

TOWARD A NEW STRATEGY FOR DARFUR

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On April 18th, 2007, President George W. Bush appeared at the United States Holocaust Memorial Museum to make what was billed as a major announcement on U.S. policy toward Darfur. Holocaust survivor Elie Wiesel was invited to be with him, underscoring the gravity of the event. The speech was to be the culmination of months of Administration leaks concerning a new, tougher policy toward Khartoum.

But, instead of finally announcing what every activist and member of Congress has been demanding for the last three years—measures that would punish the regime for its orchestration of what the Bush administration repeatedly calls genocide—President Bush simply issued yet another set of dramatic warnings, another threat without a specific deadline for action. A month later, he imposed minor unilateral sanctions which had already been anticipated and discounted by the regime in Khartoum.

Barking without biting is the diplomatic equivalent of giving comfort to the enemy. In this case, though, it may be even worse. Each time the Administration has issued an empty threat over the past three years and then not enforced it, the Khartoum regime has been emboldened to escalate its destruction and obstruction in Darfur. Simply put, the Sudanese government no longer takes our speeches and our threats seriously, and will continue to flout international will until there are specific and escalating costs to their actions. The preponderance of the evidence shows that during the 18 years of its military rule,



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the regime in Khartoum has only responded to focused international and regional pressure—something that is sadly and shockingly missing from the international response to Darfur today, despite all of the stirring speeches.

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A real plan B

Today, nearly everyone agrees on the ingredients necessary for the stabilization of Darfur. The first is a peace agreement that addresses the remaining issues of the non-signatory rebels and broader Darfurian society. The second entails an effective civilian protection force, the starting point for which is the “hybrid” African Union-United Nations force which the entire world supports, except the Khartoum regime. The disagreement begins around how to secure these two critical peace and protection objectives. Three things can help break the current political impasse:

1. Getting smarter

A significant amount of institutional inertia needs to be surmounted. With little support and cooperation from the CIA (which maintains close counterterrorism cooperation with the very same Sudanese officials who are architects of the Darfur policy),

U.S. policymakers have largely been in the dark about how the Sudanese government carries out its commerce, and cannot identify many of the major Sudanese companies owned by regime officials that do business throughout Europe, Asia and the Middle East.

What is needed is an intelligence surge from the CIA and an enforcement surge from the Treasury Department. Such a two-pronged approach will at least bring the U.S. up to speed on who is doing what and how to effectively implement any punitive measures. And without a clear strategy of rapidly escalating pressure through a variety of economic and legal measures, the deadly status quo will no doubt prevail.

The point is not simply to punish for punishment’s sake, although if the Bush administration’s characterization of the atrocities in Darfur as genocide were meaningful, it would warrant punitive action in and of itself as a breach of the Genocide Convention. Punitive measures are essential to building the leverage necessary to gain Khartoum’s compliance for a durable peace deal for Darfur and the deployment of an effective international force to protect civilians. Similar measures should be imposed against leading rebel commanders and political leaders if they are deemed to have committed atrocities or are obstructing real and balanced peace efforts, which so far do not exist.

2. Building coalitions

Any of the measures that the Bush administration is considering will be exponentially more effective if they are done multilaterally. The U.S. government already has strong unilateral sanctions in place against Sudan, which bar American companies from doing business with the National Con-

gress Party (though allowing U.S. businesses to work with the government of South Sudan), freezing assets in the U.S. of the Sudanese government and some Sudanese companies and individuals, and blocking financial transactions of companies registered in Sudan. When enacted by the Clinton administration back in 1997, these measures did have an effect on the calculus of the regime in Khartoum. Their potency, however, has long since faded, as Sudanese officials have become increasingly savvy in their business dealings, learning to circumvent U.S. institutions.

But applied multilaterally through the UN Security Council and expanded, these steps would have a much bigger impact on the pocketbooks of those responsible for crimes against humanity. Moreover, the government of Sudan will have a much more difficult time scoring propaganda points when the U.S. is not acting alone.

3. Greater “teeth”

A number of additional punitive measures should be implemented through the UN Security Council to buttress current efforts. These could be applied without major cost, but they require a strong diplomatic effort to rally multilateral support and significant increases in staffing and resources to ensure aggressive implementation.

Targeting Sudanese Officials. Impose UN Security Council targeted sanctions—including asset freezes and travel bans—against persons responsible for crimes against humanity in Darfur. The existing U.S. effort is confined to just three individuals. In order to be effective, that number must be much higher. Such sanctions have been authorized in previous

UNSC resolutions, and called for in multiple reports from the UNSC Sanctions Committee Panel of Experts.

Targeting Sudanese Companies. Impose UN Security Council sanctions against the list of Sudanese companies already targeted unilaterally by the U.S., and establish a UN Panel of Experts to further investigate which companies are conducting the business necessary to underwrite Sudan’s war machine.

International Financial Pressure. As is the case with Iran, American officials should engage with a number of international banking institutions to strongly encourage them to stop doing business with Sudan, with the implication that if such business continues, then all transactions by those banks with U.S. commercial entities (and those of other countries willing to work with us) would eventually be banned.

Support the ICC Indictment Process. Provide information and declassified intelligence to the International Criminal Court to help accelerate the process of building indictments against senior officials in the regime for their role in orchestrating mass atrocities in Darfur. The U.S. has the greatest amount of relevant intelligence, and should increase the flow of information to the ICC in support of additional indictments.

Such punitive measures are essential. As the world has learned all too well in recent years, the threat of consequences is a vital component of coercive diplomacy. Sudan is no different. Concrete punishments are necessary in order to demonstrate to those committing atrocities and those undermining peace efforts—

whether a part of the government or a rebel group—that there will be a cost for their actions, and that cost will increase with each major human rights or diplomatic violation. Only then will there be incentive for them to stop.

In search of a serious diplomatic strategy

It is not enough to have a part-time Special Envoy and occasional visits by high-level officials. The U.S. needs to have a team of diplomats working full time around the world to secure the prerequisite conditions necessary for Sudan's stabilization. These include:

- Support for the development of a common Darfurian rebel negotiating position;
- Support for the negotiation of amendments to the Darfur Peace Agreement that address the reservations of the non-signatory rebels and broader Darfurian civil society;
- Support for addressing the spillover impacts of the conflict in Chad and the Central African Republic;
- Support for the implementation of the peace deal that ended the north-south war, a deal that is increasingly put at risk by Darfur's deterioration;
- Support for negotiations to end the war between the Ugandan government and the Lord's Resistance Army (LRA), which threatens to undermine peace in Sudan;
- Support for the international diplomacy (particularly with China, the EU, and the Arab League) necessary to see an effective civilian protection force deployed to Darfur, the starting point for which is the "hybrid" AU-UN proposal that Khartoum has not accepted.

Better coordination is also needed at home. If it hopes to be successful in its negotiations abroad, the White House needs to put forward a clear strategy and exert itself in the interagency process to improve cooperation between the government agencies that will have roles to play in implementing it. Intelligence officials must be put at the disposal of the peace efforts; Treasury Department officials must be given planning and staffing for expanding punitive measures; Defense Department officials must support the AU-UN hybrid as well as be engaged in accelerated contingency military planning with their colleagues in NATO, the EU and the UN; and the White House should be aggressively tasking various agencies and ensuring that the effort is taken as seriously as that of North Korea, Iran, and other important foreign policy priorities.

Needed: protective action

Until there is recognition that the current international strategy fails to protect civilians, Darfurians will have no hope of achieving security. To that end, pressure must be escalated on Khartoum to accept unconditionally the full deployment of the proposed AU-UN force, and the Bush administration's budget (and the budgets of other major contributors to UN peacekeeping) must include adequate funding to resource the mission at full

capacity. Finally, every effort should be made to strengthen the mandate of the existing and future mission to be one that prioritizes the protection of civilians.

President Paul Kagame of Rwanda, one of the largest troop contributors to the current AU force, suggested recently that the hybrid force could be effective if sufficient resources were provided with a clear mandate. Regarding civilian protection, he told the author in February 2007 that, "We would take on additional tasks if we had the resources and the mandate.... If we had more troops, the proper equipment, the right mandate, and a no-fly zone to paralyze the [Sudanese] air force, we could protect the civilian population of Darfur."

This is why the UN Security Council's financing of an enhanced Darfur deployment is essential. With a stronger mandate and more funding for the critical logistical and equipment gaps that currently exist, more African troops would be offered to the AU mission, and the force on the ground would be much more effective.

Simultaneously, the UN Security Council also should accelerate the deployment of protection elements to the border regions of Chad and the Central African Republic (CAR), with mandates to protect at-risk communities, internally-displaced person settlements, and refugee camps.

Military measures

Policymakers must understand that there is no military solution to Darfur and its spillover: a peace deal in Darfur is a prerequisite for a peace-keeping force to be effective, and genuine political dialogue in Chad and the CAR should accompany any deployment of international troops or police to those countries. Further, it is necessary to acknowledge that international

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troops or police in Chad and the Central African Republic will have little impact on the situation in Darfur.

Credible military planning should commence immediately for action necessary to protect civilians in the event of a rapid deterioration in the situation on the ground. The world must be prepared to act if death rates soar again as they did in 2003-04. This planning is both a practical necessity and a means to build and utilize leverage against the regime.

Doing better

The U.S. must move away from its current policy of constructive engagement without leverage toward a more muscular policy focused on walking softly and carrying—as well as using—a bigger stick. Unfulfilled threats and appeals should be replaced quickly with punitive measures backing a robust peace and protection initiative. We may not know the names of the victims in Darfur, but we know the names of the orchestrators of the policy that led to their deaths.

There is hope. The growing constituency in the U.S. focused on countering the atrocities in Darfur is expanding by the day, led by student, Jewish, Christian and African-American organizations. Elected officials who ignore this crescendo of activism—though not usually front page news—do so at their own peril.

