

## Darfur Briefing

"When I think of the people in Darfur today, it makes me sick...because I know what it's like to watch your protectors walk away, and I know the fear of waiting for help that never comes."

- Rwandan genocide survivor Didier Sagashya (9-17-06)

Sudan is Africa's largest country. Darfur is the western region of Sudan. Darfur is similar in size to Texas or France. It is an immense region.

According to the United States Holocaust Memorial Museum's Committee on Conscience, Sudanese government-sponsored actions against Darfur include:

- INFLAMING ethnic conflict
- IMPEDING international humanitarian aid access
- BOMBING civilian targets
- MURDERING and RAPING civilians

Since 2003, it is estimated that at least 200,000 have been murdered and over 2.5 million have been displaced from their homes and have become refugees. According to reports, approximately 90% of the villages in Darfur have been destroyed.

### Background

In 1956, Sudan became independent from Anglo-Egyptian rule. The country, a leftover from European imperialism, was a volatile mixture of different cultural, ethnic, religious, and tribal groups. The Arab government in the capital of Khartoum marginalized and discriminated against the different regions of the country outside the Nile River valley. From 1955 a civil war between Khartoum and the southern region of Sudan raged on and off leaving over 2 million dead and 4 million displaced. In January 2006, with direct help from the United States, a tentative peace treaty was signed given the South some of the rights it demanded and allowing for power sharing in the government. It was within this context that the Darfur situation exploded.

In 2003, after years of marginalization and discrimination two rebel groups in Darfur, the Sudan Liberation Army/Movement (SLA) and the Justice and Equality Movement (JEM) rebelled against Khartoum. Khartoum, having ruled by terror and fear to keep its authority, was genuinely surprised by the initial strength of the rebellion. Falling back to their standard operational method (used in the South), the government supported local militias and paramilitaries with the backing of the Sudanese army in order to crush the rebellion. The policy quickly became to slaughter ethnic groups in Darfur in order to prevent the rebel groups from recruiting from them.

### Economic/Climatic Factors

The Sudanese government has successfully exploited traditional rivalry over scarce resources in Darfur. There are long-standing disagreements in Darfur -- literally, home of the "Fur" in Arabic -- over land and grazing rights between the mostly nomadic Arabs, and farmers from the Fur, Massaleet and Zagawa communities. Nomads from northern Darfur have been moving south as the Sahara desert expands. They have become the militias, collectively termed "**Janjaweed**" (or "bandits," "people on the fringe," "evil on horseback") that the Sudanese government has exploited in its campaign of murder, rape, and genocide. The government in Khartoum admits mobilizing "self-defense militias" to counter rebel attacks but denies the charges of having links to the *Janjaweed*, who President al-Bashir has called "thieves and gangsters." Refugees from Darfur say that following air raids by government aircraft, the *Janjaweed* ride into villages on horses and camels, slaughtering men, raping women and stealing whatever they can find. Many women report being abducted by the Janjaweed and held as sex slaves. After strong international pressure and the threat of sanctions, the government promised to disarm the militiamen. But so far there is little evidence this has happened. The U.S. Congress, former Secretary of State Colin Powell, human rights groups, and the U.S. Holocaust Memorial Museum have all said that genocide has taken place. The United Nations has stopped just short of using that term.



## What is Genocide?

“Genocide” is a relatively recent moral and legal concept. In 1943, Raphael Lemkin, a Jewish refugee who fled Poland introduced the term to describe what was happening in Nazi-occupied Europe. He lost 49 members of his family. He combined the Greek word “*genos*” (race/tribe) with Latin word “*cide*” (to kill) to create the term. In 1948, after Lemkin’s tireless lobbying, the U.N. Genocide Convention was adopted that defined the word genocide. The U.N. ratified the convention in 1951. Any of the following acts undertaken with the *intent to destroy*, in whole or in a substantial part, a national, ethnic, racial, or religious group, as such was considered now to be “genocide”:

- Killing members of the group
- Causing serious bodily or mental harm to members of the group
- Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part
- Imposing measures intended to prevent births within the group
- Forcibly transferring children of the group to another group

Although noble in its intent, for practical purposes this statement was legally meaningless. As the five defining behaviors were the result of compromise by post-war powers, a key hurdle to applying the definition became the word, “Intent.” Demonstrating a chain of accountability through documents is nearly impossible to do during an event. It is very difficult to establish “intent” and it was not until 1998 that the first charge of genocide was leveled in a court of law; and only after the genocide had been perpetrated in the Balkans. A particular compromise (the Exclusion of social and political groups in the legal definition) is criticized as well. The currently accepted definition focuses on physical destruction of the group. What if a group survives destruction, but its cultural distinctiveness is eradicated? (Tibet)

In addition, some signatories (Bahrain, Bangladesh, India, Malaysia, the Philippines, Singapore, the U.S., Vietnam, Yemen, and Yugoslavia) signed with the proviso that no claim of genocide could be brought against them in the International Court of Justice without their consent. Although this seems troubling, there is a practical nature as this allowed the U.S. to deflect the warrant less charge by Yugoslavia in 1999.) In addition, the U.S. did not sign the agreement until 1988, thus limiting its potential force as a deterrent.

The final difficulty in implementing the compromise genocide definition is that Lemkin based his word on the experience of the Shoah (Holocaust) as the “typical” genocide. The Shoah’s unprecedented nature (of being global in its intent and total in its implementation) created the obvious semantic and perceptual difficulties of other cases “measuring up.”

## Is this a Religious Conflict?

The perpetrators of the crimes in Darfur and the victims themselves are Muslims. There are ethnic, racial, and religious overtones as the perpetrators describe themselves as being “Arab” Muslims and the victims as being “African/Black” Muslims. This has become an important distinction. There had always been an underlying assumption by those in power that “Black” Muslims were not as “true” Muslims as they were. There is a sense that ancient African traditions have impregnated the “pure” Islam of the Arabs. In addition, “Black” refers to slave or second class citizen in Sudan. Sudan was, and still is, part of the hub of the Arabic slave trade. Although some “Black” Sudanese were involved as perpetrators in the slave trade, by-and-large they were its victims. The government in Sudan has promoted these distinctions especially since 1989. These prejudices are factors in allowing the perpetrators to justify their crimes.

## Peacekeepers

The U.N. already has a peacekeeping mandate for southern Sudan, where the January 2005 Comprehensive Peace Agreement (CPA) ended the civil war between the Sudanese government and southern-based rebels known as the Sudan People’s Liberation Movement/Army (SPLM/A). As of June this year, UNMIS deployed 10,224 uniformed personnel from more than 60 countries to Khartoum, southern Sudan and selected areas between. The African Union (A.U.) currently has a small force of 7,000 ill-equipped and poorly trained peacekeepers in Darfur. Most critically, they have operational rules not to engage the perpetrators. In essence, the small force of monitors and watches the genocide in this immense area. On August 31, the U.N. Security Council adopted Resolution 1706 authorizing the deployment of U.N. peacekeeping forces to Darfur. The resolution called for a transition of logistics,

communication and staff to U.N. forces to begin October 1 with the bulk of U.N. troops due in place by January 2007. The U.N. has interpreted its charter as not allowing for intervention in a sovereign country without that country's government's consent. Sudan's consent, however, has not been forthcoming. Last month al-Bashir stated he would confront a U.N. force in Darfur "as Hezbollah beat Israeli forces." The Sudanese government says a U.N. force will violate its sovereignty and claims the deployment of western troops would turn Sudan into "another Iraq." It has accused the U.S. and UK of having a "hidden agenda" and colonial aspirations. Recently, however, the Security Council has decided that it does not need Sudan's consent to send forces based on U.N. resolution 1706. President al-Bashir however, is confident that U.N. members will not rush to contribute troops to this new peacekeeping force.

### **The Situation: September 2006**

In May 2006, a peace agreement was signed between the largest rebel group (SLA/SLM) and the government of Sudan. The groups opposed to a May peace deal have now merged into the National Redemption Front led by former Darfur governor Ahmed Diraige. Despite the peace agreement, the violence in Darfur has intensified. On August 28, 2006 Sudan launched a renewed offensive into Darfur reminiscent of the bloodiest days of the previous years despite world condemnation. Sudan threatened to force African Union peacekeepers out of the country when their mandate expired on September 30, 2006.

Of the 2.5 million refugees, approximately 200,000 have fled across the border to the desert in Chad. There, they survive in squalid camps and are dependent on international and United Nations aid. Many aid workers have been forced to leave as *Janjaweed* patrol outside the desperate refugee camps. No relief is allowed to enter Darfur itself. On August 28, 2006, U.N. Humanitarian chief Jan Egeland commented, "...in many ways we are in a freefall in Darfur at the moment."

On September 9, 2006, at the U.N., Sudanese President Omar al-Bashir denied the humanitarian disaster and accused Jews of spreading propaganda and organizing antigovernment rallies in the U.S. At the meeting of the A.U. in New York on September 20, 2006, the A.U. announced that it will extend its mandate of peacekeeping forces through the end of 2006. The U.N. will provide material and logistic support to the mission. President al-Bashir walked out of the meeting halfway through...responding only when a reporter asked if he would allow the U.N. to take control of the peacekeepers... "No!" he shouts.

The Arab League and others (China) are bolstering the Sudanese regime, forming a regional political bloc which refuses to admit the UN force.

