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# Sudan: conflict in Darfur

The situation in the western Darfur region of Sudan has been labelled the worst humanitarian crisis in the world today. A conflict between rebel forces on the one side, and the Sudanese Government and the government-backed Janjaweed militia on the other, has left between 10,000 and 30,000 people dead. An estimated 1.3 million civilians have been displaced from their homes. Aid agencies and governments warn of the potential for a humanitarian catastrophe brought on by famine and disease, unless urgent action is taken to improve the security of the civilian population and to provide food and shelter.

This paper examines the background to the conflict, and looks at the international response to the humanitarian crisis. Maps of Sudan and Darfur are included as appendices. The recent progress made in resolving the decades-long Sudanese civil war between the north and south is the subject of a separate Standard Note, SN/IA/2155, *Sudan*.

Tim Youngs

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## Summary of main points

- Sudan, the largest country in Africa, has been badly affected by several decades of civil conflict. An estimated 2 million people are believed to have died in the fighting or as a result of conflict-induced famine. Around 4 million people were displaced from their homes. Both Sudanese Government forces and the rebel Sudan People's Liberation Movement/Army (SPLM/A) stand accused of serious human rights violations.
- Since 2002 considerable progress has been made towards resolving the conflict, and a Framework Peace Agreement was signed in Kenya on 27 May 2004, paving the way for a permanent end of hostilities, which negotiators hope will be finalised within weeks.
- However, the breakthrough in the north-south peace process has come at a time of escalating fighting in the western region of Darfur, where a complex web of conflicts involving rebel forces (the SLM/A and JEM), the Sudanese Government and the government-backed Janjaweed militia has left between 10,000 and 30,000 people dead, many of them civilians. Up to 1.3 million people are displaced internally within Sudan and an estimated 150,000 have fled over the border to Chad.
- Governments and aid agencies have called the situation in Darfur the worst humanitarian crisis in the world today. US officials believe that as many as 320,000 people could die due to famine and disease by the end of 2004, regardless of the international response. Other observers warn that an even greater humanitarian catastrophe can only be avoided if security for civilians is improved and significant assistance is provided by the international community.
- The Sudanese Government has come under international pressure to improve access for humanitarian agencies and to disarm the Janjaweed militia. A ceasefire agreed in April has been violated on numerous occasions and an international team of ceasefire monitors, led by the African Union, are deploying to Darfur to report on compliance. As of 21 June the Sudanese Government has called for the disarmament of all militias in Darfur, including the Janjaweed, and appears to have opened negotiations with representatives from the JEM rebel group.
- This paper focuses on the conflict and humanitarian crisis in Darfur. A broader overview of Sudan, including background on historical developments, the civil conflict, and the progress towards a peace settlement between North and South, is provided in Library Standard Note SN/IA/2155, *Sudan*, which can be accessed via the Library Intranet at: <http://hcl1.hclibrary.parliament.uk/notes/iads/sn-ia-02155.pdf>



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## I Population, Religion and Ethnicity

The Republic of Sudan, the largest country in Africa, lies on the western shore of the Red Sea. It is bordered by Eritrea and Ethiopia to the east, Kenya, Uganda and Democratic Republic of Congo to the south, the Central African Republic, Chad and Libya to the west, and Egypt to the north. Maps of Sudan and Darfur are included in Appendices 2 and 3. The population of around 28 million comprises a diverse range of ethnic groupings which speak over 400 languages.

On one level, the civil war that has afflicted the country almost continuously since independence in 1956 can be seen as a conflict between the Arab Muslim north and the black African, and predominantly Christian or animist, south. At a more detailed level, other features of the conflict emerge. Alan Phillips, the Director of Minority Rights Group International, wrote in 1995 that attempts to portray the conflict in North-South or Arab-African terms disguise “the complexities of a war fought by multi-ethnic groups where religious differences colour struggles over access to land or political power.”<sup>1</sup>

Sudan is ruled by the National Islamic Front (NIF), an Islamist<sup>2</sup> regime under General Omar Al-Bashir, which has its powerbase in the mainly Arab and Muslim north of the country. The centre and south is inhabited by a mixture of different African linguistic groups, which are mainly Christian or animist. Southern groups, most notably the Dinka-dominated Sudanese People’s Liberation Movement/Army (SPLM/A), have repeatedly sought to gain significant autonomy or independence from Khartoum, and some have resorted to armed struggle to achieve this.

A broader overview of Sudan, including background on historical developments, the civil conflict, and the progress towards a peace settlement between North and South, can be found in Library Standard Note SN/IA/2155, *Sudan*.<sup>3</sup>

As the conflict between the Government and the SPLM/A has subsided in recent years, tension has risen in the western region of Darfur, where the population is uniformly Muslim, but ethnically mixed. There are more than 30 ethnic groups in Darfur, but these can be divided broadly into two main categories: Arab and African. Arab and Arabic-speaking nomads inhabit the north and south of the region, whereas the centre is inhabited by African sedentary farmers, who are drawn, in the main, from the three principal African ethnic groups, the Fur, Zaghawa, and Massaleit (often referred to collectively as black Africans). No part of the region can be said to be ethnically homogenous, and there has traditionally been a degree of movement and inter-marriage between these groups and

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<sup>1</sup> *Sudan: Conflict and minorities*, Minority Rights Group International Report 95/3

<sup>2</sup> The term ‘Islamist’ is used to denote anyone who seeks to return Islam to centrality, to make faith the determining component of identity and behaviour and to structure society in accordance with Islamic principles. It encompasses a range of religious movements from a number of countries, including Sudan, Saudi Arabia and the Taliban movement in Afghanistan.

<sup>3</sup> On the Library Intranet at <http://hcl1.hclibrary.parliament.uk/notes/iads/sn-02155.pdf>

social classes, resulting in a blurring of ethnic distinctions.<sup>4</sup> Nonetheless, in recent years, tension in the region has assumed an increasingly ethnic and racist dimension, with population groups defining themselves as Arab or *Zurq* (black).

The current conflict has its origins in decades of economic and political marginalisation, and tension over increasingly scarce farmland and water resources. Prolonged drought and desertification in northern Darfur pushed nomadic groups south where they came into conflict over water resources with the farming tribes of the centre. Administrative boundary changes imposed by the predominantly Arab regime in Khartoum served to alienate the farming tribes, as did government backing for the loose collection of 'Janjaweed' (or 'Janjaweit') nomadic militias, which has come to comprise several thousand fighters of mainly Arab extraction. An influx of modern weaponry in recent decades has increased the loss of life in these disputes.

Two predominantly black rebel groups, the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM), came to prominence in Darfur during 2003.<sup>5</sup> Both groups cited concerns that Darfur would lose out politically and economically in the division of power and resources (particularly oil revenue) between Khartoum and the South, in the event of a settlement in the broader civil war. The Brussels-based think-tank, International Crisis Group, wrote in May 2004 that:

The situation mirrors the dynamic of other conflicts throughout Sudan, pitting a periphery that views itself as the victim of discrimination against a centre in Khartoum that is seen as holding all the economic and political cards. Ironically, progress in the peace talks between the government and the country's main insurgency, the Sudan People's Liberation Movement/Army (SPLA) provided the immediate trigger since the Darfur groups feared they would have little leverage after a North/South deal was concluded.<sup>6</sup>

The strong reaction of the Sudanese Government to the rebellion, at a time when it is pursuing peace with the SPLM/A in the south, has prompted speculation about its motives. US Deputy Assistant Secretary for African Affairs Charles Snyder commented on 15 June 2004:

The emergence of armed opposition in Darfur has profoundly shaken the GOS because it poses, in many respects, a greater threat than the activities of the SPLM in the south. The SPLM has never threatened the north militarily; it is a

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<sup>4</sup> For an overview of the ethnic composition of the region and the origins of the conflict, see R S O'Fahey, 'A complex ethnic reality with a long history', *International Herald Tribune*, 15 May 2004.

<sup>5</sup> Background on the origins and composition of these groups can be found in *Darfur Rising: Sudan's New Crisis*, ICG Africa Report No.76, 25 March 2004, [http://www.crisisweb.org/library/documents/africa/horn\\_of\\_africa/076\\_darfur\\_sudan\\_new\\_crisis.pdf](http://www.crisisweb.org/library/documents/africa/horn_of_africa/076_darfur_sudan_new_crisis.pdf)

<sup>6</sup> *Sudan: Now or Never in Darfur*, ICG Africa Report No.80, 23 May 2004, [http://www.crisisweb.org/library/documents/africa/horn\\_of\\_africa/080\\_sudan\\_now\\_or\\_never\\_in\\_darfur.pdf](http://www.crisisweb.org/library/documents/africa/horn_of_africa/080_sudan_now_or_never_in_darfur.pdf)

southern movement. Support for the JEM and SLM, however, comes from within the predominantly Muslim population of Darfur; radical Muslim cleric Turabi [who broke with the al-Bashir regime in 1999] has links to the JEM. Moreover, over 50 percent of the Sudanese military is from the Darfur, and that region is not far from Khartoum. A successful insurgency in Darfur would fuel potential insurgencies in other parts of the north. This, I believe, explains why the Government of Sudan has adopted such brutal tactics in Darfur. The GOS is determined to defeat the JEM and SLM at any cost to the civilian population.<sup>7</sup>

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<sup>7</sup> Prepared Statement before the Senate Committee on Foreign Relations by Charles R. Snyder, Principal Deputy Assistant Secretary for African Affairs, 15 June 2004, <http://www.state.gov/p/af/rls/rm/33574.htm>

## II Outbreak of conflict

Open conflict erupted in Darfur in February 2003 when the well-armed SLM/A and the JEM took advantage of turmoil within the al-Bashir regime and launched attacks on government military bases. A series of rebel successes ensued during the first half of 2003, before government forces regrouped and responded with a counter-insurgency campaign. Government-backed Janjaweed militia fighters carried out raids on communities suspected of aiding or sympathising with the rebels, and it is the humanitarian impact of these attacks which forms the core of the present crisis.

Observers have reported evidence of close coordination between the Government and the Janjaweed, with the latter receiving not only money and guns, but also close air support from Sudanese fighter jets, which have bombed villages in preparation for militia raids. Claims have also been made of rape and killings of civilians by the militias, and humanitarian organisations have accused the Government and the Janjaweed of conducting a “scorched earth” campaign in the region.

The Government has officially denied assisting the Janjaweed, although the national humanitarian aid commissioner, Dr Sulaf al-Din, acknowledged in March 2004 that:

We asked all the people of Darfur that they should help in protecting themselves against the rebellion. This standard practice which we do in this country. Whenever there is an attack on a community we ask the local community to also support, to help.<sup>8</sup>

It has strenuously denied responsibility for the Janjaweed attacks on non-Arab civilians and for any violations of international humanitarian law, saying that such violations are the work of individuals outside its control.

### A. Humanitarian and human rights concerns

The Acting United Nations High Commissioner for Human Rights, Bertrand Ramcharan, issued a report on 7 May 2004, in which he commented:

It is clear that there is a reign of terror in Darfur. [...] [T]he current pattern of massive and gross human rights violations raises very serious concerns as to the survival, security and human dignity of those who have remained in Darfur.<sup>9</sup>

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<sup>8</sup> ‘Sudan: US considering whether Darfur displacements, killings constitute genocide’, *Integrated Regional Information Networks (IRIN)*, 14 June 2004, <http://www.reliefweb.int/w/rwb.nsf/480fa8736b88bbc3c12564f6004c8ad5/dd626a4adbcb1411c1256eb300494703?OpenDocument>

<sup>9</sup> ‘Violations in Darfur may constitute war crimes, crimes against humanity, says UN rights office report’, UN OHCHR press release, 7 May 2004, <http://www.reliefweb.int/w/rwb.nsf/480fa8736b88bbc3c12564f6004c8ad5/7795295d2bc2b3b585256e8d005c3906?OpenDocument>

The report concluded:

The current conflict in Darfur was initiated by the rebel forces, primarily constituted from the Zaghawa, Fur and Masaalit tribes. Rebel forces appear to have violated human rights and humanitarian law. Notwithstanding that fact, the mission identified disturbing patterns of massive human rights violations in Darfur perpetrated by the Government of the Sudan and its proxy militia, many of which may constitute war crimes and/or crimes against humanity.<sup>10</sup>

The report said the situation in Darfur was characterised by the following features:

- repeated attacks on civilians by Government of Sudan military and its proxy militia forces, particularly the Janjaweed;
- the use of disproportionate force by the Government of Sudan and Janjaweed forces;
- total impunity for the Janjaweed, who have operated in close coordination with the forces of the Government of Sudan,
- a pattern of attacks that includes killing, rape, pillage, including of livestock, and destruction of property, including water sources.<sup>11</sup>

It noted that: “The rebel forces also appear to violate human rights and humanitarian law”, but said that “it was difficult for the mission to ascertain the extent of these violations”, due to the ongoing conflict, lack of access and absence of security.<sup>12</sup>

An estimated 10,000 to 30,000 people are believed to have died in the conflict thus far, although no reliable figures have been collated. Out of a pre-conflict population in Darfur of between 4 and 7 million, as many as 1.3 million are believed to have fled their homes and are now displaced within Sudan. An estimated 150,000 have crossed the poorly-marked border into eastern Chad. During May 2004 humanitarian agencies warned of the risk of severe famine, particularly as the displaced population has been unable to return home to plant crops before the start of the rainy season during June.

## **B. Ceasefire Agreement**

A 45-day ceasefire was agreed on 8 April 2004 to allow humanitarian access to the displaced population. The N’djamenia agreement, which was mediated by Chad, was finalised after a week-long delay caused by disputes over the presence of international observers. The Sudanese Government objected to the involvement of observers from the United Nations, the African Union, the European Union, the United States and the

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<sup>10</sup> ‘Situation of human rights in the Darfur region of the Sudan’, Report of the High Commissioner for Human Rights, *E/CN.4/2005/3*, 7 May 2004, para 92

[http://www.unhcr.ch/huridocda/huridoca.nsf/\(Symbol\)/E.CN.4.2005.3.En?Opendocument](http://www.unhcr.ch/huridocda/huridoca.nsf/(Symbol)/E.CN.4.2005.3.En?Opendocument)

<sup>11</sup> *ibid.*

<sup>12</sup> *ibid.*

Geneva-based Centre for Humanitarian Dialogue. A compromise was reached under which only the African Union would monitor the political negotiations, and the other observers would be present for discussions on humanitarian issues.

The agreement included provisions for a ceasefire commission with international representation, and a commitment from the Sudanese Government to control its allies and ensure their compliance. The parties also agreed to open negotiations on a political solution to the conflict, free all political prisoners, and facilitate the delivery of humanitarian aid.

Regular military operations by the Sudanese military dropped sharply following the ceasefire, although some clashes with rebels continued. However, attacks by the Janjaweed reportedly increased during late April and May, and the humanitarian situation continued to deteriorate, despite the renewal of the ceasefire in late May.

### III International Response

The UN Security Council issued a Presidential Statement on 25 May:

The Council expresses its grave concern over the deteriorating humanitarian and human rights situation in the Darfur region of Sudan. Noting that thousands have been killed and that hundreds of thousands of people are at risk of dying in the coming months, the Council emphasizes the need for immediate humanitarian access to the vulnerable population.

The Council also expresses its deep concern at the continuing reports of large-scale violations of human rights and of international humanitarian law in Darfur, including indiscriminate attacks on civilians, sexual violence, forced displacement and acts of violence, especially those with an ethnic dimension, and demands that those responsible be held accountable. The Council strongly condemns these acts which jeopardize a peaceful solution to the crisis, stresses that all parties to the N'djamena humanitarian ceasefire agreement committed themselves to refraining from any act of violence or any other abuse against civilian populations, in particular women and children, and that the Government of Sudan also committed itself to neutralizing the armed Janjaweed militias, and urges all parties to take necessary steps to put an end to violations of human rights and international humanitarian law. In this regard, the Council takes note of the recommendations of the High Commissioner for Human Rights in his report dated May 7.

The Council reiterates its call on the parties to ensure the protection of civilians and to facilitate humanitarian access to the affected population. In that regard, the Council emphasizes the need for the Government of Sudan to facilitate the voluntary and safe return of refugees and displaced persons to their homes, and to provide protection for them, and also calls upon all parties, including opposition groups, to support these objectives. The Council calls on all parties, in accordance with the provisions of resolution 1502 (2003),<sup>13</sup> to allow full unimpeded access by humanitarian personnel to all people in need of assistance, and to make available, as far as possible, all necessary facilities for their operations, and to promote the safety, security and freedom of movement of humanitarian personnel and their assets.

The Council, while welcoming the ceasefire agreement signed April 8 in N'Djamena, Chad, emphasizes the urgent need for all parties to observe the ceasefire and to take immediate measures to end the violence and calls on the Government of Sudan to respect its commitments to ensure that the Janjaweed militias are neutralized and disarmed. Stressing that a ceasefire commission with international representation is a central component of the April 8 agreement, the

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<sup>13</sup> UN Security Council Resolution 1502 of 26 August 2003 relates to the protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones. The text of the Resolution is online via [http://www.un.org/Docs/sc/unsc\\_resolutions03.html](http://www.un.org/Docs/sc/unsc_resolutions03.html)

Council expresses its full and active support for the efforts of the African Union to establish the ceasefire commission and protection units and calls upon the opposition groups and the Government of Sudan to facilitate the immediate deployment of monitors in Darfur, and to ensure their free movement throughout Darfur. The Council also calls upon Member States to provide generous support for the efforts of the African Union.

The Council welcomes the announcement by the Government of Sudan that it will issue visas to all humanitarian workers within 48 hours of application, eliminate the need for travel permits, and facilitate the entrance and clearance of equipment imported for humanitarian purposes. The Council acknowledges the appointment of a Fact-Finding Commission by Presidential Decree. The Council, however, is seriously concerned about continued logistical impediments prohibiting a rapid response in the face of a stark and mounting crisis and calls upon the Government to fulfil its announced commitment to cooperate fully and expeditiously with humanitarian efforts to provide assistance to the imperilled populations of Darfur, noting with particular concern that the humanitarian challenge will be aggravated by the imminent onset of the rainy season.

The Council calls upon the international community to respond rapidly and effectively to the consolidated appeal for Darfur.

The Council observes with distress the prolonged absence of an accredited Resident Coordinator/Humanitarian Coordinator and affirms the need for the immediate appointment and appropriate accreditation of a permanent Resident Coordinator/Humanitarian Coordinator to ensure daily coordination in order to address impediments to humanitarian access brought to the UN's attention by the international aid community.

The Council encourages the parties to step up their efforts to reach a political settlement to their dispute in the interest of the unity and sovereignty of Sudan.

The Council requests that the Secretary General keep it informed on the humanitarian and human rights crisis as it unfolds, and, as necessary, to make recommendations.<sup>14</sup>

At a donor alert meeting in Geneva on 3 June involving the United Nations, donor countries and aid agencies, the Executive Director of the UN World Food Programme (WFP), James T Morris, warned that acute malnutrition was becoming a major problem, especially among children, in the camps of refugees and internally displaced people.<sup>15</sup>

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<sup>14</sup> SC/8104, online at: <http://www.reliefweb.int/w/rwb.nsf/480fa8736b88bbc3c12564f6004c8ad5/215217e88c35894b49256ea00005d1fc?OpenDocument>

<sup>15</sup> 'UN and donors call for \$236 million to assist the victims in Darfur, Sudan', *UN News Service*, 3 June 2004, <http://www.un.org/apps/news/story.asp?NewsID=10951&Cr=sudan&Cr1=>

A joint statement issued by the UN, the United States and the European Union at the conclusion of the meeting described the humanitarian and human rights crisis in Darfur as being “of extraordinary gravity, magnitude and urgency”. The statement warned that “hundreds of thousands of lives” would be at risk in Darfur “unless immediate protection and relief” were provided. The meeting appealed for at least US\$236 million to help those people affected or displaced by the conflict, adding that donor assistance for the region would be required until at least 2006.<sup>16</sup>

The Administrator of the US Agency for International Development (USAID), Andrew S Natsios, announced at the meeting that the US Government would provide an additional contribution of US\$188.5 million in assistance.<sup>17</sup> He also set out three elements required to contain the disaster:

more resources, unimpeded access to affected populations, and most importantly security. Both parties must adhere to each and every provision of the ceasefire agreement signed in Chad in April. Specifically, the Sudanese government must stop the janjaweit militia's atrocities and violence now, as they committed themselves to do when they signed the agreement.<sup>18</sup>

On the issue of unimpeded access, he reported that:

While the government of Sudan has lifted some restrictions, they have imposed new ones that still impede our efforts. We face enormous bureaucratic hurdles to get in essential equipment such as vehicles and communications gear, and non-governmental organizations are still having difficulties getting visas for their personnel. These delay tactics are slowing the international community's efforts. If we cannot get aid into Darfur immediately, people will begin dying in large numbers. There is little time left to act. [...]

We estimate right now if we get relief in we will lose a third of a million people. And if we don't, the death rates could be dramatically higher, approaching a million people.<sup>19</sup>

He also stressed the need to halt the activities of the Janjaweed:

Unless the jingaweit are put under control and these atrocities are stopped, people will not accept relief commodities in the camps. They actually tell us that even

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<sup>16</sup> ‘UN and donors call for \$236 million to assist the victims in Darfur, Sudan’, *UN News Service*, 3 June 2004, <http://www.un.org/apps/news/story.asp?NewsID=10951&Cr=sudan&Cr1=>

<sup>17</sup> ‘United States Pledges Additional \$188 Million for Darfur Crisis’, *Washington File*, 3 June 2004, <http://usinfo.state.gov/xarchives/display.html?p=washfile-english&y=2004&m=June&x=20040603171225WCyeroC0.3715326&t=livefeeds/wf-latest.html>

<sup>18</sup> *ibid.*

<sup>19</sup> ‘Aid Officials Fear Huge Death Toll in Darfur’, *Washington File*, 3 June 2004, <http://usinfo.state.gov/xarchives/display.html?p=washfile-english&y=2004&m=June&x=20040603165636WCyeroC0.4843103&t=livefeeds/wf-latest.html>

though they are dying of starvation they don't want the food because as soon as they get it the jingaweit come in, take the food, rape the women, and shoot the men.<sup>20</sup>

On 3 June 2004 UN Secretary-General Kofi Annan issued a report on developments in the North-South peace process.<sup>21</sup> The report, which also touched on the situation in Darfur, was produced in response to a request from the Security Council in October 2003 to initiate work on how the UN could support the implementation of a comprehensive peace agreement in Sudan. In paragraph 22 of his Concluding Observations Mr Annan welcomed the progress made in resolving the North-South conflict between the Government and the SPLM/A, but commented:

the catastrophic situation in Darfur is a problem that will make a Sudanese peace agreement much harder to implement. A meaningful agreement on Darfur will be fundamental to the success of a future United Nations role in the Sudan; to conduct a consent-based monitoring and verification operation in one part of the country while there is ongoing conflict in another part would prove politically unsustainable inside the Sudan and internationally. I urge the parties to that conflict to conclude a political agreement without delay.<sup>22</sup>

On 11 June the UN Security Council adopted Resolution 1547 in which it:

6. Endorse[d] the conclusions of the Secretary-General with regard to the situation in Sudan, in particular Darfur and the Upper Nile set out in paragraph 22 of his report, call[ed] upon the parties to use their influence to bring an immediate halt to the fighting in the Darfur region, in the Upper Nile and elsewhere, urge[d] the parties to the Ndjamena Ceasefire Agreement of 8 April 2004 to conclude a political agreement without delay, welcome[d] African Union efforts to that end, and call[ed] on the international community to be prepared for constant engagement including extensive funding in support of peace in Sudan;<sup>23</sup>

The Resolution was not adopted under Chapter VII of the UN Charter.<sup>24</sup>

On 13 June the UN Special Rapporteur on Human Rights, Asma Jahangir, provided details on her findings from a two-week trip to Sudan. She reported that: “there is no ambiguity that there is a link between some of the militias and government forces”,

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<sup>20</sup> ‘Aid Officials Fear Huge Death Toll in Darfur’, *Washington File*, 3 June 2004, <http://usinfo.state.gov/xarchives/display.html?p=washfile-english&y=2004&m=June&x=20040603165636WCyeroC0.4843103&t=livefeeds/wf-latest.html>

<sup>21</sup> ‘Report of the Secretary-General on Sudan’, *S/2004/453*, 3 June 2004, online via: <http://www.un.org/Docs/sc/sgrep04.html>

<sup>22</sup> *ibid.*, para. 22

<sup>23</sup> S/RES/1547 (2004), online via: [http://www.un.org/Docs/sc/unsc\\_resolutions04.html](http://www.un.org/Docs/sc/unsc_resolutions04.html)

<sup>24</sup> Chapter VII resolutions relate to actions “with respect to threats to the peace, breaches of the peace, and acts of aggression”. They allow the Council to act without the consent of the parties involved in the dispute, and to impose sanctions and/or to authorise the use of force.

adding that she had received numerous accounts of extrajudicial and summary executions carried out by “government-backed militias and by the security forces themselves”:

According to credible information, members of the armed forces, the Popular Defence Forces [PDF – paramilitary units organised by the Government of Sudan] and various groups of government-sponsored militias attacked villages and summarily executed civilians. [...]The government of the Sudan must make every effort to end the culture of impunity.<sup>25</sup>

On 14 June the UN Secretary-General warned that the humanitarian crisis in Sudan required immediate action, commenting that: “the world must insist that the Sudanese authorities neutralize and disarm the militia, who continue to terrorize the population. They must also allow humanitarian supplies.”<sup>26</sup>

The following day the Bush administration said it was exploring measures that could be taken against individuals responsible for atrocities in Sudan, such as freezing assets held in the USA and denying visas. Deputy Assistant Secretary for African Affairs Charles Snyder said in a prepared statement before the Senate Committee on Foreign Relations:

We do not intend to stand by while violence and atrocities continue in Darfur. Our message to the government of Sudan is clear: Do what is necessary now, and we will work with you. If you do not, there will be consequences. Time is of the essence. Do not doubt our determination.<sup>27</sup>

Mr Snyder added that:

Although it is clear that the Government of Sudan is responsible for the humanitarian and human rights crises, we should not assume that the armed opposition groups are entirely without blame.<sup>28</sup>

It was reported on 19 June that the Sudanese Government had issued a presidential statement calling for the disarmament of all militias in Darfur, and specifically mentioning the need to disarm the Janjaweed. The statement said that government bodies should act “to control and pursue all outlaw groups, including rebels and Janjaweed” and to prevent incursions by militia forces into Chad.<sup>29</sup>

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<sup>25</sup> ‘Sudan: US considering whether Darfur displacements, killings constitute genocide’, *Integrated Regional Information Networks (IRIN)*, 14 June 2004,

<http://www.reliefweb.int/w/rwb.nsf/480fa8736b88bbc3c12564f6004c8ad5/dd626a4adbcb1411c1256eb300494703?OpenDocument>

<sup>26</sup> *Agence France Presse*, 16 June 2004

<sup>27</sup> Prepared Statement before the Senate Committee on Foreign Relations by Charles R. Snyder, Principal Deputy Assistant Secretary for African Affairs, 15 June 2004,

<http://www.state.gov/p/af/rls/rm/33574.htm>

<sup>28</sup> *ibid.*

<sup>29</sup> ‘Darfur militias told to disarm’, BBC News web site, 19 June 2004,

<http://news.bbc.co.uk/1/hi/world/africa/3821933.stm>

On 22 June it was announced that negotiations were due to start in Paris between the Sudanese Government and representatives from the JEM.

### **A. Deployment of Ceasefire Commission Observers**

Under the N'djamena agreement, the parties to the conflict agreed to allow the deployment of observers to monitor the ceasefire. A team of 120 observers, led by the African Union, has been dispatched to Darfur. The European Union has allocated €12 million (\$14.5 million) to help fund the mission. International Development Secretary Hilary Benn announced on 9 June that:

The UK will contribute one of the six observers requested from the European Union and I hope that other contributing nations will get their observers there soon. The Government of Sudan have promised full support for the monitors and the UK has provided £2 million to help the African Union team to set itself up. In addition, the United Nations will deploy human rights monitors throughout Darfur with British financial support.<sup>30</sup>

A mission headquarters has been established in al-Fashir in northern Darfur, although as of 18 June the actual monitoring of the ceasefire had yet to begin. Mr Benn reported on 9 June that the mission would be fully operational within four to six weeks.<sup>31</sup>

The Chairman of the African Union and former president of Mali, Alpha Omar Konare, arrived in Sudan on 20 June on a two day visit to push for progress on enforcing the ceasefire.

### **B. Implications for Chad**

During April and May 2004 there were signs that the conflict was spilling over into the neighbouring state of Chad. Camps in the east of the country host as many as 150,000 refugees from Darfur.

President Idriss Deby, who came to power in a coup in 1990, enjoys good relations with the Sudanese President, Omar al-Bashir, and observers believe he has tacitly backed the Sudanese campaign in Darfur. However, there are signs of dissent within Mr Deby's Government and among army officers, some of whom have ethnic ties with the Darfur rebels across the border. It is believed that elements within the Chadian military have supplied arms and materiel to the rebel groups. Reports suggest that Janjaweed militias have responded by mounting cross-border raids aimed at fomenting ethnic unrest in eastern Chad and disrupting the flow of weapons. Allami Ahmat, a diplomatic adviser to the Chadian president and spokesman for Chad's mediation effort, claimed in mid-June

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<sup>30</sup> HC Deb 9 June 2004, c276

<sup>31</sup> HC Deb 9 June 2004, c277

that: “There is a covert force seeking to transport the inter-Sudanese conflict inside Chad.”<sup>32</sup>

Chadian military units were deployed to the border in late April 2004 where they have clashed repeatedly with militia fighters. The Acting United Nations High Commissioner for Human Rights, Bertrand Ramcharan, reported on 7 May 2004 that:

On a number of occasions the Janjaweed have carried out raids into Chad from Darfur in order to steal cattle and harass and attack refugees. The Chadian military has, following an agreement with the Government of the Sudan, recently begun a policy of pursuing the Janjaweed back across the border and engaging in combat, including through the use of armoured vehicles. One such incident, on 6 April 2004, is reported to have led to the deaths of two Chadian military personnel and the wounding of one other. Increased patrols of the border by Chadian military, as by the Sudanese military, are also said to have recently commenced.<sup>33</sup>

A mutiny by a Chadian army unit in the capital, N'djamena, in mid-May was put down by forces loyal to the President. Government officials claim the dispute centred on pay, but some diplomatic observers believe it was a coup attempt. Instability in Chad would have implications for the region and for the US-led campaign against terrorism. Washington believes the sub-Saharan region has become a base for Islamist militants, and US special forces have been deployed to Chad, Niger, Mauritania and Mali to train local security forces in counter-terrorism operations.

### **C. Position of the British Government**

The Secretary of State for International Development, Hilary Benn, made a Statement to the House on 9 June following a visit to Sudan and the Darfur region. He said the crisis in Darfur was “the most serious humanitarian emergency in the world today”, adding that:

The humanitarian needs are enormous. Traditionally, Darfur has a hungry season between May and September, during the rains and before the harvest. Because of the conflict, there will be no harvest this year. Added to the long years of drought, communities are unable to cope. The rains have already started in Darfur. They will bring flash floods, make roads impassable, increase the risk of disease and render the delivery of assistance more difficult.

This is a severe crisis, which will last well into next year. Dealing with it will require action by everyone, including the Government of Sudan.<sup>34</sup>

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<sup>32</sup> ‘Sudan under growing international pressure over Darfur’, *Agence France Presse*, 16 June 2004

<sup>33</sup> ‘Situation of human rights in the Darfur region of the Sudan’, Report of the High Commissioner for Human Rights, *E/CN.4/2005/3*, 7 May 2004, [http://www.unhcr.ch/huridocda/huridoca.nsf/\(Symbol\)/E.CN.4.2005.3.En?Opendocument](http://www.unhcr.ch/huridocda/huridoca.nsf/(Symbol)/E.CN.4.2005.3.En?Opendocument)

<sup>34</sup> HC Deb 9 June 2004, c275

He said that during talks in Khartoum, the Sudanese Government had given

a firm commitment that they would fast-track both the delivery of assistance, so that relief agencies can bring in food, medicine, vehicles and other supplies quickly, and the registration of new relief agencies that want to come and help.<sup>35</sup>

During his visit, he had announced a further commitment of £15 million, taking the total humanitarian assistance contribution by the UK to more than £34 million:

That includes the airlifting of blankets and shelter materials. The UK, the US and the European Commission have to date provided three quarters of the international response and there is an urgent need for other donors to do more.<sup>36</sup>

The UK is the second largest contributor behind the United States.<sup>37</sup>

Mr Benn went on to say that:

The main cause of the crisis is insecurity. Despite the 8 April ceasefire, fighting has continued and villages have been attacked by armed militias. Yesterday, I raised with First Vice-President Taha the urgent need for the Government of Sudan to rein in the janjaweed and other militias, condemn the acts of violence and provide adequate protection for displaced people. Equally, rebel groups must observe the ceasefire.<sup>38</sup>

The Conservative Shadow Secretary of State for International Development, John Bercow, welcomed Mr Benn's "financial commitment and his energetic diplomacy", adding that:

Again, the rights of innocent African people have been violated upon a scale so grotesque as to defy all but the most lurid imaginations. The Secretary of State knows that the world has a chance to ensure that Darfur does not descend into genocide. More lives are lost as each day passes. There is not a moment to lose. Our duty in terms of humanitarian aid, diplomatic contact and unrelenting moral and political pressure is clear. In standing up to evil, rescuing its victims and ensuring the guilty are brought to book, the Secretary of State will receive stalwart and unflinching support from those on the Conservative Benches.<sup>39</sup>

In a Westminster Hall debate on the same day, the Liberal Democrat Shadow Secretary of State for International Development, Tom Brake, commented:

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<sup>35</sup> HC Deb 9 June 2004, c275

<sup>36</sup> *ibid.*

<sup>37</sup> HC Deb 9 June 2004, c88WH

<sup>38</sup> HC Deb 9 June 2004, cc275-6

<sup>39</sup> HC Deb 9 June 2004, c277

The situation there is desperate [...]. It is the worst humanitarian crisis that the world faces. As well as the hunger and murder, the Ebola crisis developing in the south may spread throughout the country.<sup>40</sup>

He went on:

the Government and DFID have done much to alleviate the situation in Darfur and facilitate the peace process in the south, and I congratulate them wholeheartedly on that. However, it appears—I put it no stronger than that—that the UK and other countries could do more to apply the necessary pressure to the Sudanese Government to fulfil their obligations to the people of Darfur.

I hope that the Minister will set out how the UK Government can exert pressure on the Sudanese Government to ensure that the security and protection of civilians in Darfur is maximised. I welcome the statement yesterday from the Secretary of State in which he said:

"Action must also now be taken to bring irregular forces and militias under control. The Government of Sudan needs to take steps immediately to provide security to Darfurians, who told me yesterday that they will not return home until it is safe to do so."

I hope that that statement is the first notch and that pressure will be ratcheted up if the Sudanese Government do not respond.<sup>41</sup>

The Government's longer-term objectives in resolving the crisis were spelt out on 25 May by the Parliamentary Under-Secretary of State at the FCO, Chris Mullin:

We hope that a fully-monitored ceasefire and improved humanitarian access will provide a conducive atmosphere for inclusive political talks on the future of Darfur to begin as soon as possible.<sup>42</sup>

The British Government believes the deployment of ceasefire monitors will help create such an atmosphere. The Prime Minister's special envoy to Sudan, Alan Goulty, said in late May that he did not support calls for military intervention in Darfur or for the imposition of sanctions on the Sudanese Government:

In the long term, threats of sanctions don't seem likely to produce immediate action and immediate action is what we need. The more time we spend dithering, the more people will die.<sup>43</sup>

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<sup>40</sup> HC Deb 9 June 2004, c83WH

<sup>41</sup> *ibid.*

<sup>42</sup> HC Deb 25 May 2004, c1571-2w

<sup>43</sup> 'British-US rift on how to deal with Sudan 'cleansing'', *Daily Telegraph*, 31 May 2004

The Department for International Development is producing updates on the crisis, which can be accessed online.<sup>44</sup>

## D. Debate on the International Response

The vacillation of the international community during the Rwandan genocide of 1994, the tenth anniversary of which was observed in April 2004, has been cited by some observers as a warning of what might come to pass in Sudan if prompt and robust action is not taken.

A debate has developed over terminology and whether the events in Darfur can be described as “ethnic cleansing” and/or “genocide”. “Ethnic cleansing” is a colloquial term used by the media and other observers, and has no legal meaning, although it refers to acts that may constitute crimes in themselves, such as the deportation or forcible transfer of population.<sup>45</sup> Furthermore, the term “genocide” has a distinct legal definition under the 1948 Genocide Convention,<sup>46</sup> and examples of ethnic cleansing in the Balkans have now been recognised as genocide by the International Criminal Tribunal for the former Yugoslavia (ICTY).

Responding to a question on whether the situation in Darfur constituted genocide, US Secretary of State Colin Powell commented on 11 June that the issue was under consideration by lawyers and policy makers:

I don't think they have - [...] come to a conclusion yet as to whether all of the criteria that are used to make a determination of genocide have been met yet... But I do know there is a review under way.

You know these turn out to be almost legal matters of definition, and I'm not prepared to say what is the correct legal term for what's happening. All I know is that there are at least a million people who are desperately in need, and many of them will die if we can't get the international community mobilised and if we

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<sup>44</sup> Via <http://www.dfid.gov.uk>

<sup>45</sup> The English term originated during the Balkan conflicts of the early 1990s as a straight translation of the Serbo-Croat “*etničko čišćenje*”. It was used originally by the perpetrators to describe the systematic and forcible removal of an ethnic group, and was adopted subsequently by the Western media.

<sup>46</sup> Full title: *Convention on the Prevention and Punishment of the Crime of Genocide*. Genocide is defined under Article II of the Convention as “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.”

can't get the Sudanese to cooperate with the international community. And it won't make a whole lot of difference after the fact what you've called it.<sup>47</sup>

Some allege that the US and others have muted their condemnation of the Khartoum Government for fear of derailing the broader peace process with the south. Such allegations are disputed by Washington, which says it has informed the Sudanese Government that there can be no normalisation of relations while attacks by the Janjaweed continue.<sup>48</sup>

Commentators have expressed a variety of views on how the international community might intervene to resolve the crisis. James Smith, the director of the Aegis Trust, an organisation that aims to prevent genocide, wrote in *The Times* of 18 June that the crisis in Darfur represents “the most blatant threat of genocide since Rwanda in 1994.” He likened UN Security Council Resolution 1547 on Sudan to the weak resolution passed by the Council during the Rwandan genocide, arguing that:

A stronger Security Council resolution is required which should be clear about the consequences if there is no change within two weeks. In Rwanda the international community wasted time on ceasefires, which allowed the militias, supported by the army, to continue killing. The resolution should impose a no-fly zone, to stop the Sudanese bombing civilians, and economic and political sanctions. The UN should also reserve the right to send a peacekeeping force. The thought of foreign troops entering a Muslim nation so soon after the Iraq war is unlikely to stir enthusiasm. We should remember, though, that it is Muslims who need to be rescued.

The Islamic world should take the lead in saving them, especially Pakistan and Algeria, which are currently Security Council members.

Investigators should be sent to gather evidence of atrocities, whether committed by the militiamen on the ground or planned by the generals in Khartoum, so that the perpetrators can be held to account at the International Criminal Court.

Britain can be proud that it is the second-largest contributor to the humanitarian effort in Sudan. But it does not make sense to send aid while treating the architects of the crime with such normality. The Sudanese Finance Minister was in London yesterday to discuss debt relief. His country is in debt in part because it buys aircraft which it is using to kill civilians. Debt relief should be granted only when Darfurians can return home in safety.

Now is an opportunity to bring hope, to show that a world can exist in which the strong will defend the weak irrespective of their national interests. Britain should

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<sup>47</sup> Interview by Marc Lacey of the *New York Times* with US Secretary of State Colin Powell, 11 June 2004, online at: <http://www.state.gov/secretary/rm/33472.htm>

<sup>48</sup> See comments by USAID Administrator Andrew S Natsios in ‘Aid Officials Fear Huge Death Toll in Darfur’, *Washington File*, 3 June 2004

use its position as a permanent member of the Security Council. We can encourage Pakistan or Algeria to propose a new resolution on Darfur that has teeth. Unlike the one last week, in which the 15 member states decided "to remain seized of the matter" -while people perish.<sup>49</sup>

The diplomatic editor of the *Guardian*, Ewen MacAskill, writing on 21 June, disagreed with the calls for military intervention:

British government policy is to resist such calls and instead concentrate on diplomacy, maintaining dialogue with the Sudanese government and trying to win concessions through persuasion or pressure. On this issue, the British government may well be right.

As Iraq demonstrated, diplomacy - however flawed - is preferable to the uncertainty of military intervention. Smith calls for a no-fly zone in Darfur, but it is too late for that. The Janjaweed, supported by Sudanese bombing raids, have completed their work over the last year. The villages are empty.

Nor does military action appear necessary to ensure the supply of humanitarian aid. The Sudanese government had been blocking access by humanitarian agencies to Darfur and delaying the distribution of food and medical supplies. But diplomacy has succeeded in persuading the Sudanese government to ease these restrictions.

The other cry of those who feel something must be done is that international sanctions should be imposed against Sudan, another strategy largely discredited by the Iraq experience. The US, mindful that Sudan harboured Osama bin Laden in the 1990s, still maintains trade sanctions against it. Blanket sanctions by the international community would add to the suffering of an already impoverished population, as happened in Iraq after the first Gulf war.

The final logic of intervention is the overthrow of the government. That would provide the UN with a problem comparable to Iraq. Separate from Darfur, the Sudanese government has been engaged for over 20 years in a civil war with the south of the country. An agreement to end that war is close to completion, but remove the government and that would be in jeopardy.

The better approach is to try to work with the Sudanese government, no matter how cynical it is. Diplomatic pressure has to be increased on the Sudanese government to begin policing Darfur, in the first case by protecting the camps. On the face of it, that seems like asking a cat to protect the mice. But the Sudanese government is showing signs of embarrassment over what is happening in Darfur and could yet be forced to rein in the Janjaweed.<sup>50</sup>

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<sup>49</sup> James Smith, 'We failed Rwanda, but we can still stop genocide in Sudan', *The Times*, 18 June 2004

<sup>50</sup> Ewen MacAskill, 'Power of persuasion', *Guardian*, 21 June 2004

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<sup>51</sup> <http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029394365&a=KCountryProfile&aid=1020687852749>

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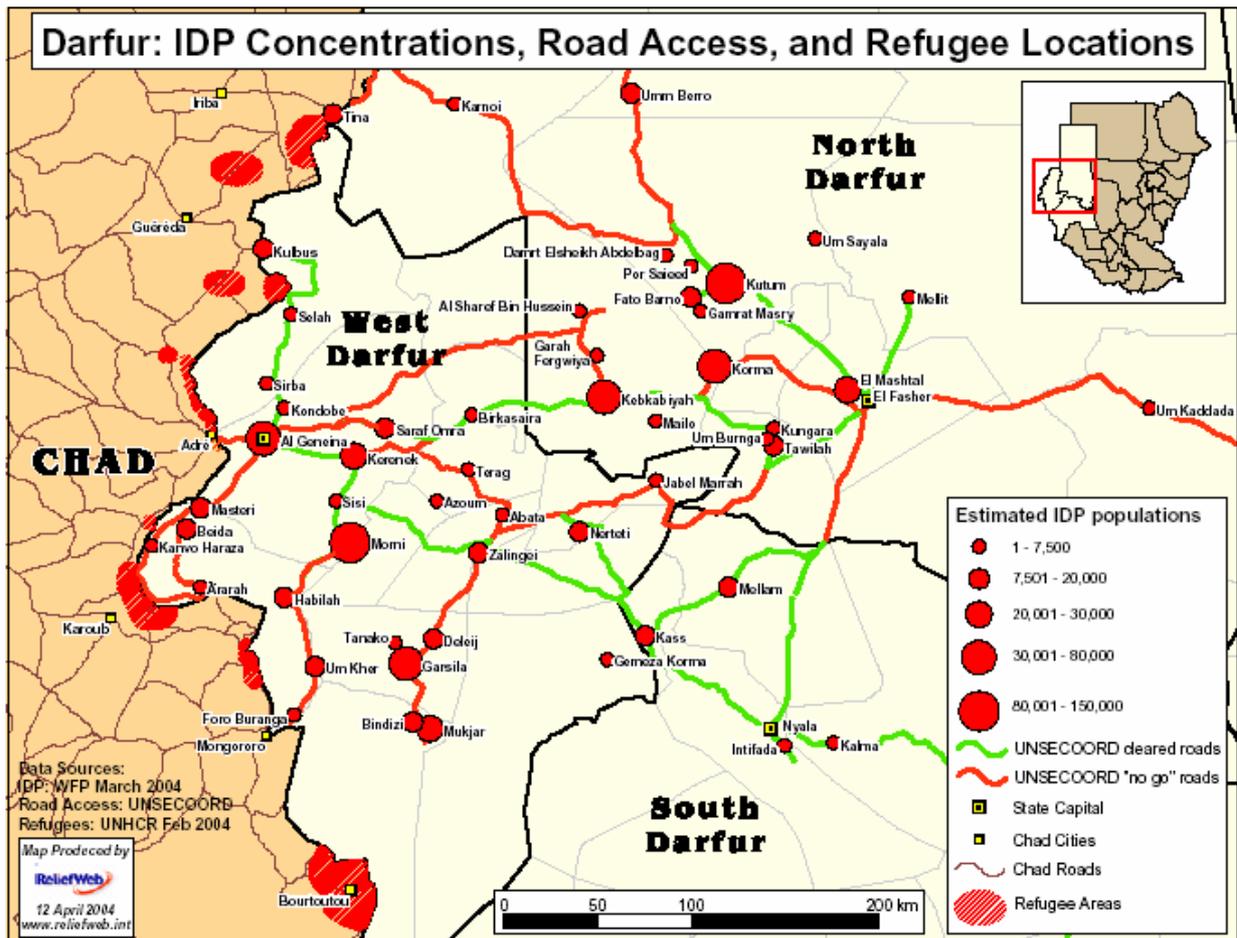
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### Appendix 3 – Map of Darfur



Source: Produced by Reliefweb, 12 April 2004, and reproduced on the DFID website, <http://www.dfid.gov.uk/DFIDAroundWorld/africa/darfurmap.pdf>