

The world should be ready to intervene in Sudan

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UN Secretary General Kofi Annan has called it "ethnic cleansing". President Bush has condemned the "atrocities, which are displacing hundreds of thousands of civilians". Others are starting to use the word "genocide". Whatever you want to call what's going on today in Darfur, in western Sudan, the time for forceful outside intervention is unmistakably approaching.

Since it came to power, the Khartoum regime has undertaken one scorched earth campaign after another in Sudan. In the past year, it has done so against Muslims of African descent in the west of the country, arming and supporting Arab "Janjaweed" militias to inflict collective punishment against the civilian populations in Darfur it accuses of supporting a rebellion there – principally the Fur, Zaghawa and Massalit tribes. Supported by aerial bombing, Janjaweed attacks have led to wholesale destruction of villages, targeted destruction of water reserves and food stores, indiscriminate killings, looting, mass rape and huge population displacement.

To date, tens of thousands have been killed, and over one million displaced, many now living in squalid camps where they are dying from disease and malnutrition. According to USAID, even if the war were to stop immediately, as many as 100,000 people will likely die in Darfur in the coming months due to the desperate humanitarian situation. Another 110,000 have fled to neighbouring Chad.

At last month's UN commemoration of the 1994 genocide in Rwanda, Kofi Annan rightly highlighted the current situation in Sudan, demanding improved access to those in need of assistance and protection. If humanitarian workers and human rights experts were not given full access to Darfur, he said, the international community had to be prepared to take appropriate action, "which may include military action".

One month on from that dramatic and forceful statement, Khartoum is still preventing full access. Aid agencies can now reach some of the internally displaced, but that is far from enough. Meanwhile, the horrific Janjaweed assaults continue, and hundreds of thousands of lives remain at risk. The case for military intervention grows with every passing day.

Resorting to collective military action, overruling the basic norm of non-intervention which must continue to govern international relations, is never an easy call. But nor is it easy to justify standing by when action is possible in practice and defensible in principle. The primary responsibility for the protection of a state's own people must lie with the state itself. But where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention should lead to a larger principle, that of the international responsibility to protect.

These are the basic principles, now quietly gaining international currency, identified in the report of the International Commission on Intervention and State Sovereignty which I co-chaired in 2001 with Kofi Annan's Special Adviser on Africa, and current UN Sudan negotiator, Mohamed Sahnoun.

Our report, "The Responsibility to Protect", also spelt out some more specific guidelines for military intervention for humanitarian purposes. There must be serious and irreparable harm to human beings in progress or imminent: either large-scale loss of life due to deliberate state action, inaction or inability to act, or large-scale "ethnic cleansing" carried out not only by killing, but forced expulsion, acts of terror or rape. Today's Sudan would pass either of these threshold tests.

Acknowledging, however, that coercive military action should always be an exceptional and extraordinary measure, there are some additional precautionary principles that need to be considered. The motivation must be right, aimed purely at halting the human suffering. The intervention must use the minimum force necessary. It must be guided by clear objectives, and likely to do more good than harm. And it must have a clear mandate from the right authority, always most appropriately the UN Security Council.

For today's Sudan these conditions do not present impossible obstacles. Some important members of the Security Council have been dragging their feet, including the UK and France as well as those more reflexively opposed to intervention, but there is growing international indignation at the atrocities in Darfur and increasing will to take action against Sudan's government.

All that said, there is one final condition that must be met before military intervention is justified: the use of force has to be a last resort, with every non-military option for the prevention or peaceful resolution of the crisis explored and found wanting.

The record so far of options falling short of force in Darfur has not been good. Demands from the UN Secretary General, the U.S. and the EU have fallen on deaf ears in Khartoum. The U.S. and EU already have general sanctions in place against the regime, and it is not likely that more of them will provide much more leverage, though they should not be excluded.

But targeted sanctions freezing the overseas assets and restricting the travel of key Sudanese leaders may change the calculations of some presently intransigent Khartoum officials, and raising the prospect of international legal accountability for crimes committed may concentrate minds a little more.

The last best hope, if force is to be avoided, is for the Security Council to take hold of the situation, apply whatever further pressures short of force that can be applied, and spell out unmistakably that the option of military force is very much on the table if Khartoum's behaviour does not rapidly improve. A resolution should include at least these five points.

First, it must condemn what has been happening: the violations of international humanitarian law in Darfur, particularly the indiscriminate targeting of civilians and the obstruction of

humanitarian assistance by the government and its continued support of the Janjaweed paramilitary forces.

Secondly, it must demand that the Sudan government stop the slaughter, with Khartoum disarming the Janjaweed and allowing unhindered access to Darfur by humanitarian agencies and international human rights monitors. The resolution should impose an arms embargo on the warring parties, with enforcement mechanisms. All sides must respect the "humanitarian" ceasefire signed 8 April in Chad, but there must also be internationally facilitated political negotiations between government and rebels in Darfur.

Thirdly, the resolution must call for the safe return of displaced persons to their villages of origin, reversing the ethnic cleansing in Darfur.

Fourthly, it should authorise a high level team to investigate the war crimes and crimes against humanity committed in Darfur.

Finally, it should warn Khartoum unambiguously. The UN Secretary General should be asked to provide a further report to the Security Council within three weeks, reviewing Sudan's progress. And it should be made unmistakably clear that – in the event this report indicates a continuing humanitarian crisis in Darfur, ongoing indiscriminate targeting of civilians and obstruction of humanitarian assistance by the government – the Security Council will authorise the application of military force on "responsibility to protect" principles.

Khartoum may be betting that the world is too preoccupied with Iraq to care what happens in Darfur. If Sudan ignores this resolution, the international community must be ready to show that this is not the case by providing the necessary political will and military resources to hold it comprehensively to account.

Gareth Evans is President of the International Crisis Group. He was co-chair of the International Commission on Intervention and State Sovereignty, whose 'Responsibility to Protect' report is at www.iciss-ciise.gc.ca.