear cut as may seem when for example looking at the testimony of Elbasri, as there is evidence that UNAMID’s presence did make a difference, even if not on the scale hoped for or expected by civilian population groups and some of those interviewed for this article.

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