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# DARFUR: A VERY INCONVENIENT DEVELOPMENT

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¶1 In March of 2004, at the very height of the most violent phase of the Darfur genocide, Mukesh Kapila approached the end of his yearlong tenure as UN Humanitarian Coordinator for Sudan, and used the occasion to make a series of extraordinary and institutionally unconstrained comments:

¶2 “The only difference between Rwanda and Darfur now is the numbers involved. [The slaughter in Darfur] is more than just a conflict, it is an organised attempt to do away with a group of people. I was present in Rwanda at the time of the genocide, and I’ve seen many other situations around the world, and I am totally shocked at what is going on in Darfur.”

¶3 Despite transparently mendacious claims by the National Islamic Front regime in Khartoum in early February 2004 that it had brought the situation in Darfur under “total military control,” Kapila insisted, for all who would listen:

¶4 “The pattern of organised attacks on civilians and villages, abductions, killings and organised rapes by militias is getting worse by the day and could deteriorate even further. ‘One can see how the situation might develop without prompt [action]...all the warning signs are there.’”

¶5 Of course there has been no “prompt action,” and Kapila’s ominous premonition about “might develop” has come fully to pass.

¶6 What is less widely known than these frequently cited remarks is that behind the scenes, Kapila had been carrying the same message to senior UN and UK officials for months. He went public with his assessment because he no longer had to fear for his job, and because despite his urgent warnings, the UN was not responding. But we know from Kapila’s testimony before a British Parliamentary committee, and comments cited earlier this month in the Times of London, what he had been saying for months prior to March 2004—and how his warnings were received:

¶7 “There was a fundamental feeling among very senior people that Darfur was a very inconvenient development and they would rather not know about it.”

¶8 What we are seeing today in Darfur is too much a product of this feeling that genocide in a remote, arid, impoverished, and geopolitically inconsequential region of Africa was simply “inconvenient.” Rather than confront the difficult challenges in halting vast, ethnically-targeted human destruction, all international actors of consequence settled for political and diplomatic half-measures, or merely symbolic measures—and too often allowed, for convenience’s sake, the crisis to be defined as essentially humanitarian in nature, with an overlay of unfortunate tribal conflicts animated by competition for diminishing natural resources. This gross misrepresentation

of the catastrophe still finds an audience in many quarters, as the desire to ignore the urgency of Darfur's crisis overwhelms the need to look honestly at what is happening.

¶9 But let us for the moment ignore the disingenuous chattering that seems a specialty of the British left and ask seriously about the consequences of continued inaction on Darfur. There is no better point of departure than Jan Egeland's concluding remarks in his August 28<sup>th</sup> briefing of the UN Security Council:

¶10 "In the past months I have repeatedly called for attention to the deteriorating situation in Darfur. As you have heard today our warnings have become a black reality [calling] for immediate action: insecurity is at its highest levels since 2004; access at its lowest levels since that date; and we may well be on the brink of a return to all-out war. This would mean the withdrawal of international staff from Darfur, leaving millions of vulnerable Darfuris to suffer their fate without assistance and with few outsiders to witness.

¶11 [The humanitarian gains of the past two years in Darfur] can all be lost within *weeks*---not months. I cannot give a starker warning than to say that we are at a point where even hope may escape us and the lives of hundreds of thousands could be needlessly lost."

¶12 Six weeks later, there is still no significant "action" of the sort the UN Undersecretary General for Humanitarian Affairs called for. Passage of UN Security Council Resolution 1706 (August 31<sup>st</sup>), under Chapter VII authority of the UN Charter, has meant nothing, despite the robust force outlined: 22,500 troops and security personnel, with a clear mandate for civilian and humanitarian protection. Notably, Resolution 1706 also provides for monitoring of Sudan's borders with Chad and the Central African Republic—neighboring countries into which Darfur's genocidal destruction has already bled in ghastly and highly destabilizing fashion, with most of the responsibility clearly falling to the Khartoum regime. I would call your particular attention to the reportage from the Central African Republic by Nicholas Kristof of the New York Times earlier this month.

¶13 There is an irreducible truth in the present historic moment, however inconvenient it remains: the UN force authorized by UN Security Council Resolution 1706 could save hundreds of thousands of innocent lives if rapidly deployed with adequate resources for military and security personnel. This force has been blocked by the same handful of National Islamic Front genocidaires in Khartoum that have for three and a half years relentlessly, systematically, and savagely targeted the non-Arab or African tribal populations of Darfur as a means of crushing the insurgency that emerged in February 2003. The ethnically-targeted nature of this well-orchestrated destruction has been extensively documented in numerous human rights reports, UN assessment missions, and by a wide range of journalists and humanitarian workers.

¶14 To be sure, the nature of conflict and genocidal destruction in Darfur has changed significantly since the extraordinary levels of violence in 2003-2004, which saw 80-90% of all African villages in Darfur destroyed (this is the consensus range among my many contacts in the Darfuri diaspora). But what must not be forgotten is how comprehensively destructive village assaults typically were, including the demolishing or poisoning of precious water wells and irrigation systems; destroying food- and seed-stocks, as well as agricultural implements and water vessels; cutting down mature fruit

trees; and the looting or killing of livestock, often representing generations of family wealth.

¶15 Such deliberately destructive violence, along with mass executions, the systematic and racialized use of rape as a weapon of war, torture, abduction, and other forms of violent abuse have produced the staggering numbers of deaths, displaced persons, and civilians who are now critically in need of humanitarian aid. It may be that people die now not so much from violent attacks—though these are again accelerating very dramatically—as from the disease and malnutrition and despair that have come in their ghastly wake. But the 1948 Genocide Convention makes clear that these deaths are no less genocidal in nature: the deliberate, ethnically-targeted destruction of livelihoods and the ability to live is also genocide.

¶16 What are the present obstacles to deployment of an appropriate international force to protect Darfuri civilians? Why is it that the emerging legal norm of a “responsibility to protect” precisely such radically endangered populations has been so abjectly abandoned, despite its prominent place in the UN World Summit “outcome document” of September 2005, specifically paragraph 139? How can it be so inconsequential for Darfur that in April 2006 the UN Security Council unanimously adopted Resolution 1674? This resolution explicitly “reaffirms the provisions of paragraphs 138 and 139 of the World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity.”

¶17 Answers to these questions tell us much about how the history of the Darfur genocide will be written in the coming years—a history that will lack for neither detail, nor precise chronology, nor the clearest possible evidence of individual, institutional, and governmental responsibility. Certainly there has never in the history of genocide been such a fully documented episode of sustained, systematic, deliberate destruction of human beings on an ethnic basis—and this will inevitably be the most salient fact in the history that must be written.

¶18 The first and most essential part of any answer lies in the nature of the brutal security cabal that rules in Khartoum, and continues to be accepted as a legitimate government—indeed is dutifully referred to by the UN and other international actors as Sudan’s “Government of National Unity.” But the National Islamic Front, which has innocuously and expediently renamed itself the National Congress Party, completely dominates the merely notional “Government of National Unity” and represents neither the people of southern Sudan, nor the people of Darfur, nor indeed any of Sudan’s marginalized populations. The most senior political figures of the southern Sudan People’s Liberation Movement(SPLM)—essentially the Government of South Sudan—have repeatedly and explicitly called for deployment of the UN force. So too have all factions of the badly divided Sudan Liberation Movement, including Minni Minawi, who signed the ill-conceived and ill-fated “Darfur Peace Agreement” negotiated in Abuja, Nigeria last spring. Minawi is nominally the fourth-ranking member of the Presidency in the “Government of National Unity,” and SPLM’s Salva Kiir is First Vice-President—both are completely irrelevant.

¶19 Largely ignored in current deferential negotiations with the National Islamic Front, most prominently with President Omar al-Bashir, is the history of this ruthlessly survivalist regime, which came to power by military coup in June of 1989, deposing an elected government, and deliberately aborting Sudan’s most promising chance to

negotiate a north/south peace since independence in 1956. In its 17 years in power, the National Islamic Front has repeatedly had recourse to genocidal destruction as a domestic security policy. As seasoned Sudan observer Alex de Waal has written of the actions of this regime in Darfur:

¶20 “This is not the genocidal campaign of a government at the height of its ideological hubris, as the 1992 jihad against the Nuba Mountains was, or coldly determined to secure natural resources, as when it sought to clear the oilfields of southern Sudan of their troublesome inhabitants. This is the routine cruelty of a security cabal, its humanity withered by years in power: it is genocide by force of habit.”

¶21 [De Waal and Julie Flint have given us what is certainly our best account of the origins of the Darfur conflict: *Darfur: A Short History of a Long War.*]

¶22 How is it that the international community has conferred upon these long-term genocidaires the right to veto UN deployment of a force to curtail ongoing genocidal destruction? How is it that Jan Pronk, the Secretary General’s special representative for Sudan, two weeks ago simply capitulated to Khartoum’s obdurate refusal to countenance the UN force authorized by the Security Council? On what basis—other than craven political expediency—did Pronk accept that the present African Union mission in Darfur would continue as the only source of security for over 4 million civilians in a humanitarian theater now much larger than France (if we include eastern Chad)—a population increasingly dependent upon humanitarian operations that are rapidly collapsing?

¶23 A month ago Jan Egeland described these operations as in “free fall.” In the intervening weeks I’ve received numerous, increasingly desperate communications from humanitarian workers in the field—extraordinarily courageous people who feel as abandoned as the civilians of Darfur, and only marginally less endangered. Huge areas of Darfur are either totally inaccessible or only tenuously accessible; and the areas of inaccessibility grow steadily greater as Khartoum’s current military offensive in North and West Darfur expands, with ongoing indiscriminate aerial bombardment of villages and civilian targets.

¶24 Who is most responsible for current international inaction? Russia and China have done most to insulate Khartoum from greater pressure by the Security Council; but the US and Europe have failed to convince these two veto-wielding members that Darfur matters enough—have failed to expend the necessary diplomatic and political capital to make Darfur a truly first-tier international issue. The Arab League has gone through the motions of encouraging Khartoum to accept a UN force, but has made clear that it will not support UN deployment unless Khartoum consents. And the African Union, which months ago made clear its inability to continue in Darfur, has also declared that, despite its radical shortcomings, it will not support UN deployment without Khartoum’s consent. A complete lack of political and moral courage on the part of Kofi Annan largely completes the picture of international impotence.

¶25 Such impotence is all the reassurance the regime has needed to remain intransigent.

¶26 Egeland’s grim prediction of hundreds of thousands of Darfuri civilians dying needlessly is even now being realized. Given the present level of mortality—I believe, on the basis of all extant evidence, approximately half a million human beings—the overall death toll could exceed 1 million following the “hunger gap” of next summer. It is impossible for me to believe that fewer than 10,000 people are dying every month,

given the reports I am receiving from the ground and humanitarian officials speaking confidentially.

¶27 While the political reality is clear—the UN has no political will to make “the responsibility to protect” a reality in Darfur—so too is the moral reality: we have seen, on the basis of evidence that incinerates any possible agnosticism, genocide proceed for three and a half years and have refused to do what is necessary to halt the ultimate human crime. This is the world as we find it.