



Australia's Role in the Responsibility to Protect Darfur

A Proposal to the Australian Government from the Darfur Australia Network

20 November 2013

Who we are

The Darfur Australia Network Inc. (DAN) is a not-for-profit community organisation run by members of Australia's emerging Darfuri Sudanese communities and concerned volunteers.

DAN was founded in May 2006 and today, has become Australia's most prominent advocacy organisation speaking out about the conflict in Darfur.

DAN seeks to:

- **Provide a support network** for the Darfuri community in Australia to create positive change in the lives of people facing risk of abuse in Darfur or forced to flee as refugees.
- **Raise awareness** about the crisis in Darfur and support the Darfuri community in Australia to build connections and have a voice.
- **Stimulate thought** on peace and security and international development in Darfur through open dialogue, events and education
- **Campaign and mobilise** Australians and Darfuris to advocate for appropriate Australian Government action on Darfur, in line with Australia's Responsibility to Protect.



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Recommendations

- The Darfur Australia Network proposes that the Australian Government utilises its Presidency of the United Nations Security Council to influence strategic action for enduring peace and security in Darfur and wider Sudan. We recommend the following action:
 - Urge the Sudanese government to remove all obstruction of international aid into Darfur and wider Sudan.
 - Keep the agenda of Darfur alive in the agenda of the UN Security Council by ensuring it acts on recommendations to bring about peace in Darfur and to ensure it has the necessary resources available. In particular resources to fully equip the UNAMID forces on the ground.
 - Urge member states of ICC to maintain their agreement under their ratification to urge the Sudanese government to arrest the President Omer al Bashir and other Ministers.
 - Continue to speak out on the crimes against humanity in Darfur and Sudan as a whole.
 - The Australian Government can take on the role of Honest Broker, marshalling international support, building political consensus and encouraging parties to engage in peace negotiations.
 - The Australian Government has the opportunity – if it has the political will and fortitude – to target niche areas for immense on-the-ground impacts. Key areas include: protecting against sexual and gender-based violence, strengthening the efficacy of arms embargos, and building medical support capacities in Darfur.

Overview of Mortality & Displacement in Darfur-Sudan

Since 2003 Darfur has been the site of a protracted conflict, prolonged by ineffective and asymmetrical peace processes, a humanitarian crisis that has spread like a malignant tumour across the Sudan. Hundreds of thousands of displaced people have inundated neighbouring countries ten years since crimes against humanity began on genocide proportions.

Former United Nations Secretary-General, Kofi Annan, described the international response to the Darfur conflict as 'slow, hesitant, uncaring', demonstrating that we had 'learned nothing from Rwanda'.ⁱ UN Under-Secretary-General for Peacekeeping, Hervé Ladsous, urged the Security Council in June this year that the crisis requires increased effort with the African Union and wider international community to ensure human security in the region.ⁱⁱ

Perhaps none can truly put a figure to the human casualty in Darfur over the past decade,

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yet research indicates that between 180,000 and 450,000 people have been killed as a direct result of conflict, with 2.5-3.5 million displaced indefinitely.ⁱⁱⁱ Armed forces continue to use sexual and gender-based violence as a widespread war tactic,^{iv} pillaging is rife and the destruction of water and fuel resources further decimate human security in Darfur.^v

The former Australian Minister for Foreign Affairs, Bob Carr, declared the situation in Darfur-Sudan a 'humanitarian crisis': "the humanitarian circumstances are extreme, the poverty is extreme."^{vi} Senior advisor to the International Peace Institute in New York and Professor of International Security at Griffith University, Alex Bellamy, adds weight to this conclusion, saying the 'best research' indicates the human toll of mortality in Darfur-Sudan could be up to 700,000.^{vii} This figure takes into account conflict-related diseases and the consequences of displacement as a result of the war. Emergency Coordinator for Médecins Sans Frontières, Delphine Chedorge, affirms this assessment: "violence in Darfur is indeed the major cause of mortality among refugees."^{viii}

In bitter contrast, the Sudan Government puts the decade-long death toll at 10,000.^{ix}

Darfur and Sudan's Plummeting Humanitarian Crisis

The Government in Khartoum has once again absolved itself from the conflicts plaguing Darfur, by reducing them to intertribal skirmishes – a narrative that has dominated popular understanding of events in recent times.^x Inter-tribal conflict may account for part of the big picture, but to attribute the regional unrest entirely to this factor is an appalling misrepresentation to be condemned.

The UN sees Sudan's plummeting humanitarian crisis in a different light. "We have witnessed deterioration in the security situation,"^{xi} UN Under-Secretary-General Hervé Ladsous said in July this year, commenting on Darfur's intensified conflict.^{xii} Coordinated militia attacks, including state-sponsored *Janjaweed* forces, and inter-communal fighting have led to more than 150 villages burned and 300,000 people displaced this year alone – more than the combined total of the previous three years.^{xiii} The UN Refugee Agency reported 50,000 people in South and Central Darfur were displaced in the "largest influx of refugees from Sudan into Chad since 2005."^{xiv} Approximately 70,000 Indigenous Zaghawa people have been displaced in a cycle of escalation since 2011.^{xv} Major Government offensives have displaced tens of thousands in East and South Darfur,^{xvi} spreading the conflict to Abyei, South Kordofan, Blue Nile, Nuba Mountains and other regions of Sudan.^{xvii}

The Government of Sudan has deployed ground and air attacks against civilians in every province of Darfur since 2011 and continues to empower proxy agents to carry out its offensives.^{xviii} Despite one of the largest ever combined UN peacekeeping operations having been deployed in Darfur, the International presence has not effectively impeded the Sudanese Armed Forces and their proxies; weapons and ammunition continue to flow easily into Darfur despite reinforced UN arms embargo resolutions 1591 and 1945.^{xix} Enflaming political and military unrest, continuing cooperation between the Government of South Sudan and Darfur rebel groups is a key point of tension in Khartoum.^{xx}



The Obstruction of International Aid

The UN Food and Agriculture Organisation indicates that more than 6.9 million Sudanese are in need of humanitarian assistance, while more than three million face acute food insecurity.^{xxi} Food security is affected by an extreme lack of basic infrastructure, conflict and internally displaced populations.^{xxii} Despite the shortage of medical, water, sanitation and logistical experts and resources, donor fatigue has turned financial aid elsewhere precisely when the humanitarian need is most vital.^{xxiii}

Humanitarian relief efforts continue to face systematic obstruction and violence, especially after President Omar al-Bashir expelled aid organisations in protest against the International Criminal Court for issuing a warrant for his arrest on charges of war crimes and crimes against humanity in Darfur.^{xxiv} Ever since President al-Bashir expelled 13 international aid organisations in March 2009 – removing 40 per cent of foreign aid workers in Sudan – the remaining organisations have continued to face work restrictions and impeded access to conflict-affected areas.^{xxv} Government-imposed restrictions continue to affect the ability of UNHCR and its partners to assist the region's most vulnerable people.^{xxvi}

Oppression Continues to Control Resources

Sudan's economy has ailed ever since it lost three-quarters of its oil revenue to South Sudan, who seceded in July 2011.^{xxvii} However, conflict over the control of natural resources – gold in particular – continues as a cause of oppression and displacement for Government economic enrichment.^{xxviii}

Paralleling tactics used during the height of the genocide, Khartoum has employed Abbala militia as a tool of state repression.^{xxix} Abbala militiamen formed the backbone of the *Janjaweed*, maintain positions in Sudan's security forces and utilise Government-supplied vehicles and arms by Khartoum's authority.^{xxx} Previously used to target the Indigenous Fur and Zaghawa people, Abbala militias have now been directed to attack other Arab groups to gain control over gold mines in Northern Darfur.^{xxxi} The Abbala have publicly voiced their goal to 'rid' Jebel 'Amer and al Sref of the Beni Hussein tribe, who control permits to gold mines in these areas.^{xxxii} The UN estimated that by April this year, more than 150,000 civilians had been displaced as a result of armed Abbala.^{xxxiii}

Superficial Reconstruction Efforts & Ineffectual Peace Agreements

Progress has been made at an international level to re-establish human security and infrastructure in Darfur^{xxxiv} – but this show of progress has remained superficial with no tangible impact on the ground.

The 'International Donor Conference for Reconstruction and Development of Darfur' in Doha, Qatar, raised \$3.6 billion in pledges to reconstruct Darfur over six years.^{xxxv} This falls short by half of the \$7.2 billion required to implement the strategy to elevate Darfur from emergency aid handouts and to lay the foundation for lasting infrastructure development.^{xxxvi}

Superficial progress has also been made through the Doha Document for Peace in Darfur; however, the accord is fragile and non-signatory militia groups continue to fight.^{xxxvii} The

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Sudanese Government and two major rebel groups have committed to the accord: the Liberation and Justice Movement (LJM) in 2012; the Justice and Equality Movement (JEM) in January 2013. UN Under-Secretary-General Hervé Ladsous urged the Government and non-signatory movements to cease hostilities and to enter into immediate negotiations.^{xxxviii}

The accord has been criticised for failing to resolve the underlying causes of the conflict and renewed fighting has ensued between Government Forces, their non-Arab proxies and rebel groups who rejected the accord.^{xxxix} Peaceful human security is yet to be seen.

African Union/United Nations Hybrid operation in Darfur

The African Union/United Nations Hybrid operation in Darfur (UNAMID) is one of largest ever UN peacekeeping operations, with a robust mandate to protect civilians. However, UNAMID has not achieved its goal of bringing human security to the region, and experience had shown it is passive and shows little resistance in the face of attack.^{xi}

An under-resourced UNAMID has failed in its mandate to restore security in Darfur.^{xli} UNAMID's mandate in Darfur includes the "the restoration of necessary security conditions for the safe provision of humanitarian assistance and to facilitate full access to people throughout Darfur.^{xlii} However, UNAMID has failed to achieve these objectives because Sudan Armed Forces continue to restrict and obstruct its operations.^{xliii} UNAMID has been subject to militia attacks and ambushes,^{xliiv} with more than 150 fatalities.^{xlv}

UNAMID faces reduced deployment capabilities up until February 17, 2014 – after which its future is uncertain.^{xlvi} UNAMID's deployment is being reduced from 19,555 military personnel and 6,432 police, to 16,200 military personnel and 4,690 police by early 2014.^{xlvii} The peacekeeping mission's very presence in the region is under question, with tripartite AU/UN/Sudan Government scrutiny over the validity of outstanding visa requests.^{xlviii}

The International Criminal Court

The International Criminal Court (ICC) has issued seven arrest warrants in the Darfur conflict, including two for President Omar Ahmad al-Bashir and high-level Government Ministers.^{xlix} The progress of justice has proven slow, with ICC signatories in the African Union refusing to cooperate, and the Court is yet to apprehend key Sudanese Government and militia leaders for crimes against humanity, war crimes and genocide.

Sudan's President continues to evade the ICC. The Court issued two arrest warrants for President al-Bashir on 10 counts of crimes against humanity, war crimes and genocide. The President remains at large despite having made official visits to a number of ICC signatory states, including Kenya and Nigeria.^l ICC Prosecutor Ms Fatou Bensouda cited Malawi and Chad before the UN Security Council for having failed to surrender President al-Bashir at the request of the court.^{li}

Other Sudan Government Ministers wanted by the ICC include Minister of State for Humanitarian Affairs, Ahmad Muhammad Harun, who is charged with 42 counts of crimes against humanity and war crimes.^{lii} The ICC has issued an arrest warrant for Abdel Raheem Muhammad Hussein, Minister of National Defence, on 13 charges of war crimes and crimes against humanity.



Recent Protests

In September this year, Sudanese cities witnessed the largest anti-government protests in many years. Many of the protesters aimed to bring down the government; others sought a reversal of its recent decision to reduce fuel subsidies. The police and security services responded with lethal force, and according to Amnesty International, killed more than 200 protesters. The ruling party played on the fear that, if the protesters should bring down the government, they would bring down the state as well. The protests have since subsided.^{liii}

These protests in Khartoum are similar to and other major Sudanese cities and popular uprisings against dictatorships in Sudanese modern history and in Arab countries in 2011—similarities that have led some to see this as heralding a “Sudanese spring” and the demise of President Omar al Bashir and the National Congress Party (NCP) government. However this is when the similarities end, the September protests appeared to have weak organizational structures of a protest movement. Although these protests have weakened and stopped it is still significant in that it indicates that the Sudanese have reached their tether and are willing to show their extreme opposition against the Government despite the costs.

Conclusion

The UN Security Council asserts that the Darfur conflict cannot be resolved militarily, but that a durable peaceful solution can only be obtained through an inclusive political process.^{liv} In accordance with this assertion, the Darfur Australia Network implores the Australian Government, in its Presidency on the Security Council, to advocate strategies to protect the people of Darfur, to influence a lasting legacy of peace in the region.

Australia’s diplomatic position provides a vital opportunity to ensure that the UN Security Council remains engaged in Darfur and wider Sudan. Without vested interest in the region other than the protection of civilians, the Australian Government can take on the role of Honest Broker, marshalling international support, building political consensus and encouraging parties to engage in peace negotiations.^{lv}

The Australian Government can ensure that the UN Security Council pursues the right mandate in Darfur and that the mission has the resources it needs to complete that mandate. The Australian Government has the opportunity – if it has the political will and fortitude – to target niche areas for immense on-the-ground impacts. Key areas include: protecting against sexual and gender-based violence, strengthening the efficacy of arms embargos, and building medical support capacities in Darfur.^{lvi}

Crimes against humanity are an affront to our global conscience and challenge our core morality.^{lvii} The Presidency on the UN Security Council is Australia’s opportunity to take global leadership in the Responsibility to Protect the people of Darfur for an enduring legacy of peace in Sudan.



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