

Master Thesis

Internal Displacement in Darfur: Actors or Victims in the Current Conflict

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Abstract

In the wake of ongoing violence in Darfur the concern for those caught in the crossfire becoming internally displaced are discussed from every angle. This dissertation looks at the mechanisms in place to protect the rights of these people in Darfur. It focuses primarily on the Guiding Principles on Internal Displacement and argues for how this process if adhered to by the international community will prevent further rights violations which are experienced on a daily basis by the people of Darfur.

It looks at the role of the main international organizations along with regional organizations and the means used by these parties to ensure that collateral damage in the region of Darfur is kept at a minimum. The activities of the African Union; European Union and the United Nations are looked at because it is these organizations' actions that for the most part will determine whether or not people displaced in Darfur become actors or victims of the conflict which has run rampant in their country and region since 2003.

It aims to discuss means for being of assistance to IDPs from the perspective of implementing the innate human rights which are available to people all over the world on the basis of being human. The theories and notions discussed in the perimeters of this dissertation are ones that have been in place by the international community for numerous years, however the purpose of this dissertation is aimed at showing how policies that are in place can be used to be of assistance to IDPs and that new policies which are time consuming are not a prerequisite for the international community to act positively in the wake of violence in the region of Darfur.

Abstract Deutsch

Angesichts andauernder Gewalt in Darfur wird die Lage jener, welche zwischen die Fronten geraten und vertrieben werden, von allen Seiten diskutiert. Diese Arbeit beschäftigt sich mit den gegenwärtig angewandten Mechanismen, um die Rechte der Menschen in Darfur zu schützen. Sie beschäftigt sich vor allem mit den Leitlinien für „Interne Flüchtlinge“ (IDP). Weiter wird argumentiert, wie durch diesen Prozess, wenn sich die Internationale Gemeinschaft daran hält, weitere Rechtsverletzungen, wie sie die Menschen in Darfur täglich erfahren, vermieden werden können.

Die Arbeit betrachtet die Rolle der wichtigsten Internationalen Organisationen und der regionalen Organisationen sowie die von diesen Organisationen ergriffenen Maßnahmen, welche garantieren sollen, dass Kollateralschäden in der Darfur-Region so gering wie möglich gehalten werden. Die Aktivitäten der Afrikanischen Union, der Europäischen Union und der UNO werden betrachtet, weil die Aktionen dieser Organisationen zum großen Teil den Ausschlag dafür geben, ob die Vertriebenen in Darfur Akteure oder Opfer dieses seit 2003 ausufernden Konflikts sind.

Die Arbeit will jene Maßnahmen, die für IDPs hilfreich sein können, aus der Perspektive der Implementierung von Rechten diskutieren, welche allen Menschen der Welt aufgrund ihres Menschseins zustehen. Die Theorien und Gedanken, die im Blickpunkt dieser Arbeit stehen, werden von der Internationalen Gemeinschaft seit vielen Jahren vertreten. Ziel dieser Arbeit aber ist es aufzuzeigen, wie etablierte Politik eingesetzt werden kann, um IDPs zu unterstützen, und dass neue politische Strategien, welche oft viel Zeit erfordern, nicht Voraussetzung für ein positives Eingreifen der Internationalen Gemeinschaft angesichts der Gewalt in der Region Darfur sind.

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Acronyms

AU– African Union

AMIS - African Union Mission to Sudan

ASF- African Standby Force

DRC – Democratic Republic of Congo

ECOWAS– Economic Council of West African States

EC – European Commission

EU- European Union

GOS – Government of Sudan

ICISS – International Commission on Intervention and State Sovereignty

ICRC – International Committee of the Red Cross

IDMC – Internal Displacement Monitoring Centre

IDPs– Internally Displaced People (Persons)

JEM - Justice and Equality Movement

OAU - Organization of African Unity

OHCHR – Office of the High Commissioner for Human Rights

NATO – North Atlantic Trade Organization

NGOs – Non-Governmental Organizations

PDF– Popular Defence Force

R2P – Responsibility to Protect

SADC– Southern African Development Community

SLA/M – Sudanese Liberation Army / Movement

UN- United Nations

UNAMID – United Nations / African Union Mission in Darfur

UNDP – United Nations Development Programme

UNHCR– United Nations High Commissioner for Refugees

UNICEF – United Nations Children’s Fund

UNIFEM – United Nations Development Fund for Women

USA - United States of America

USAID – United States Agency for International Development

USCR – United States Committee for Refugees

WFP – World Food Programme

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Introductory Chapter

Research Methodology:

1. Background

Since the 1948 UN Declaration on Human Rights, the international community has been thrown in at the deep end attempting to ensure that the rights of the individual are wholly protected. In many instances, there have been great failures – one such being the genocide of close to eight hundred thousand people in Rwanda during 1994. Since that time many promises have been made by the international community to prevent such atrocities from happening again. However when the world came together to commemorate on Rwanda, to vow once again to prevent such violence, it was happening in Darfur, Sudan. And while Kofi Annan (Former Secretary General to the UN) was giving his speech, people in Darfur were dying, yet at that time he stated regarding violent conflict “... Such crimes cannot be reversed ... Such failure cannot be repaired ... The dead cannot be brought back to life ...” (Annan, K. April 2004). It is with this statement in mind that this dissertation will focus on the plight of IDPs in Darfur. Since 1994 there have been many other attacks on civilian populations, numerous others have died or are left without sufficient means to provide for themselves because their country is experiencing severe internal conflict.

It is unclear at this point whether or not the events as they are occurring in Darfur currently can be referred to as genocide (as was the case in Rwanda). There is no real consensus on the topic currently. But the action presented by Kofi Annan remains of vital importance. What is clear in Darfur is that the situation is running rampant and as many people as there are dying in that conflict there are also those millions who find themselves internally displaced as militias (both government and private) contend with one another.

Sudan is situated in North Africa between Egypt and Eritrea its land covers approximately 2.376 sq km making it the largest African country (CIA – World Factbook). Since gaining independence from both Egypt and Britain during 1956 the country has spiralled in and out of violent conflict. The reasoning behind these conflicts have been many, and in many instances one will have to say that the reason for conflict

depends on the region within the country that the conflict is taking place. Concerning this dilemma the International Crisis Group has written “Sudan lingers as one of the world’s longest running and most intractable conflicts”

(<http://crisisgroup.org/home/index.cfm?id=1166&1=1>). For this reason it is not an easy task to pinpoint what the crisis is, who the main actors are and what the end result being sought would be.

The region with which this dissertation is concerned is Darfur “... located in the westernmost part of present-day Sudan ... Darfur is separated from the Nile Valley by the large province of Kordofan ... which make it one of the most landlocked parts of the African continent” (Prunier, 2005: 1-2). For the most part the violence in the region of Darfur has been attributed to clashes of identity, and disputes between Arab Muslims and Black Africans have been paramount. Predominantly this is what makes the news that we as civilians in foreign countries watch, concerning Darfur this is what most people have knowledge of. It has become the reason for conflict that we are most familiar with.

In Darfur the crisis of identity related incidents of violence emerged most prominently during 2003 (around the same time that the international community through the auspices of the UN declared renewed assistance to protecting the rights of individuals the world over). During this period the international community had to come to terms with “... massive crimes against civilians of particular ethnicities in the context of an internal conflict between the Sudanese government and a rebel insurgency”

(<http://hrw.org/backgrounder/africa/darfur0105/1.htm>).

This led to indecision and a lack of consensus amongst the key international actors because there is still no real unified mandate concerning how to act with regards to violence in Darfur.

As the international community wallowed in indecision the amounts of people affected by the violence increased, leaving numerous dead and the statistics of people internally displaced in the region amounting to over a million. However this statistic changes as the conflict increases on a daily basis. In previous decades there was always talk about the rights of refugees as wars and bad governance led to people fleeing their countries of origin in search of better lives, for this reason the UN established the UNHCR (UN Refugee Agency) during the 1950s. And numerous research has been done on the topic

and various international laws have been put into place to provide for the needs of these people who flee their countries. However Francis Deng who served as the Representative of the United Nations secretary general on Internally Displaced Persons during the 1990s (and currently serves as the Special Advisor for the Prevention of Genocide) has made the argument along with Roberta Cohen that “internally displaced persons are the largest *at risk* population in the world” (Cohen & Deng, 1998:15). This because IDPs never leave their country of origin, hence in the case of Darfur people are situated in camps or taking refuge in mountain areas and are still very much a part of and affected by the conflict. According to the U.S. Committee for Refugees IDPs would be “refugees if they were to cross an international border” (Cohen & Deng, 1998:31) and therefore it becomes paramount that the same amount of time and energy is spent on researching how conflict impacts on the lives of those, who for various reasons do not end up as refugees but rather merely displaced within the territory of their own nation.

As the situation in Darfur reaches eminent proportions, research on how IDPs are affected by violent conflict and the impact they too have on violent conflict is of vital concern to the international community. This because research of such a kind should point out how the international community could respond to not only the case in point Darfur; but to other violent strife in which people are left destitute and governments fail to respond adequately.

2. Problem statement; Research aim and Questions

Depending on the actor and the ideological position of that actor, the means used to define and describe what is meant by internal displacement will differ, this is one of the fundamental problems when discussing the issue of displacement.

The fundamental aim and purpose of this dissertation is to show that the differing definitions and the various protagonists in the case of internal displacement in Darfur leads to further incidents of conflict and leaves the international community even further away from a feasible solution to the violent outbursts of conflict in the region. As the UN has already compiled a formal definition of what is meant by internal displacement through the research done by people such as Francis Deng it is important that the

international community approach issues pertaining to internal displacement from this vantage point – as this would lead to fewer incidents of confusion amongst international actors.

The fundamental aims of this research lead one to a few questions which will be tackled within the confines of this dissertation.

- Is it possible that an increase in IDP numbers makes the region even more susceptible to ongoing conflict? Could it be that solving the problem of IDPs might go hand in hand with sorting out the influx of ongoing violence in Darfur?
- What are the relationships between international actors (i.e.) the AU; EU and the UN – Is their approach unified? Does their approach lead to more violence in Darfur? And is there too much pressure on the AU?
- Is it possible that where states follow the mandate of the responsibility to protect that greater success will be achieved? What is the relationship between big powers such as China and the US and how can their example lead to a better international approach?

The purpose behind this research is to contribute more fully to the work done on internal displacement and to add more knowledge and broaden the approach which is currently taken by the international community.

The underlying rationale of this study is to build on work done previously on the principles regarding internal displacement and violent (ethnic) conflict. It is hoped that by doing so that it will assist the international community in proposed approaches to countries that are experiencing violent conflict in which citizens are left destitute. And in those instances where the international community adapt their approaches in such countries that it would lead to a decrease in the numbers of internally displaced people. But also that it will lead to an increase in the rights of those who become IDPs and that closer attention will be paid to the needs of people who are forced into such a predicament.

3. Research methodology

Primarily this dissertation will focus on describing events as they occur and how it applies to aspects surrounding internal displacement and the links between that and conflict, based on ethnic differences. For this reason it will make use of policy analysis, because Stuart Nagel points out it serves as “determining which of various alternative policies will most achieve a given set of goals in light of the relationship between policies and the goals” (1999: 10). The policies which will be looked at come primarily from the UN because of it being the main actor in terms of representing the international community and its input in resolving conflict in Darfur.

With this in mind the approach of the dissertation will also be qualitative in that it relies on a softer more social nature of reviewing the situation in Darfur. Neuman argues that making use of a qualitative approach is vital because of its ability to aid the researcher in “construct[ing] social reality [and] cultural meaning” (Neuman, 2000:16).

Because one cannot understand the context in which violence in Darfur is taking place without delving into its history, research will also rely on the Historical-Comparative Research approach because it “...examines aspects of social life in a past historical era or across different cultures” (Neuman, 2000:37). The approach to history will aid in giving substance to the historical view of the people, where they come from what life was like before the emergence of conflict and will also point to how history is sometimes misconstrued in order to serve a political purpose, in this case violence in Darfur.

4. Limitations of the study

One of the primary limitations of this study is the time constraint with which I am faced in the compilation of this study. And therefore many of the broader factors surrounding the ideas of internal displacement along with the violence in Darfur cannot be delved into in great detail.

Also in many instances we find that previous research has been compiled in both French and Arabic which leaves me, the researcher with a language barrier and limits the amounts of literature that can be used within the confines of this research endeavour, as I can only make use of books and research which have been compiled within the English language.

The crisis in Darfur as is mentioned in the title of this dissertation is ongoing, and therefore as I am writing things pertaining to violence in Darfur is changing. In order for the statistics in this document to not contradict itself in any way I will only look at Darfur from the time that violence broke out which is 2003 until 2007. This is a limit to the dissertation however analyses undertaken during 2008 are not complete and will therefore be of no consequence to the results of this research.

5. Literature review

Deng, Francis & Cohen, Roberta. 1998. Masses in Flight: The Global Crisis of Internal Displacement. Washington D.C: The Brookings Institution.

Despite this being an earlier publication on internal displacement the works compiled within this book are of vital importance to current research done on displacement the world over. This study aims to place the Guiding Principles on Internal Displacement which have been issued by the UN during 1998 within context. The authors explain the legal ramifications for people who find themselves in the position of being displaced. For this reason Deng and Cohen also elaborate on a regional approach to explain how people in different continents are affected by displacement and what the reasoning behind displacement is.

Also what is of importance in this book is that the authors differentiate between the roles of NGOs in relation to state actors when it comes to resolving the issue of displacement. With this in mind they also elaborate somewhat on means available to both NGOs and state actors to resolving increases in people becoming displaced. As they make the argument that both state and non-state actors have the same goals in mind and therefore it is possible to work towards prevention strategies.

For the purpose of this dissertation the work done by Deng and Cohen provides me with access to various resources for gathering statistics regarding IDPs in Darfur as they give valuable reasoning for their use of particular institutions statistics. Along with that they develop their argument regarding IDPs around the Guiding Principles on Internal Displacement – and despite the document not being legal, and therefore states are not bound to it, it is still universally recognised and therefore in most instances all

international actors conduct themselves within the confines of this document when it comes to IDPs.

Prunier, Gérard. 2005. The Ambiguous Genocide. United Kingdom: C. Hurst & Co.

The works of Prunier is highly recognised the world over as he mainly concentrates on violence which has erupted on the African continent. Approaches which are used by him focus mainly on delving into the historicity of the region involved in conflict to explain why violent conflict (and in most instances why ethnic conflict) becomes inevitable.

In his book Prunier gives a detailed look at the region of Darfur separating the region from events that have occurred within the centre of Sudan or in the capitol city of Khartoum explaining that in most respects Darfur and Khartoum are worlds apart. Therefore he gives a brief overview of the people of Darfur along with explaining the region in the wake of British imperialism as well as colonial rule from Egypt. By focusing on these historical events Prunier explains or gives reasons for why events as they occurred in the 21st Century spiralled to such extreme proportions.

The work done by Prunier is of vital importance to this research effort because of the historical outline which it produces regarding Darfur. Therefore it helps me in placing the region and its violence into a historical context which explain why ethnic tension should not be overlooked when discussing internal displacement and ongoing violence.

Cohen, Roberta. 2004. The Guiding Principles on Internal Displacement: An Innovation in International Standard Setting. Global Governance 10 (October): 459 – 480.

This article is a continuation of the book which Cohen compiled with Francis Deng. It highlights some of the key factors of the Guiding Principles along with how more can be done to improve the credibility of this document. Cohen goes to great lengths to describe and explain why countries had there reservations about the principles which would be of service to those who are displaced. But more importantly she also explains why they were not well founded and that the credibility of the principles cannot be disputed.

Cohen, Roberta. 2006. *Strengthening Protection of IDPs: The UNs Role. Law and Ethics (Winter/Spring): 101 – 109.*

Roberta Cohen is definitely the person who has done the most constructive research on IDPs the world over. And in this article she explains what the UN can do to further strengthen the mandate which it is faced with in order to help IDPs. The work compiled in this article has been of paramount importance because of it reflecting on the UN specifically, giving ideas and guidelines which indicate that the UN has the means of being of service to IDPs but are rather just going about tackling the situation incorrectly.

6. Terminology

Internal Displacement - Is a rather difficult term to define, as such M. Rafiqul Islam states that “...there is no internationally agreed upon legal definition or list of common features to identify ‘internal displacement’ or ‘IDPs’. These terms connote the arbitrary removal of people from their homes or land against their will. They presuppose the deployment of coercion and the failure of the governmental authority to prevent such displacement” (2006:359).

The United Nations Economic and Social Council during 1998 set out the report for the *Further promotion and encouragement of human rights and the fundamental freedoms, including the question of the programme and methods of work of the commission human rights, mass exoduses and displaced person*. Francis Deng was then the Representative of the Secretary General and his report outlines the *Guiding Principles on Internal Displacement* and argues first and foremost that internal displacement is the:

“...consequence of traumatic experiences with violent conflicts, gross violations of human rights and related causes in which discrimination features significantly, displacement nearly always generates conditions of severe hardship and suffering for the affected populations. It breaks up families, cuts social and cultural ties, terminates dependable employment relationships, disrupts educational opportunities, denies access to such vital necessities as food, shelter and medicine, and exposes innocent persons to such acts of violence as attacks on camps, disappearances and rape”

When this report aims at defining what would constitute Internally Displaced People the argument is made that:

“...internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border”

As we can see from the report of the UN there are discrepancies in how to define Internally Displaced People and this would lead to a schism in how governments react in assisting people but more importantly the lack of definition leads to humanitarian assistance also being hindered.

Culture – When discussing IDPs in Darfur focusing on culture is of importance because in many instances we find that IDPs come from a specific minority group from within the region. Therefore when one looks at ethnic conflict, culture should be defined as those practices and beliefs which give credibility to the manner in which a person behaves in society and gives credence to a person’s identity. Sir Raymond Firth discusses culture by stating that “If...society is taken to be an organized set of individuals with a given way of life, culture is that way of life. If society is taken to be an aggregate of social relations, then culture is the content of those relations. Society emphasizes the human component, the aggregate of people and the relations between them. Culture emphasizes the component of accumulated resources, immaterial as well as material” (Cashmore, 1994:76). However because as Cashmore argues that “culture tend to be systems of meaning and custom that are blurred at the edges. Nor are they usually stable...” (1994:76-77) we need to also consider Du Toit’s argument that identity and culture should be considered as being interwoven. This is due to the awareness that exist that culture has a lot to do with *esteem* which filters into the ideas of *personal identity*.

Ethnic conflict - There are many connotations which are conjured up when the term is used and therefore it is not the easiest of terms to define. According to Donald Horowitz however “few states are homogenous and many are deeply divided. Ethnic conflict is a worldwide phenomena...In country after country, political parties and trade unions are organized ethnically” (2000:3). Arguably ethnic conflict refers to those contestations

which occur between racial or cultural groups within the boundaries of the same nation. Accordingly Horowitz in his book entitled *The deadly ethnic riot* states that “ethnic groups are ascriptive, firmly bounded entities, based on a strong sense of commonality, producing considerable loyalty, persisting over time, providing large affective rewards to group members, inclined to ethnocentrism and to hostility to and a desire to dominate outsiders, liable to conflict behaviour based on passion (even to the exclusion of calculation), and engendering a great willingness on the part of group members to sacrifice for collective welfare” (2001:44). On this basis ethnic conflict occurs and is intrinsically understood.

Sovereignty - In International Relations arises as one of the more contested terms within the sphere of governance, however it is of great importance within the context of this dissertation because of the relationship that exist between citizens and the state.

According to the Stanford University’s Philosophy Encyclopaedia sovereignty should be regarded as “... supreme authority within a territory ... [the] holder of sovereignty derives authority from some mutually acknowledged source of legitimacy – natural law, a divine mandate ... A final ingredient of sovereignty is territoriality ...[it] is a principle by which members of a community are defined”

(<http://plato.stanford.edu/entries/sovereignty/>).

Andrew Linklater makes the argument in relation to a state and its citizens regarding sovereignty that “new states or regimes do not have to satisfy a public moral test before becoming equal members of international society – there is no consensus in any event about what this test should be ... This approach to international society can be criticized for regarding respect for sovereignty as more important than the protection of human rights” (2007:81).

Based on the argument presented by Linklater I would like to in more generic terms define sovereignty (in reference to the nation-state) by authority which each state holds. Which places it in a position to trade with other states and to exercise power over its citizens. This sovereignty held by the state implies that within the confines of the state that the mandate is in accordance to what the people within the territory require.

Therefore no outside interference is allowed (by other states) through international law in

the domestic affairs of any state. These rights held by each state are what suggest equality amongst nations within the parameters of the multipolar world that we live in.

Good governance – In order for us to come to terms with what is implied when we discuss good governance (because with regards to International Relations it is a rather new concept) it is vital that we first understand what is meant by governance.

The World Bank argues that governance is concerned with the “...exercise of authority, control, management, [and] power of government ...” another important factor for the World Bank is “... the manner in which power is exercised in the management of a country’s economic and social resources for development ...” (1991: 1).

Thereby it should be understood that governance refers to the way in which a state is ruled, the laws and principles set out for the state which ensures peace and security along with social development. Governance in many respects can be considered to refer to the mechanism in place within governments which dictates how the states affairs are regulated.

With this in mind then good governance refers to the adequate implementation of that mechanism. The reasoning for referring to a notion of good governance is because of the prevalence of ineffective governing in some developing countries, where social conditions which people are faced with are rather dismal. The notion of good governance as used by the UN holds governments to this mandate and to some extent ensures that they uphold it within their respective territories.

7. Chapter outline

Following on this introduction in which the goals of the dissertation has been discussed along with the approach which will be taken, the chapter which follows will be focused centrally on a historical overview of Darfur and its cumbersome relationship with Khartoum. It will look at explaining when and where the emergence of IDPs came about in the region and why conflict spiralled to catastrophic levels so quickly and in many respects undetected by the international community.

Chapter two is a short look at the Guiding Principles on Internal Displacement and how aspects of sovereignty along with intervention hinder the proposed mandate but also how this can be resolved and circumvented.

Chapter three introduces the main international actors in the conflict taking place in Darfur. These are the African Union; European Union and finally the United Nations. Discussion will be based on unravelling what effects these institutions have on violence by looking at the oft times sordid relationship of them with the Sudanese government. These institutions perspective on IDPs will be focused on in order to explain how they have gone about responding to helping those displaced in the wake of violence.

Chapter four serves as the main and final chapter of this thesis because of its focus on how to strengthen the mandate of those displaced. It also looks at what the impact will be of continual negligence in not focusing on the plight of those in Darfur faced with living in IDP camps. The role of both China and the USA will be discussed in order to give some credence to the document based on the responsibility to protect. It focuses on how these two countries with the best intentions have a considerably negative affect on the main international organizations working in Darfur.

Chapter five reviews further research which can be done on IDPs and more specifically in Darfur. It aims to give some suggestions regarding further action that can be taken by the UN and the other international actors involved in the region of Darfur. And lastly this chapter will serve as the conclusion to this dissertation on the internally displaced and the conditions faced by them Darfur.

Chapter 1

The people of Darfur: An historical overview

1. Darfur:

Historically Darfur has not always been a part of the greater nation state that we know of as Sudan; on the contrary the region has a history quite separate from that of Sudan's, that is of course until the time of colonization by the British and the great *scramble for Africa* which ensued. This chapter will attempt to give an historical overview of Darfur connecting it to the current situation with which the region is faced. It is hoped that by so doing greater insight will be given to why the region is currently plagued by conflict and more importantly what impact this has on people of Darfur who are increasingly becoming displaced in the adjoining areas of the region.

2. Historical overview:

Darfur literally means "land of the fur" (De Waal, 2005: 181) this is in reference to the majority of its population which are grouped as Fur, it is situated on the Western quarter of present day Sudan and in geographic terms is the size of most Western countries, but specifically the geographic size of France is always used when describing Darfur. When compared with France, one can only imagine that the region is considerably large and despite being situated in Northern Africa which is renowned for being desert area, Darfur is said to be "... generally dry without being desert" (Prunier, 2005:2).

In Darfur both its geography along with its political and social history is of importance in understanding the conflict. Because all these features has played its part in the conflict situation. By looking at all these factors it will give us greater insight to Darfur and an explanation about the events which have been taking place.

The region as with most parts of the African continent has always been home to many ethnic groups. De Waal (2005a) in an article attempts to give some clarity on the groups of Darfur as he explores who they are and who we as members of the international community should understand Darfurians to be.

Identity is important in all societies; this because it is linked to culture which is generally used as the mechanism by which people understand each other and determines how

people interact with each other. During the earlier historic periods in Darfur the forming of identities was as crucial in Darfur as what it currently is and throughout the ages “identity formation in Darfur has often been associated with violence and external engagement ... [therefore]... today’s events ... [understandably] ... have many historic precursors” (De Waal, 2005: 182). For this reason when we discuss the history of Darfur, it is important that we focus on a history that precedes its union with Sudan.

Most of North Africa has throughout history been dominated by Arabic rulers and for that reason it is known that during the 1600s Darfur was under the leadership of Sultans. When one starts the venture of delving into the history of this region you will soon find that no adequate archive exist which gives in-depth detail to the Sultans of Darfur. However it is known that the Sultans are said to be descendants of the Daju as well as the Tunjur people who are still known ethnic groups in Africa, albeit that their numbers are currently few. Research that has been completed by R.S O’Fahey (2006) states that in the 1600s Sultan Suleiman was in power in the region of Darfur, his ethnic identity explains the relationship between Arabs and the local Fur because he is said to have parents from both these backgrounds.

With regards to the Darfurian monarchy we also know about the Keira Dynasty which is discussed by Daly (2007); Prunier (2005) and De Waal (2005) was present in the early historic periods of the region. Daly expands on the historicity behind this dynasty stating that they were “... a clan of the Kunjara section of the Fur ...” (2007: 17). They replaced Sultan Suleiman and his family as history indicates that the Tunjur was overthrown in battle, and considering that a void was left in governance the Keira proved adept to fill the gap which was left.

According to the records which are found in the catalogue put together by O’Fahey (arguably the most informed and updated record on Darfur) and other sources we know that the end of Sultanic rule came about in 1916, when Europe (specifically Britain) proved to have more and more impact on the African continent.

However even before the control of the British; Sultanic rule started losing its influence, in that identity came to play a large role within Darfurian society, as the emphasis which

was placed on a Fur identity dwindled in importance and was replaced with people's desire to have a greater sense of equality in society. Therefore they consequently became more and more "... secular ... the state lost its ideologically ethnic character ..." (De Waal, 2005a: 185) and it was presupposed that this shift would bring a greater sense of democracy to the region.

The secularization of the state of Darfur led to competition being imminent in society; however this process was rather gradual. The Arabic language and its people in history have always been associated with great intellectual capacity. They are known for their industry and trade not to mention their custom of increasing their knowledge ability by preserving their records. For these reasons being mainly that Arabs are associated with an educated class, governing in the region became synonymous with Arabs.

The Fur people on the other hand have always been associated with a working class pastoralist past, where the emphasis remains on farming and herding. This pastoralist tradition has also led to the connotations of African becoming ambiguous, because everyone who was linked to the occupation of farming was then considered to be African. This group has always been the majority of the people in Darfur, so with an African identity we also find many subgroups which called Darfur home because not all farming communities perceived themselves to be alike.

Despite these differences between Arabs and Africans and the numerous subgroups of both Arabs and Africans we still found that "... Darfurians had no difficulty with multiple identities, and indeed would have defined their multi-ethnic kingdom as encompassing Arabs, both Bedouins and cultural Arabs" (De Waal, 2005a: 187).

The history of the Sultans as the above section suggested was never absorbed in ethnic tension and conflict, though it is evident that people would have disagreements with each other, ethnic disputes was never prevalent. For the most part the country (this includes Sudan along with Darfur) "... was associated with the creation of ethnicities that were simultaneously *African* and *Arab*" (De Waal, 2005a: 184) and people were known to be tolerant of these distinctions if they considered difference at all.

From the short history which has been propagated at the outset of this chapter it becomes clear that life in Darfur was rather peaceful. And when they were under the governing

auspices of the Keira dynasty they seemed to have a common goal – the well being of the region – it is only at the arrival of the British that Darfurian society seems to take on a new dimension.

There is not much written concerning violence in the region of Darfur before the coming of the British. However some information does exist regarding violence at the time when the region was dominated by the trading of slaves. The Darfurian people were known to consider the Dar Fertit people as being “... the enslavable peoples of the forest zone...” (De Waal, 2005a: 184). And every effort (violent and otherwise) was used to gain access to these people in an effort to trade them off to other regions mainly Egypt in order to acquire an income.

However trade of such a nature ended for the Darfurians in that the Sultans lost the battle against the British and from then on was governed by them. During 1916 the New York Times reported concerning this defeat that “... Colonel Kelly’s force defeated some 3,000 troops of Ali Dinar, Sultan of Darfur ...” (31 May, 1916). This was viewed as a great triumph for the British and Daly states that “... the Anglo-Egyptian conquest of Darfur was carefully planned, expertly prepared, and carried out with attention to detail worthy of a much stronger opponent” (2007: 108) and the Darfurians along with their Sultan Ali Dinar never had any chance of being victorious in that battle.

The British involvement in Darfur in the early years was an interesting one in that they never sought to govern in the region despite imposing the union of Darfur with Sudan. During the late 1900s Fischer argued that the British seemed “...shy of administering Darfur directly ...” (1967: 193), this inhibited position of the British meant that despite Ali Dinar being defeated in battle he would still be allowed to play a role in Darfur as the British permitted him to remain governor of Darfur as they implemented a process of “indirect rule” which they referred to as being “native administration” (De Waal, 2005: 192).

The British viewed this as the best possible strategic measure which could be taken by them in that *native administration* in Darfur implied a “...tidying up the confusion of ethnic identities and tribal allegiances that existed across Sudan” (De Waal, 2005a: 192). This meant that the ethnic tension and differences which were bound to come up between

Darfur and Sudan would not be of their concern but would rather become an internal problem for the interim leaders to deal with.

We know that not much was ever done to ensure a process of nation building (which would include both the regions of Darfur along with the centre of Sudan). This could have been because of the violence which has plagued the country as a whole from the time of independence; but even before that when greater emphasis was placed on the tension between the presence of both the British and the Egyptians in the country. There is no process whether old or new in the country which has ever pointed to an attempt at creating an identity which is simply Sudanese, an identity which people from all the regions of that country could associate with.

3. The union of Sudan and Darfur - independence:

As has been stated in the previous section the British onslaught in Northern Africa led to the union of Darfur with Sudan. In an absence of attempts at nation building, an increase in competition to gain access to the numerous resources which the country possesses led to an increase in tension between Darfur and Sudan.

Stricken with wars and violent conflicts (since independence -1956) in the centre, very little attention has been paid to Darfur specifically. And for this reason it is very difficult to state what the conflict in Darfur is really about. The only known fact about the conflict is that the reasons which are discussed from many angles are inextricably related to each, and should therefore all be taken into consideration when engaging in discussion regarding Darfur and its current violent state.

Colonial rule presented a habitual change of identity, this was common over all of Africa as people were forced to adapt their identities to the wishes of what suited colonial administrators. Increasingly people became classified in terms of race – and ethnicities changed depending on occupation (or financial status – to name but one example). At the start of decolonization (1960s) it became prevalent for anthropologists to complete studies on these changes in ethnicity which was occurring in Africa, the research

compiled by them in the region of Darfur showed how “... Fur farmers, on acquiring sufficient cattle, would *become baggara* in stages, to the extent of teaching their children the Arabic language and adopting many sociocultural traits of the pastoralists they moved with” (De Waal, 2005a: 194). During this time frame the means which had been used by Darfurians to define or describe themselves were undergoing remarkable changes which subsequently led to violence. And is evident through events in Darfur, the violence was earmarked by ethnic difference.

From this time on differences between Arabs and Africans was no longer a harmonious one, clashes became prevalent. Authors such as Farah Arbab refer to this phenomenon as an “Arab – African divide” (2004). During the 1950s and 1960s this divide became more substantial more and more cases of “... low intensity, small scale outbreaks” (Arbab, 2004) of violence was being reported.

The year 1987 marked the start of the first large scale conflict in Darfur, in history it is known as the *war of the tribes* these attacks only ended during 1989 in which many people lost their lives and a great deal of damage was done to the region.

It is almost sardonic that at the same time that this war started the region was plagued by a drought that outlasted even the violence. Droughts and famines alike are usually linked to desert areas, which is why the drought in Darfur served as somewhat of an irony (the region not being considered as desert). Despite this the damage done to society in the 1980s (because of drought and violence) would always be known as a period from which Darfur is still struggling to recover.

The political and environmental complications with which Darfur was faced exacerbated the uneasiness between Arabs and Africans.

A majority of the inhabitants of Darfur are classified as being African (or Fur), therefore “... Arab tribes felt marginalised by the political dominance of the Fur local administration ...” because of this “...war was declared against the African groups of Darfur ...” (Arbab, 2004). And from then on in times of environmental degradation along with political divergence the people (average citizens) also internalised the differences and for this reason Darfur has never again seen a moment characterised by peace.

4. Present day Darfur

The current violence in Darfur which started in 2003 was preceded by a disintegration in governance (1999) when the ruling Congress Party of Sudan under the auspices of the Sudanese president Omar al Bashir released Hassan al Turabi (his former mentor) from the party. This led to the inevitable formation of varying factions as both al Bashir and al Turabi had their supporters. The reason for al Turabi's dismissal is based on his role in attempting to pass laws which would have restricted the powers of the president.

However before these laws could be passed al Bashir "... dissolved the legislature and declared a state of emergency ..." (UNHCR Refworld, 2008: 2). After the dismissal of al Turabi from official service to the state the governing congress party replaced his supporters with their own administrators, understandably this increased the void between political players in Sudan and would prove to have an unscrupulous effect on the inhabitants of Darfur.

The ruling government of Sudan – because they were well aware of the support base that al Turabi had in the region of Darfur – used the *Popular Defence Forces (PDF)* - which serves as the state military outfit – to undermine the majority of Fur citizens and ensure that the needs of Arabs are met in the Darfur region. The oppression and discrimination that the Fur (the main ethnic group in the region of Darfur) was subjected to by their national government did not continue without great opposition by the Fur and their local leaders. The actions of the Sudanese state led to dissidence and in February of 2003 culminated in "... a large group of farmers-turned-guerrillas storm[ing] a police station at Golo in Jebel Marra to seize weapons ..." (De Waal, 2005c: 128).

This act of reproach by members of the majority ethnic group in the region led to the re-emergence of activities by rebel movements. The groups of dissident citizens who have consciously been marginalised by the ruling government took up arms and together with an already established rebel group formed the SLA/M (Sudanese Liberation Army / Movement) and subsequently the JEM (Justice and Equality Movement) arose. From that point on they were acting on behalf of a majority Sudanese against the ruling government of Omar al Bashir and the Congress Party. Their main focus being the realization of a "New Sudan – a united, secular state in which all are equal and in which, by implication, Sudan's non-Arab demographic majority would rule" (De Waal, 2005c: 128).

If conditions were different one would have been able to correlate the situation in Darfur, Sudan with that of South Africa's struggle for liberation. However this isn't possible because both the government and the rebel groups (SLA/M and the JEM) seem set on disobeying the rules of peace agreements which have been signed during 2003 up until present moment. It cannot be disputed that for the people of Darfur – those who have lost family members, who have been forced to leave their homes, those who have lost their livelihoods – peace is the desired goal. But for rebel leaders and their allies along with the government and its allies prolonging the duration of conflict seems to be of greater use to their personal goals for Darfur and the country of Sudan as a whole.

Disagreements between rebel leaders and government leaders have been the norm throughout all the stages of conflict, and throughout all their contestations they have gone out of their way to establish and maintain the rift between Arabs and Africans in the country.

The situation is also by no means alleviated by the passive role regarding violence in Darfur by leaders such as the Sudanese president al Bashir. Peace agreements and subsequent emergence of justice and equality in the region is still by no means a prospect with which Darfur is faced, despite it being essential to the survival and welfare of the people.

The support given to the rebel movements by the people was unfortunately rewarded by only more violence in that the GOS expressed its displeasure with this by arming its own rebels. The PDF mandate was changed and some of its employees became known as the *Janjaweed*. Since 2003 referring to the *Janjaweed* instils fear in the people who have had to flee Darfur, all of them having been affected by the ferocity of the group's attacks. Commonly *Janjaweed* is said to be defined as “a man on horseback” usually the word *man* is omitted and replaced with the word *devil*. This new militia name is derived from a “...term used to refer to Chadian Abbala militias that used Western Darfur as a rear base in the mid-1980s, and which armed some of their Abbala brethren and helped instigate major clashes in 1987-90” (De Waal, 2005a: 11).

The Darfurians who have become accustomed to the terror inflicted by the *Janjaweed* are predominantly black, which gives credence to the ethnocentric and racist approach taken by the Sudanese government. Brian Steidle and Gretchen Steidle Wallace relate the tales of people who are affected by the brutality and ferocious nature of attacks performed by the *Janjaweed* in their acclaimed book *The Devil Came on Horseback: Bearing Witness to the Genocide in Darfur*. It expresses the emotional, hopeless disposition of the people of Darfur – who have lost property and most importantly family members in an almost vain attempt to steer clear of the ferocity which the *Janjaweed* have become synonymous with.

In this time of violence the *Janjaweed* has taken on a mythical nature being viewed as a threat to the safety and security of civilians as well as being responsible for placing all peace processes in jeopardy of failure. The accusations from the international media and NGOs alike have been that the *Janjaweed* operate under a mandate given them by the Sudanese government. But this claim has been denied on numerous occasions by the GOS, which claim that they have never had any affiliation with the *Janjaweed*.

Despite this persistent denial on the part of the government Musa Hilal (who is regarded as the military leader of the *Janjaweed*) claims that the group is organized and receive government arms. In an interview with Human Rights Watch he states explicitly that “... it’s the government’s concern. They’re the ones that gave the PDF the guns, they’re the ones that recruited them, they’re the ones that pay their salaries, they give them their ID cards. They can disarm them or they can leave them alone, that’s the government’s concern. Our job is to mobilize the people ... to defend [their] country ... if the government comes back to us and tells us that they want to demobilize the people that we brought them, that’s the government’s concern”

(<http://hrw.org/English/docs/2005/03/02/darfur10225.htm>). From the interview between members of Human Rights Watch and Musa Hilal the accusations and assumptions made by international media are not as implausible as the Sudanese government representatives would like the rest of the world to believe.

The ever increasing want and need for “...power sharing ...” (Arbab, 2004) is what has led to internal disputes in present day Darfur. It has led to governments arming rebels to

persecute its own people, and in turn rebel movements emerging from the ashes of disgruntled citizens. And all of this has led to the gap between Arab and African citizens widening. It is possible to blame these disputes between rebel leaders and government leaders for the impossibility of a peace agreement. But so too the gap between the people also increases the breakdown of attempts at peace and this is one aspect of conflict which should not be overlooked. All these reasons give credence to many from the international community's belief that peace agreements in Darfur are impossible to achieve because of the complexity of disputes between warring factions.

In the above discussion, the differences between Arabs and Africans have been discussed rather tentatively. In international media it is discussed from the viewpoint that this so-called ethnic difference is a major contributor to violence. But despite these differences, one still cannot argue that the conflict in Darfur is one based solely on ethnic disputes. This would be too narrow an explanation and would lead one to assume that if Arabs and Africans could learn to tolerate each other the violence would become subdued, and this is too weak an argument in a country that has been plagued by violence for decades. History shows that people in the region of Darfur were prone to inter-marriage so tolerance is not an issue, and by saying that ethnic difference is the basic reason for violence is making a mockery of the lives lived by both Arab and African in the region. De Waal is rather adamant about this point in that he argues in his book *Famine that Kills* that he refuses to use these terms of African and Arab to refer to the people of Darfur because in the region the people never use this terminology. He states that even though "... racism existed..." what should be considered is that in Darfur the "Arab – African dichotomy is an ideological construct that has emerged very recently ..." (2005b: xiv). This brings to the fore another reason for why violence is prevalent in the region of Darfur, in many parts of Africa (Rwanda by way of example) differences have been instilled and used as a means to provoke groups into taking up arms against each other. For this reason one also reads about the differences in Darfur between farmers and nomads, because these are all means used to misinform people about differences which exist between them.

5. Reviewing Darfur

This chapter has aimed at highlighting the ambiguity which is ever present in a discussion regarding Darfur. And it serves as the precursor to a discussion on the internally displaced of Darfur who have become the conflicts primary victims their numbers are on the increase, and the conditions which they have to live under are deteriorating. For this reason great emphasis is placed on their plight by the international media along with NGOs.

As has been pointed out at the beginning of this chapter Darfur has had a history separate from that of Sudan. However as it has been shown it is impossible to look at the region of Darfur, and not focus on the actions of the central government in Khartoum. Since there is a rift between Darfur and its capitol Khartoum it is proven that this places strain on any means of peace being established in the region and for the country as a whole.

Chapter 2

The Guiding Principles of Internal Displacement

2. Introduction

The commencement of internal conflict the world over initially started with an emphasis on refugees, as millions started fleeing their countries of origin in great number to escape the violence which emerged in their backyards.

For this purpose the United Nations through the auspices of its General Assembly during 1950 established the Office of the United Nations High Commissioner for Refugees (UNHCR). During its period of establishment the UNHCR in its convention defined a refugee as follows:

“... owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

In the case of a person who has more than one nationality, the term ‘the country of his nationality’ shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national” (UNHCR, 1951: Article 1 (A 1-2).

At that time the proposed mandate which was undertaken by the UN General Assembly stated that the UNHCR should “... lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide” its main function then was “... to safeguard the rights and well-being of refugees ... to ensure that everyone can exercise the right to seek asylum and find safe refuge in another state, with the option to return home voluntarily, integrate locally or to resettle in a third country” (<http://www.unhcr.org/basics/html>).

The mandate of the UNHCR has been hampered in many respects over the years. In some cases the international community has proven to be less receptive to the convention. And the outcome of that has been that refugees have been treated with less than the expected dignity by host nations. However despite these setbacks which have come and gone over

the years the mandate upheld by the UNHCR has remained of great use to refugees in ensuring that their needs are met and that their rights are observed and upheld by the international community. During 2001 the convention celebrated its 50th anniversary and at that time once again it was referred to as being “the wall behind which refugees can shelter” (UNHCR, 2001).

However when internal displacement became an issue of concern there was no *wall behind which those people could shelter* and no new organization was established to meet their needs.

Internal displacement can be referred to as a phenomenon of the Cold War which ended during the 1980s. At this time conflict ridden states met new challenges, more and more people found themselves (for various reasons) unable to leave a country which was plagued by violent conflict. Internal displacement should be viewed as the outcome not only of the Cold War, in terms of how the super powers interacted with states and the violence on the African continent specifically which was spurred and funded by these super powers. But also by the end of the Cold War, in which these super powers retracted from African states, leaving the violence to continue unabated, however only without the funding and assistance from super powers.

Len Scott argues that the Cold War or in effect the disquieting relationship between “... the United States [and] ... the Soviet Union provided one of the crucial dynamics in world affairs, and one which affected – directly or indirectly – every part of the globe” (2001: 79). On the African continent the end of the Cold War resulted in the commencement of long, irresolute civil strives. Which for the most part one can argue has led to the amounts of internally displaced people that we find on the continent at present. These are people who “... remain within the borders of their own countries, dispossessed by their governments and other controlling authorities and forced into a life of destitution and indignity” (Cohen & Deng, 1998: 1).

When the world finally came to the decision that a *wall of shelter* was needed for those deemed displaced because of the disparities in law, which is mainly that the mandate of the UNHCR was based solely on assisting refugees. They resolved the issue by creating the position of the Representative of the Secretary-General on Internal Displaced Persons this was done at the time of the leadership of Boutros Boutros-Ghali at the United

Nations. It was necessary because as Michael Armacost of the Brookings Institute (which does extensive research on people internally displaced) stated that the matter of “... internal displacement poses a challenge to the international community to develop norms, institutions, and operational strategies for preventing such dislocations, addressing its consequences, and finding durable solutions” (Cohen & Deng, 1998: ix).

The Guiding Principles – which will be talked about in the remaining sections of this chapter was necessary in that legally the rights of IDPs were not met – unlike those of refugees. The mandate which was given to the UNHCR at its establishment did not meet the criteria of encompassing IDPs and therefore the organization was in no tangible position to be of assistance to those who became displaced. One of the great setbacks for the displaced was the continuous internal bickering between UN organizations. For many “... the enlargement of the UNHCR’s mandate to include IDPs [was vital, but] ... the idea ... triggered strenuous objections from other UN agencies unwilling to yield jurisdiction or resources to the refugee agency” (Cohen, 2006b: 104). However recently there has been more consensus in that it was understood that what is in need from UN agencies is a “collaborative approach” which included agencies such the “UNHRC; UNICEF (United Nations Children Fund); WFP (World Food Program); UNDP (United Nations Development Program) and OHCHR (Office of the High Commissioner for Human Rights); the International Organization for Migration, and a myriad of NGOs are expected to work together to meet the assistance, protection, reintegration, and development needs of the internally displaced” (Cohen, 2006b: 104 – 105).

The facts and figures for IDPs in the early 1990s overtook the numbers of refugees (and currently this has remained the case). During 1982 there was a total number of 1.2 million people classified as displaced, this increased in 1995 when the numbers was at 20- 25 million people displaced, this is twice the number for refugees at the same time. (Cohen & Deng, 1998 & Cohen, 2004a). During this early period in the 1990s the data for Sudan was increasing rapidly in that the United States Commission for Refugees (USCR) indicated that approximately 4,000,000 Sudanese were becoming displaced every year due to conflict in the country (Cohen & Deng, 1998: 3). Sudan at that time and

even currently presented the greatest concern for people on the African continent as violence continues unabated with no clear assurance that a peace agreement will be upheld by the warring parties.

2.1 Compiling the Guiding Principles

One of the major strategies proposed for the international community is the *Guiding Principles on Internal Displacement* which came about during 1998 under the guidance of Francis M. Deng, an academic and former diplomat from Sudan who was given the mandate of formulating a document to provide for the needs of the growing numbers of people displaced globally.

These UN principles has one fundamental flaw in that it is not considered as being a treaty and therefore despite the member states of the General Assembly having signed it in agreement, they are not bound by law to abide by its stipulated precepts. However over the years countries have increasingly shown to be in favour of the principles in that more often than not countries have been using it as a basis for laws past concerning IDPs domestically.

The financial shortcomings and disinterest of the international community at the time that the UN gave Francis Deng the task of formulating these principles led to the procedure being followed by him and his co-workers to be considered as irregular. Deng called for the expertise of various groups from international law experts to other NGOs all of which assisted him in the task freely. However the involvement of people from organizations that had no affiliation to the UN led to uneasiness amongst certain states. One state in particular was Sudan, which opposed the Guiding Principles "... question[ing] their international standing ..." (Cohen, 2004a: 460).

The Guiding Principles has been founded upon a "... needs-based approach ..." (Cohen, 2004a: 463) those who contributed to the compilation of the principles felt that it was more important that the international community see to the needs of the people who were considered to be displaced. Therefore a greater emphasis is placed on the humanitarian effort and for this reason NGOs such as the International Committee of the Red Cross (ICRC) have proven to be essential to the aid of IDPs.

Humanitarian assistance to Darfur has come in many forms. The main emphasis is usually placed on food and shelter but overall the international community mainly through the auspices of the UN has maintained a steady flow of aid to those who stand in need of it, albeit that sometimes the humanitarian aid does not always reach those most in need of it. Usually the reasons for this are numerous, starting from banditry to problems with the government in control of the region to name but a few (<http://www.irinnews.org/report.aspx?ReportId=77482>).

Goldman and Källin who were amongst the people that compiled the legal framework that was used for the Guiding Principles stated that “displacement breaks up the immediate family ... cuts off important social and cultural community ties; terminates stable employment relationships; precludes or forecloses formal educational opportunities; deprives infants, expectant mothers, and the sick of access to food, adequate shelter, or vital health services; and makes the displaced population especially vulnerable to act of violence, such as attacks on camps, disappearances, or rape” (Cohen, 2004a: 463). For these reasons focusing on a needs-based approach proved to be vital to assisting IDPs across the globe. The social conditions with which IDPs are faced are usually rather grim and despite rights being an essential part of assisting them the imperative that the Guiding Principles were faced with was to put needs first.

This is not to say that a “rights-based approach” (Cohen, 2004a: 463) was not considered because as the UNHCHR points out it is a “... more effective, more sustainable, more rational and more genuine development process ... [it creates] ... higher levels of empowerment, ownership and free meaningful and active participation ... [by those in need] ...” (<http://www.unhchr.ch/development/approaches-07.html>). However in the end it is more suited to groups who have overcome conflict, as an approach to dealing with IDPs it has proven less effective in upholding the livelihood of people in need. Therefore when those working on the Guiding Principles reached a conclusion a needs-based approach proved to be the victor despite the many arguments for placing rights first.

The United Nations was in support of the Guiding Principles that was worked on by Francis Deng and others for three main reasons. This was because issuing a mandate for

IDPs would be complex. If the UN did not accept these Guiding Principles they would be faced with a vast amount of complications that would have inhibited the UN's ability to be of assistance to people across the globe that has been forced into displacement.

Firstly there was the concern surrounding state sovereignty, therefore we find that in the beginning stages states showed very little support for a legal framework being produced on behalf of people who were being displaced. Sovereignty proved an apprehension because IDPs do not cross borders they remain within the confines of their state. Hence involvement from the international community implies that states get involved in country's domestic affairs, which with regards to International Law are prohibited.

The issue of sovereignty has proven to be of such paramount importance that for the purpose of this dissertation a section on state sovereignty will be looked at in relation with how it infringes on positive action being taken in war torn, conflict ridden states. This will be done in an effort to give clarity to the position of the Sudanese government and its actions within the region of Darfur. Along with the duties of the international community to take action that will lead to the appeasement of the crisis in the region.

However in contrast to the sovereignty of states (in this particular case Sudan) attention will also be given to the document produced by the UN regarding the responsibility to protect which is concerned with intervention in countries that are faced with violent conflict and the importance of state sovereignty.

This specific document by the UN will be the main focus because when it was compiled at the height of discussion regarding the juxtaposing aspects of sovereignty and that of intervention. Kofi Annan argued that "... if humanitarian intervention is indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica – to gross and systematic violations of human rights that offend every precept of our common humanity? ... We confront a real dilemma. Few would disagree that both the defense of humanity and the defense of sovereignty are principles that must be supported. Alas, that does not tell us which principle should prevail when they are in conflict" (Tanguy, 2003: 141).

Because of the need to understand the correlation between the spheres of sovereignty and intervention this dissertation will focus solely on the UN document which also brought about the notion of *The Responsibility to Protect*. As it is the mandate of the UN to

discuss and see to the needs of the people, the UNs document is vital to this dissertation because in the end the UN stands as the main institution able to extend assistance to IDPs. Secondly the Guiding Principles was needed simply because of the time which it takes to draft a treaty in international law. Cohen argues that "... there was an urgent need for a document ... to address the emergency needs of IDPs" (2004a: 464) and therefore the international community could not prove to wait for a legal document which sought to the needs of IDPs. The fact that the Guiding Principles took only two years to compile was a huge feat for the UN in that it needed some form of protection for IDPs and needed it to be done quickly as mentioned by Roberta Cohen. Surely a binding treaty – because of its legality would have been better, but also unfortunately a lot more time consuming and therefore detrimental for the displaced.

Thirdly it was realized through people such as Goldman and Källin who focused centrally on the legality regarding IDPs that there was "... sufficient international law applicable to internally displaced [in existence] ... what was required was to bring together the myriad of provisions now dispersed in a large number of instruments and to tailor them to the specific needs of the internally displaced" (Cohen, 2004a: 465).

The fact that there was already existing policies which to a certain measure could provide for the needs of IDPs was a great asset, in that it placed states under more pressure to accept the conditions which had been outlined by the Guiding Principles. Cohen states that "the legal team never envisaged its role as one of creating new law even though the temptation was often there to improve on the law when gaps and gray areas were found" (2004a: 467). This increased the credibility of the Guiding Principles with states and proved to be advantageous.

2.2 Shortcomings of the Guiding Principles:

The shortcomings of the Guiding Principles are few in number, despite this they are of great consequence in that states that are opposed to these principles always choose to highlight them.

The previous section aimed at explaining on what basis the principles were created to be enforced. However these are akin to the shortcomings of the document, which will be

discussed in this section. This because states came to highlight the very reasons which gave credence to the UNs support of the document as a means to question its credibility.

For the most part opposition to the Guiding Principles comes from the developing world. These states highlight their fear that the Guiding Principles would override their right for sovereignty and thereby undermine the role of the state in its ability to govern its people. To a certain extend the anxieties which are held by the developing world do have some substance, after the NATO (North Atlantic Treaty Organization) involvement and attacks in the conflict in the Balkans, without the permission of the UN most developing states have proven to be somewhat skeptical of the Guiding Principles. Also more recently the USA's attack on Afghanistan and subsequently on Iraq in an effort to further the Bush administration's campaign regarding that state's *war on terror* which was not entirely supported by the UN and which most other states took issue with proved to be fatal to the Guiding Principles in that states saw it as a means for stronger states (such as the USA) to discredit their authority.

It was indeed Egypt along with Sudan who proved to be the weariest in the adoption of the Guiding Principles by the international community. There is some irony in this because both these states without fail ended up signing in favour of the UN resolutions which called for the propagating of the Guiding Principles. But this was only because of subtle coercion through the international community, as all members of the General Assembly took to signing in favour of this document. As what is always evident amongst states in international affairs when it came down to making a decision both Egypt and Sudan were unwilling to challenge a document which was supported by all their state counterparts (Cohen, 2004a). Despite conceding to the will of the majority of states the Sudanese government still felt it essential to highlight their concerns specifying that they viewed the Guiding Principles as "important" but "questioned the process by which they were developed" (Cohen, 2004a: 474). One can only assume that this was Sudan's reason for failing to incorporate the principles into laws which dealt with the internally displaced within the confines of the country.

The government of Sudan with regards to the progress made on the plight for people who found themselves displaced, found the state to be in a troublesome position. On the one hand it was a great feat in that the UN called on Francis M. Deng, who is Sudanese born and a former diplomat to take charge of the issue of displacement. However on the other the government was faced with the issue of the identity and cultural background of Francis M. Deng. In that he was a member of the Dinka group which had been "... the main group locked in civil war with the government ..." (Cohen, 2004a: 472) in Sudan. No one could have foreseen the challenge which would be presented by the Secretary-General's choice with regards to his representative. It was not anticipated by anyone not in academia or from a political front, but alas from the beginning stages it proved to be an obstacle to be reckoned with. Especially because it was paramount that the representative to the Secretary-General could persuade countries such as Sudan to do more for the millions displaced within the country.

2.3 The influence of sovereignty on the Guiding Principles on Internal Displacement:

As all states are party to the impact of the United Nations they are all protected by the agreements which all states have undertaken at the General Assembly in New York, USA. According to the United Nations Charter of 1945 "the organization is based on the principle of the sovereign equality of all its members" (1945: Article 2.1).

The introductory chapter to this dissertation defines sovereignty as being *authority which each state holds which places it in a position to trade with other states and to exercise power over its citizens. This sovereignty held by the state implies that within the confines of the state that the mandate is in accordance to what the people within the territory require* (page 19).

When the UN was confronted with the topic of intervention in conflict ridden countries, the International Commission on Intervention and State Sovereignty (ICISS) was established in order for the correlation between these two mandates – intervention and sovereignty – to be settled. The extensive document which was released during the latter part of 2001 came about after the terrorist attacks in the USA and made some concessions to intervention and sovereignty.

Sovereignty it argues is a state's means to defend itself; ensures that states are viewed through international law as equal and without a doubt still ensures that their remains a legal working relationship between states. All of this is imperative for states because as the authors argue we live "in a dangerous world marked by overwhelming inequalities of power and resources" (2001: 7).

Despite these provisions being made for sovereignty and the argument remaining that sovereignty is of great importance in international law and for the well being of states and its citizens the ICISS also conceded to the rights and obligations of the international community to respond to the needs of citizens in conflict ridden countries. Section 1.35 of chapter one states "the defense of state sovereignty, by even its strongest supporters, does not include any claim of the unlimited power of the state to do what it wants to its own people ... It is acknowledged that sovereignty implies a dual responsibility: external – to respect the sovereignty of states, and internally, to respect the dignity and basic right of all the people within the state ... sovereignty is ... understood as embracing this dual responsibility. Sovereignty as responsibility has become the minimum content of good international citizenship" (2001:8).

The outline of the document *The responsibility to protect* along with the *Guiding Principles on Internal Displacement* highlights that intervention and sovereignty are not two opposing positions within international relations but rather both should work in unison to ensure that the well being of humanity is the primary goal and the primary achievement of the international community.

For African countries the question of sovereignty is always paramount, this because most of the African states have only been members of the UN for a short period of time and even more than that the concept of a nation-state is only a term which defines the young democracy of Africa. Therefore when internal displacement first became an issue in the 1980s and 1990s most of Africa was "... cautious in its approach to this problem" for the OAU its members were weary of being seen as "interfering in domestic affairs" (Deng & Cohen, 1998: 214). However through the establishment of the document concerning the responsibility to protect along with the mandate of the AU (which will be discussed in a

later chapter) the Guiding Principles of the UN should be adhered to and the needs of those displaced should be met.

2.4 Reviewing the Guiding Principles on Internal Displacement:

This section of the chapter aims at clarifying the principles and background to the establishment of the Guiding Principles on Internal Displacement, by highlighting why it is important and what the challenges are with which it is faced. One thing is evident about this document, it still has a long way to go in proving as effective as the Convention for Refugees. However the Guiding Principles have been distributed so widely that one of its greatest assets is the fact that most IDPs have come into contact with the document and have been able to educate many amongst them concerning their rights as citizens of the world. Cohen says that “IDP associations and displaced communities themselves have found the principles a source of empowerment” (2004a: 471). And because empowerment is viewed as such an invaluable tool for citizens to gain access to rights which are innate to them the Guiding Principles have thus far proved to be central to the duties of the UN.

Despite the challenges with which these principles are faced members of the group that have worked on it alongside Francis M. Deng over the two years which it took to compile – like Roberta Cohen – firmly believe that it “...fill[s] a major gap in the international protection system for uprooted peoples” she adds vehemently that “now those forcibly displaced within their own countries have a document to turn to when they are denied life-saving protection and assistance” (2004a: 476). Because this is what those that are displaced stand in need of and it is also what they are entitled to as citizens of a multi-polar world system.

These Guiding Principles as worked on by Francis M. Deng and others are the basis for arguing that in Darfur the people that are displaced require unequivocal assistance from the international community because this is what is stipulated within the document.

On discussing the efficacy of the principles in Darfur it was mentioned that the principles enjoin “human rights and humanitarian law ... to the displaced” (Cohen, 2007b: 3). In the case of Darfur then it is the responsibility of the international community under the

auspices of the United Nations and the African Union to ensure that the rights of humanity which are enshrined in the UN Charter are not mismanaged in Darfur by either the government or rebel groups.

The mission of the UN and the AU should be based on the Guiding Principles and its outline should be followed as this presents the international community with the prospect of being of value to the ongoing crisis in Darfur as they can legally intervene contrary to the objections of either the SLA/M; JEM and even the ruling government of Sudan.

Chapter 3

International Institutions in Darfur, how policies impacts on IDPs: The African Union; European Union and the United Nations.

3.1 Introduction

In Darfur, violence continues unabated and is discussed in media from many angles. And in this many organizations; institutions and states have given opinion on how to avert the crisis. However for the basis of this dissertation these will be narrowed down to the few who are most influential within the region of Darfur.

This will be done because as Deng and Cohen argue when countries experience instability which affects their population “governments generally look to international organizations for support” (1998: 213).

The African Union will be looked at because this is a dilemma faced on the African continent and for this reason the AU's main obligation would be towards restoring peace and order to the area and more than that the international community assumes that the AU will be better suited to tackle the current flow of violence in the region of Darfur.

The European Union will be looked at because African countries are former European colonies (in the case of Sudan, it was colonized by the British), and for the most part European countries have played a central role in establishing means for sustainable development in Africa – for this reason it is to be expected that the EU will play a key role within Darfur. More over the European Union also has a substantial trading relationship with most African countries, and therefore its influence and knowledge of the continent is more profound.

Lastly the focus will turn to the United Nations because it prides itself in being “... central to global efforts to solve problems that challenge humanity”

(<http://www.un.org/Overview/uninbrief>) more importantly though the UN is the one institution that in many ways voices the opinion of the international community in its entirety. Therefore the position which is held by the UN can be assumed to be one that the globe as a whole can agree upon and be supportive of.

Despite this dissertation focusing on the above mentioned institutions there are various others that have involvement in the Darfur region such as the Scandinavian countries.

However it is assumed that by exploring the mandates proposed and followed by the AU;

EU and UN that the opinion of the majority of players within the conflict in Darfur will become apparent.

3.2 The mandates of these institutions

As it was mentioned in the previous chapter, the Guiding Principles on Internal Displacement are the norm when it comes to how state and non-state actors should proceed to the issue. However in the case of Darfur, people are not becoming displaced because of environmental reasons (and therefore these will not be the focus). On the contrary people in Darfur are primarily displaced because of the ongoing violence with which the region is plagued. The prevalence of violence in the region places a new dimension on how states have to respond to the situation which is faced in Darfur.

3.3 The African Union

The African Union assumes the role of joining the countries on the continent beyond the regional organizations such as SADC (Southern African Development Community) or ECOWAS (Economic Council of West African States). As Michael Clough of Human Rights Watch states “... much of the world is looking to the AU to provide the means to halt the human rights abuses in Darfur and restore security” (2005: 8)

In Darfur the AU has taken upon itself the role of chief mediator and peace-builder within the region, for this reason the majority of AU troops are stationed in the area of Darfur. The AU's active engagement at the grassroots level is done through the mission of the African Union in Sudan (AMIS) which O'Neill & Cassis argue has placed the AU mandate beyond that of its traditional one of “monitoring ceasefire” (2005: 3). It has also been concentrating on humanitarian assistance to the people affected by the violent attacks in the area.

The opinion of O'Neill and Cassis in their article regarding the African Union stipulates that there are numerous shortcomings with which the AU is faced. However this should not lead to an overshadowing of the reality that as an organization on the African continent it strives for “... the promotion of peace, security and stability ... as a prerequisite for the implementation of the development and integration agenda of the

Union” (http://www.africa-union.org/root/au/AboutAu/au_in_a_nutshell_en.htm#vision) and have acted in accordance with the mandate that they have set for themselves making use of the skills and expertise available to them.

This is a vast improvement on the mandate which had been set out by the Organization of African Unity (OAU) which served as the predecessor of the AU. According to Article III which outlined the principles of the organization it stated that “the member states ... solemnly affirm and declare ... Non interference in the internal affairs of states; respect for the sovereignty and territorial integrity of each state and for its inalienable right to independent existence ...” (OAU Charter, 1963:3).

The AU in Darfur has sought to move away from all ties with its old mandate, using its role in the region as a means of re-establishing its image in the global context. For this reason the AU currently places so much emphasis on IDPs because during the early 1990s (the hey days of the) OAU it had “... no specific programs, and in the area of protection ... [did]... little whether for refugees or internally displaced persons” (Deng & Cohen, 1998: 217).

During 2002 when in Durban, South Africa the mandate of the OAU was revised and the organization became known as the AU – a lot had to be done in order for the AU to become recognised as a positive actor in Africa and become a viable organization on the continent. Roba Sharamo points out that the constitution of the AU “... makes it the continental guardian of peace and stability in Africa ...” (2006: 51).

The section following this brief overview of the African Union will focus primarily on three aspects. Firstly what is the approach of the AU to the crisis situation in Darfur, Sudan? Secondly how has the peace-building effort of AMIS and the ASF been useful in Darfur and lastly the focus will turn to the shortcomings of the AU mission in Darfur. These aspects of the AU will be looked at specifically because it gives credence to the criticism of Usman Tar who argues that in the wake of violence in Darfur the organization has acted “... like a toothless bulldog that only barks and [does] not bite ...” (2006, 422).

3.3.1 The approach of the AU in Darfur, Sudan

The AU's first responsibility in any country on the African continent is one of peace and security and of late they do attempt their hand at humanitarian aid as far as is possible, with the budget that the organization holds. This is done to materialize the goal of an African Renaissance and to get closer to the ideal of a United States of Africa which is so often discussed at AU conferences.

From a theoretical perspective one could argue that the AU has done more than its fair share of work in the Darfur crisis simply by having a mandate which stipulates that it is compelled to do so legally. The AU acts legally in Darfur, therefore despite criticism which is laid in front of the organization, one thing is apparent, the AU is making considerable progress as the main political body on the African continent.

However the AU does find itself on the back foot when it comes to displacement and refugees. This because its current ventures and positive attitude towards being of assistance is still greatly overshadowed by the position which it took on displacement and refugees during the 1980s and 1990s. Jeff Crisp states that during the 1980s African leaders took an active stance when it came to helping states with regards to people who became displaced and even more needed asylum. However since the 1980s the conditions with which people in certain African countries (specifically Sudan) are faced with have deteriorated extensively. Crisp refers to the argument made by Bonaventure Rutinwa in the 1990s that "African states have become less committed to asylum. Instead of opening doors to persons fearing harm in their own states, African countries now prefer refugees to receive protection in 'safe zones' or similar areas within their own countries of origin" (2006: 3).

The AU has attempted specifically in the region of Darfur to remedy its past mistakes with the OAU. And when one juxtaposes the two organizations, the differences are apparent, in its capacity to be of assistance in violent conflict areas. The AU's approach of previous decades makes its current approach a tedious and timely affair because the organization lacks the resources to be of greater impact with regards to helping those displaced in regions such as Darfur.

In Darfur "...the AU initiated a peacekeeping mission ... [and] initiated peace talks in Abuja" (Sharamo, 2006:51). This and the organization's humanitarian assistance has been

its contribution to peace in Darfur and has proven to be essential to the global effort for restoring order to Darfur.

The peace talks which were moderated by former Nigerian President Olusegun Obasanjo was held between the government of Sudan and the rebel leaders of the SLA/M. The basic premise of these talks was to get the GOS and the rebel movement to come to an agreement, which would then lead to peace and security being restored to the area of Darfur. De Waal discusses why a peace agreement was necessary. He explains that the "... Sudan Liberation Movement (SLM) launched guerrilla raids on government garrisons, and the government responded with its well-tested counter-insurgency tool of unleashing militia ... the Janjaweed" (2006:1). A peace agreement would ensure that this constant flow of attacks by the GOS and the rebel movements would come to a halt.

By the time that the AU responded with an attempt at a peace agreement, the organization was faced with many challenges. Therefore they failed to recognise some of the discrepancies which they were going to agree upon. Alex De Waal, a member of the academic community who has done a considerable amount of research over the years within the region of Darfur made a few suggestions which he posed to the AU. Firstly he was of the opinion that the AU as an organization should "...fix the politics first and the peacekeeping [would] follow ..." (2006: 1) for he believed that "... the political differences [in Sudan] are small" (2006: 1). However the AU who has proven to be of assistance in all aspects of the conflict in Darfur at many times have been found guilty of not paying ample attention to suggestions which come from outside its private sphere. This inward look of the AU has come under the spotlight numerous times since the outbreak of conflict in Darfur. Because its meetings with the warring factions was considerably flawed (and those involved in these meetings failed to recognize the ambiguity of the proposed agreements) and was responsible for the organization being left with a great deal of embarrassment in its aftermath. According to De Waal "...the agreement had no maps attached, and so there were no details about which territory was controlled by each side ... when the first African Union ceasefire observers arrived in Darfur, they didn't know which troops were supposed to be where, or whom to blame when one side accused the other of encroaching on its territory" (2006: 1-2).

These anomalies aside the AU is the only organization on the African continent with a mandate which could be of service in the conflict in Darfur. And more than that the international community has entrusted this mission of ensuring peace and security to Darfur to the AU (albeit that the international community's reasons for so doing has been biased).

The following section of this chapter will deal with AMIS the AU's peacekeeping force in Darfur. It is to them that the international community's mandate was given and for this reasons the contributions of the AU despite not being on the same level as that of the EU and the UN has had tangible impact on Darfur. Sharamo states that despite AMIS not having a considerable amount of troops available to it they have still "... been credited with providing security and hope to some villages in Darfur" (2006:52) and therefore contrary to the negative viewpoints that come through regarding the AU the circumstances of the Darfur region have to be discussed within the parameters of the AU and the organization has to be seen as the only one able to resolve the crisis situation – however this cannot be done by using the resources of the AU alone.

3.3.2 AMIS and the ASF peace-building in Darfur

When the members of the 53 African states that comprise the AU met in South Africa to agree upon the formation of the AU one of the fundamental points of discussion was that of peace. Then again they met (2001) in Lusaka, Zambia at which time The Peace and Security Council of the AU was established. Despite this sector of the AU being of paramount importance one of the major pitfalls has been that not all of the 53 member states of the AU have ratified the protocol of this body and this decreases the impact which the council can have on the continent.

The council is based upon six objectives which are outlined in Article III of this protocol. It is this which is of importance and which all African states should reflect upon when the Darfur crisis is discussed.

"promote peace, security and stability in Africa, in order to guarantee the protection and preservation of life ... the well-being of the African people ...; promote and implement peace-building and post-conflict reconstruction activities to consolidate peace and prevent resurgence of violence ...; promote and encourage democratic practices, good governance and the rule of law, protect human rights and

fundamental freedoms, respect the sanctity of human life and international humanitarian law, as part of the efforts for preventing conflict” (2001:6).

To ensure that peace and security is in abundance on the African continent the AU have set forth as part of the peace and security outfit the African Standby Force (ASF). Cedric De Coning outlines the structure of the ASF stating that it consists of “... five sub-regional standby arrangements, each up to brigade size (3000 – 4000 troops) which will provide the AU with a combined standby capacity of 15 000 – 20 000 troops. Between 300 and 500 military observers are trained and ready to deploy on 14 days’ notice ... There is also a centrally managed roster of civilian specialists in mission administration, human rights; humanitarian, governance, and disarmament, demobilization and reintegration (DDR)” (2004: 21).

The numbers of personnel which are employed by the AU for ASF are small in comparison to what other international organizations could have provided towards the peace effort in Darfur. However as Clough suggests the AU should focus more on ensuring a “... clear mandate to protect civilians from attacks. Without such a mandate, the AU force could be put in the position of watching helplessly while civilians are slaughtered” (2005: 9). If the mandate which is produced and followed is clear the number of troops won’t be such a major criticism towards the AU. This because how the troops are used is effective and serves the purpose for which they were deployed. But because of inadequacy in this regard discussions on the number of troops are still paramount and still remain a major critique of the AU. This also changes the way in which people define the duties of the ASF, de Coning states that “it should be noted that the concept of *force* is perhaps misleading, because what is in fact proposed is not a standing force but a standby system” (2004:21). One which at present moment is unable to be of great assistance in maintaining the peace along with ensuring that the humanitarian effort is of substantial influence at the grass roots level. The AU cannot do this because as discussed by de Coning it does not have the resources and its finances are limited.

3.3.3 The shortcomings of the AU in Darfur

The shortcomings and challenges faced by the AU are numerous, all of which led to distinctive criticism which can be laid before the African Union. However for the purposes of this dissertation the four shortcomings / challenges which are discussed by Sharamo will be used to elaborate on the work that still lies ahead for the AU as the conflict continues, increasing the gap in difference between government and rebel leaders and leaving millions of Dafurians destitute.

- *Underdevelopment and evolving institutional structures*

The African Union is a new a structure set in place on the African continent and with that all its departments are recently established, they are "... still not yet seasoned enough to plan and execute a large-scale peacekeeping operation. The Darfur crisis prematurely engulfed the AU in a stressful peacekeeping operation, sucking its energy away from institutional development and strengthening" (2006: 52).

- *Financial and logistical constraints*

In comparison to other regional organizations the AU is financially not the strongest and this has severe impact on its ability to be able to aid its forces with necessary training. The financial strain which the AU is faced with also places a restraint on and limits the organization's capacity to have at its disposal the necessary equipment which would prove invaluable in a crisis such as the one faced in Darfur.

- *Member states internal and regional politics rear their ugly heads*

Many states on the African continent still maintain loyalties to each other which date back to most African countries struggle for independence from colonial rule. Hence Sharamo states that "the AU is still captive of the internal politics of member states... which ... significantly undermined the AUs response to the crisis in Darfur" (2006: 53).

This is also discussed in detail by Tar; he voices great criticism for the AU in that there is so much emphasis placed on internal loyalties which take precedence to the duties and mandate of the AU. He argues that this is the main failure of the organization because it "... is known for supporting the government, and therefore, has played [an] insignificant role in restoring peace in Darfur" (2006: 422). The AU is viewed by many as consistently failing to act in an objective manner to the realities which are being faced in this crisis. Unfortunately this lax attitude of the AU has

given the Sudanese government further leeway in this crisis and in many respects hinders the AU from being of greater assistance in Darfur. This because the "...majority of countries have so far remained more supportive partners than peacemakers" (Tar, 2006: 422). Because of this it does not matter what mandate the AU offers it will not be sufficient in that its member states won't adhere to it.

- *Fragmented international assistance and donor rigidity*

As with all conflicts most states and organizations that are involved are prone to place its own interest above that of the situation which it is trying to resolve, Darfur is no different. The AU is faced with the dilemma of directing its missions the way in which its donors would have it go, or else in many instances be faced with losing donor assistance. Sharamo argues that "...the international capacity building initiatives ... reflect regional affiliations ... an expression of the international actor's interests rather than sincere concern for Africa's security priorities ... The AU needs fast, practical and coordinated donor responses to support its peacekeeping missions" (2006: 53 – 54). Or else the lengths to which the organization can go to be of aid in Darfur will be of little consequence.

3.4 The European Union

A considerable amount of the members of the EU are former colonial powers in Africa. This places the organization in a vital position to be of assistance on the continent. Though since the time of the World Wars there has been talk of the kind of integration which has taken place in Europe but it was the end of the Cold War and the subsequent fall of the Berlin wall and the establishment of a unified Germany that set in motion the establishment of the European Union, and with that its greater emphasis on playing a peacekeeping role in Africa.

However Christiansen argues that "economically the Union may be speaking with one voice ... the same can hardly be said for political external relations" (2001: 508). This aspect highlights the great discrepancies between member states on how to go about acting in a situation such as the one in Darfur and for this reason the means used by the EU can also be considered as wanting.

This aside the integration of the European community has brought with it newer and greater emphasis on its ability to become a recognised global player. Recognition for the EU is mainly based on the organization's contribution to humanitarian as well as defence aid, in countries that stand in need of it. For the most part Africa (apart from other developing European countries) has been the EUs main benefactor, and has played a central role in the international recognition which the organization receives for the peacekeeping efforts which it undertakes globally.

3.4.1 The European Union and defence: Its role in Darfur

In the 21st century all states has had one common goal, that of ensuring the peace and security of its territory. However because of the ever increasing influence of globalization it has become paramount that regional organizations be equipped to be of use militarily in other countries. This is done to ensure that the issues that lead to violence in one state do not spill over into another.

According to Gorm Rye Olsen "since the beginning of the European Community, there has been a close relationship between three types of ambition: the development of Europe into a significant international actor; an independent security and defence profile; and [the] promotion of the European integration process" (2002:87).

The European Union has over the decades used the African continent as its primary and best suited means for organising its defence ability. With the commencement of the 2000 period the EU started "... working towards establishing a 230, 000 strong military force, which is to be co-ordinated by a newly created military staff within the Council Secretariat. The emerging institutional architecture within the Council Secretariat includes military, civilian crisis management, and political and security committees ..." (2001: 509).

During 2005 the EU made public its approach and mandate to the situation in Darfur. At this time it was stated that "the EU has provided an ever-growing amount of support to the AUs efforts to help stabilize the situation in Darfur ... participating in and co-financing via the African Peace Facility the AU mission which is responsible for monitoring the cease-fire ... The EU is also providing a wide range of support including

planning experts, technical, financial, material and logistical support to the broader AU peace support mission (AMIS)” (Council Joint Action EU, 2005: 2).

Despite the support which the EU has been giving to the AU and thereby to AMIS the basic trend for the EU is still one in which it does not necessarily get too involved in the current conflict. According to the official website of the EU the organization during 2005 established an “...EU civilian-military action to support the African Union ... The purpose of the EUs supporting action was to ensure effective and timely EU assistance to the AUs enhanced AMIS II mission. In providing this support, the EU upheld the principle of African ownership and backed the AU ... The EU supporting action comprised both a civilian and a military component. It made available equipment and assets. Provided planning and technical assistance and sent out military observers. It trained African troops, helped with tactical and strategic transportation and provided police assistance and training. During the two-and-a-half year mandate, several dozen military and civilian personnel were deployed from the EU”

(http://www.consiliumeuropa.eu/cms3_fo/showPage.asp?id=956&lang=en). The action of the EU was done effectively to be of support to the mission of the AU which was expounded upon in its mandate. It cannot be disputed that the efforts of the EU was and still remains of considerable use, however there are still some loopholes which leads to critique of the position which the EU has taken in Darfur. One of the main critiques is that the EU spent considerable amounts on being of support to the AU but did very little in terms of advising the African Union. This was mainly because of the EU not wanting to be too involved in the political and military contestation which is ongoing in Darfur. This despite the EUs best efforts to be of assistance in the region has proved to be detrimental to the organization’s role in the crisis situation, and more importantly has placed its defense efforts under the spotlight .

3.4.2 Humanitarian assistance – The EU and assisting the plight of IDPs

According to the EUs official webpage “the European Commission has urged the Government of Sudan to abide by its obligations regarding the protection of its own citizens. This includes actively disarming and prosecuting armed groups acting against civilians. The EC has also provided funds to organizations with an international mandate

to protect vulnerable civilians. Following a ceasefire agreement between government and rebel forces in April 2004, the Commission agreed to provide €92 million to support African Union peace keeping efforts”

(http://ec.europa.eu/echo/field/sudan/darfur/echo_em.htm).

Despite the EU wanting to lay its mark on global peacekeeping efforts through its defense mechanism the organization has proven to be of greater value in Darfur through its humanitarian efforts and therefore should gain its recognition through this.

Because of its humanitarian concern it has been of great help in IDP camps in and around the region of Darfur. According to press releases of the EU this was done to ensure that they are able to contain the problems which are oft times found in IDP camps.

Containment for the EU has been essential in that they weren't willing to take the risk of having problems spill over from one camp to the next, something that has the tendency to occur in conflict conditions.

Since the beginning of conflict in the region of Darfur the EU has been of humanitarian assistance in various avenues from “food aid ... shelter ... food security ... water and sanitation ... [and] healthcare ...”

(http://ec.europa.eu/echo/field/sudan/darfur/index_en.htm).

Thus through humanitarian means the EU has left its mark (albeit in slim measure on Darfur), it is impossible to criticize the distribution of aid by the EU or by any organization. This because the process of donor aid is filled with loopholes brought about by bureaucracy, and how the international community responds to Darfur (or any conflict situation) will undoubtedly be hampered by this.

3.4.3 Critique of the EU

Gérard Prunier, in his criticism of the international community state concerning the EU that it “... presented a spectacle of complete lack of resolve and coordination over the Sudan problem in general and the Darfur question in particular” (2005: 140). This is because despite the EU having entered the discussion regarding violence in Sudan in general as an entity; the various countries had different agendas which took preference to the role which the EU would play. Tension between Britain and France contributed greatly to the EUs ability to react to the Darfur crisis. Britain had an agenda for Sudan

based on it being its former colonizer. Whereas France was more concerned on how the actions of the EU would affect politics in Chad – Sudan’s neighbouring state. The French position in Sudan was based on upholding the country’s interest in Chad, which took preference over events taking place in Darfur. Therefore when it came to Darfur and how the EU would be of assistance in this conflict ridden region of Africa “...the Union could not manage to speak with any clearly recognizable voice ...” (Prunier, 2005: 141).

Because of the varying viewpoints of the European member states the EU’s defense capacity cannot be discussed in greater detail. The organization has been left with only its humanitarian efforts, as the member states can at least agree upon the fact that more has to be done to meet the needs of the people in Darfur affected by violence. However this has not softened the opinion of author Prunier who still remains adamant that the EU is being insufficient in the wake of violence in Darfur because of its inability to conclude on “... anything meaningful in terms of policy” (2005: 141) for Prunier the “142 \$ million” which has subsequently been given to humanitarian efforts and which was supposed to add to the money which the organization has already given towards humanitarian efforts still overshadows its inefficient military intervention.

3.5 The United Nations

As the predecessor to the League of Nations the UNs “... main purpose [is] to maintain international peace and security, in the sense of dissuading states from attacking each other, and to organize counter-measures if this happened ...” (Taylor, 2001: 332).

Ensuring that states respect the boundaries of its neighbours has always been an important mandate upheld by the UN but more importantly also is that the organization recognises the “... needs of peoples” (Taylor, 2001: 332) this is outlined in the Charter of the UN. These two juxtaposing mandates which are held by the UN, first to be the arbitrator between conflicting states (or as in the case of modern international relations between conflicting parties in one state) and then also to uphold the interests of humanity places it in the most uncomfortable situation when it comes to international relations. Time and again one has to concede that the UN is faced particularly in Darfur with a great conundrum, which as the conflict progresses would seem impossible for the UN to

resolve. In that it has to maintain agreements between the GOS and rebel movements along with ensuring the safety of the internally displaced.

3.5.1 The defence mechanism of the UN

The UN has had many successes and failures with regards to its capacity to help maintain peace the world over. However the African continent has always come across as the Achilles heel of the organization, as the conflicts which Africa is faced with are varying and occur for varying reasons which have led to the deaths of millions of innocent civilians.

One of the main criticisms of the UN in this regard is that when violence broke out during the period of 2003 the organization persisted in turning a blind eye to what was going on. Kofi Annan remained focused on the credibility of disarmament talks along with that of the peace talks which took place and ultimately ended in failure. Prunier argues that the statements released by the UN at that time was to the end of “... behaving as if Darfur did not exist” (2005: 107). This was due to the opinion raised by Tom Vraalsen who served as the UN Special Envoy for Sudan suggesting that all should be well in the region, he stated that the UN was “... increasingly optimistic that an agreement will be signed before too long” (Prunier, 2005: 107). This emphasis which was placed on the peace agreement led to the UN lacking in its peacekeeping ability, and had a serious effect on its defence when failure became apparent. This because in placing so much emphasis on the positive outcome of the peace talks the UN failed to prepare for a worse case scenario, which was inevitably what they were faced with.

When it became inevitable that the UN react to the situation in a tangible manner it responded within the confines of its adopted mandated. During 2007 reports were issued that “the United Nations Council ... authorized a force of up to 26, 000 troops and police to protect civilians in Sudan’s Darfur region ... The joint UN-African Union operation hopes to stem the violence in Darfur, a vast region in western Sudan where an estimated 200,000 people have died over the last four years and another 2.1 million driven into camps”

(http://www.ctv.ca/servlet/ArticleNews/story/CTVNews/20070731/un_darfur_070731?s_name=&no_ads=).

The UNs capacity in terms of defence is limited, this is not because of a lack of resources but merely because the Charter does not place an emphasis on the UN having to deal with aspects of defence. This loophole in the UN charter places the organization in a complicated position, because a crisis like the one faced in Darfur, unfortunately calls for a military response, even if it is only in small measure. This is one of the great critiques of the UN and leads to other discussions regarding the credibility of the organization. Unfortunately the UNs defence response in Darfur has placed a great increase on the amounts of negative media coverage on the organization's ability to be the international watchdog for states. The UNs inadequate defence position hinders a productive discussion of its military role in Darfur. However this is not to say that the UN in totality is unproductive in the region. For this reason it is imperative that we take a closer look at the UNs humanitarian effort. Because it brings to light aspects in which the organization has proven to be of great help and indicates why the UN still remains the only possible organization that can take on the role of global watchdog.

3.5.2 Humanitarian intervention by the UN

Just like the EU the UN proved to be of greater use in the conflict in Darfur through the means of its humanitarian activities. However one of its major pitfalls with regards to humanitarian aid was having to come to grips with the knowledge that the IDPs which they were attempting to assist were rather reluctant in accepting the offer. Prunier states that "many IDPs refused to take whatever small amount of aid would be available because, without the benefit of armed protection, they were more likely to get killed by the Janjaweed intent on grabbing the food" (2005: 113).

The task of humanitarian aid in Darfur has been immense however in many respects the UN has been able to handle the ever increasing numbers of people in need of assistance. The UN under the guidance of current Secretary-General Ban Ki-Moon "... are leading the largest current relief effort in the world aimed at assisting the approximately 4.2 million conflict-affected people in the Darfur crisis. Of these, 2.2 million are internally displaced ... Over the last four years, this massive humanitarian effort has saved hundreds of thousands of lives. Mortality rates have been brought below emergency levels and global malnutrition has been halved from the height of the crisis in mid-2004"

(UN Fact Sheet, 2007:4). From this perspective the UN has played a central role in Darfur. However despite the humanitarian aid which it has given in Darfur it is still required of the UN to pay closer attention to the military effort. This because the humanitarian effort of the UN will not help resolve the conflict, all it can do is bring temporary relief to those in need of it.

However for now the UN is left with success coming only from its relief efforts in that as Prunier states the organization has been left with "...60% of the financial burden" (2005: 143) of helping people in Darfur. And by so doing the UN has been trying to stick to its allotted mandate of taking care of the needs of the people. However still failing in its equally important mandate of ensuring that peaceful resolutions are found in Darfur and that the warring factions come to some agreement on how to ensure stability for the country at large.

3.5.3 What the UN could do – what was expected of the UN

The international mandate of the UN places itself continuously in the most strenuous of positions with regards to acting positively in crisis situations globally. The case in point Darfur is not the first time that the UN is criticised and surely it will not be the last time. At the time that the crisis in Darfur received media attention Kofi Annan was still the Secretary-General of the UN and as Prunier argues he "...tried to act without upsetting things, to scold without being threatening, and to help without intruding too much" (2005: 142). In no other way are the actions of the UN better represented than by looking at the resolutions which was passed by the Security Council regarding Darfur.

- During 2004 Resolution 1547 was passed by the UN, its main aim was with regards to the peace talks which were taking place between the GOS and the SLM/A. Section six of the document states that it "... calls upon the parties to use their influence to bring an immediate halt to the fighting in the Darfur region, in the Upper Nile and elsewhere, urges the parties to the Ndjamenia Ceasefire Agreement of 8 April 2004 to conclude a political agreement without delay ... and calls on the international community to be prepared for constant engagement including extensive funding in support of peace in Sudan" (2004:2).

One of the main criticisms for this resolution has come from Human Rights Watch who argue that the Resolution was passed "... to prepare to monitor implementation of final agreement between the government of Sudan and the SPLM/A, Darfur was barely mentioned" (Clough, 2005: 4) and therefore the resolution was ineffective.

- Following shortly after 1547 the UN Security Council ratified Resolution 1556 also during 2004. Therein the UN expresses "... concern at reports of violations of the Ceasefire Agreement ... reiterating that all parties to the ceasefire must comply with all of the terms contained therein" (2004:2).

Michael Clough argues that this resolution was more effective in that it specifically stipulates "... that the Sudanese government disarm the Janjaweed and bring to justice those leaders who had incited and carried out human rights abuses" (2005: 4). However the resolution contained no practical element which ensured the implementation of a ceasefire.

- Also during 2005 Resolution 1564 was presented regarding Sudan, this occurred as more and more the conditions with which the country was faced deteriorated. At that time the UN stated that it "calls upon the Government of Sudan and the rebel groups, particularly the Justice and Equality Movement and the Sudanese Liberation Army/Movement, to work together ... to reach a political solution in the negotiations..." (2004:3)

Within the same context the Security Council made specific reference to the internally displaced stating that it "affirms that internally displaced persons ... should be allowed to return to their homes voluntarily, in safety and with dignity, and only when adequate assistance and security are in place ..." (2004:3).

Despite the legal advancement which the UN was making public, one thing is certain as it is brought across by Human Rights Watch that despite 2004 passing the UN by with ample proof of injustice, after "... receiving substantial evidence of government commission of massive human rights abuses, Security Council action was still largely limited to entreaties, investigations, veiled threats, and support for an AU force" (Clough, 2005: 5).

From this time period onward there has been a substantial amount of Resolutions passed by the UN all of which more or less calls for action from the international community; makes an appeal on the GOS along with the rebel leaders that are influential in the region of Darfur to stop the ongoing violence and lastly calls for ongoing support of the AU mission in Darfur.

3.5.4 Resolution 1769 – The UNs proposal for Darfur

Above I have discussed a few of the Resolutions which have been adopted at the UN Headquarters in New York. However Resolution 1769 – the one that I wish to discuss at this point in time has proven to be different from the rest and in many respects is tribute to the UNs ongoing mandate of having a positive impact on the crisis situation in Darfur. This resolution was signed and ratified during July of 2007 and is the most current mandate for the people of Darfur on behalf of the UN.

The resolution makes reference to previous peace reports and policies which have been signed in order to create peace in the region and places primary emphasis on the role of the African Union or at least the various African countries to assist in the crisis. The argument is brought to the fore that “... the Hybrid operation should have a predominantly African character and the troops should, as far as possible, be sourced from African countries” (Resolution 1769:2). This is what makes resolution 1769 different in that it suggests and called for an increase in peacekeepers and also for joining the force of the AU with the UN.

It is based upon the realization “... that the situation in Darfur constitutes a threat to peace, and authorized the deployment of a United Nations-African Union Mission in Darfur (UNAMID) under Chapter VII of the UN Charter. UNAMID will be the largest United Nations multilateral peacekeeping force ever deployed, with a total presence of more than 31,000 troops, police, and civilian personnel”

http://www.savedarfur.org/newsroom/policypapers/fact_sheet_un_security_council_resolution_1769).

3.6 A means to success: The African Union and the United Nations

All those organizations which take to discussing the events as they are evolving in Darfur criticise the international community for failing to get its house in order. One of the fundamental suggestions which are posed by Human Rights Watch for the African Union is to "... enhance the performance of AMIS ..."

(<http://www.hrw.org/reports/2006/sudan0106>). The actions of AMIS are of vital concern because they are the AU's active mechanism for change in the field within the region of Darfur. It is imperative that they increase their ability "...to protect civilians and humanitarian operations ..." (<http://www.hrw.org/reports/2006/sudan0106>). For both the AU and the UN the proposed mandate of Resolution 1769 places them in a position to get their house in order so to speak. This resolution in many ways dismantled AMIS and replaced it with UNAMID. The purpose of this remains to strengthen the peacekeeping capacity in Darfur and to improve conditions for those at grass root level.

The activities of UNAMID were set in motion during December 2007 and its mandate is "... acting under Chapter VII of the United Nations Charter ... UNAMID ... take[s] ... necessary action to support the implementation of the Darfur Peace Agreement, as well as to protect its personnel and civilians, without prejudice to the responsibility of the Government of Sudan (<http://www.un.org/Depts/dkpo/missions/unamid/facts.html>).

The mandate which was given to UNAMID at the time of its establishment is stipulated through the means of eight points which were discussed by the UN Security Council and hitherto agreed upon. It is important to stipulate the points on which UNAMID is based because when looked at from this practical manner, it highlights the inadequacies of the mission along with the challenges which it is faced with.

- To contribute to the restoration of necessary security conditions for the safe provision of humanitarian assistance and to facilitate full humanitarian access throughout Darfur;
- To contribute to the protection of civilian populations under imminent threat of physical violence and prevent attacks against civilians, within its capability and areas of deployment, without prejudice to the responsibility of the Government of the Sudan;
- To monitor, observe compliance with and verify the implementation of various ceasefire agreements signed since 2004, as well as assist with the implementation of the Darfur Peace Agreement and any subsequent agreements;
- To assist the political process in order to ensure that it is inclusive, and to support the African Union-United Nations joint mediation in its efforts to broaden and deepen commitment to the peace process;

- To contribute to a secure environment for economic reconstruction and development, as well as the sustainable return of internally displaced persons and refugees to their homes;
- To contribute to the promotion of respect for and protection of human rights and fundamental freedoms in Darfur;
- To assist in the promotion of the rule of law in Darfur, including through support for strengthening an independent judiciary and the prison system, and assistance in the development and consolidation of the legal framework, in consultation with relevant Sudanese authorities;
- To monitor and report on the security situation at the Sudan's borders with Chad and the Central African Republic. (<http://www.un.org/Depts/dkpo/missions/unamid/mandate.html>).

It is within these boundaries that they are called upon to work, however many of these agreed upon points highlighted by the UN Security Council are not as achievable if one considers the challenges and ambiguities which are prevalent in Darfur.

Despite these efforts made to achieve the goals outlined in the mandate of UNAMID the UN report on the facts and figures regarding the UNAMID mission in Darfur has currently been drastically increased from what it was when first established. Reports made public state that from 30 April 2008 "...9,237 total uniformed personnel, including 7,393 troops, 128 military observers, 1,716 police officers, supported by 405 international civilian personnel, 730 local civilian staff and 134 United Nations Volunteers" (<http://www.un.org/Depts/dkpo/missions/unamid/facts.html>) are at the assistance of the mission to Darfur. Its current budget has also increased in that between 1 July 2007 and 30 June 2008 an estimated 1, 28 billion US dollars (<http://www.un.org/Depts/dkpo/missions/unamid/facts.html>) has been made available in support of the goals which are set out for UNAMID.

These positive aspects serve as a glimmer of hope for UNAMID in some measure achieving its goals and contributing to minimizing the violent strikes in Darfur. However in many respects these are sometimes over shadowed by the ever increasing attacks on peacekeepers serving in Darfur on behalf of UNAMID. Media coverage regarding UNAMID is regularly filled with reports concerned with the death of peacekeepers, being attacked not only by rebel movements but also by GOS military. This in an attempt to deter the mission from serving and upholding the mandates of both the African Union and the United Nations.

Xan Rice reported during 2007 of attacks on peacekeepers within the IDP camps which they are responsible for protecting. These brutal killings have been placed on the varying

rebel groups in the region, specifically the JEM and SLM/A. These attacks occurred in Haskinita one of the border regions at which IDP camps are placed, there “hundreds of rebels overran an African Union camp ... killing at least 10 soldiers and leaving 50 more unaccounted for ...” (<http://www.guardian.co.uk/world/2007/oct/01/sudan.international>). These attacks are of ever increasing concern, contrary to the plea from international leaders to rebel groups and the GOS to refrain from attacking those men and women in Darfur who are there to be of assistance.

These attacks on personnel in the field in Darfur gives credence to the criticism of many that despite the activities of UNAMID, in that it increased the capacity of AMIS that enough is not done. At the Center for Contemporary Conflict Glen Segall makes the argument that “too little to late has been voiced about Darfur, and indeed UNAMID is no exception” (2008:4).

During 2006 the GOS denied the UN access to the region of Darfur, and according to the IDMC “despite the deteriorating security situation in Darfur and the solemn declaration of the AU field commanders in Darfur that they are unable to handle the growing security challenge in the region, the government of Sudan repeatedly rejected the international calls for the deployment of the UN peacekeeping force in Darfur” (2007:56).

This tension between the GOS and the international community is one of the greatest shortcomings of UNAMID. The strong hold that the Sudanese government has on making the rules regarding what activities UNAMID will be allowed to take part in, in Darfur have a negative impact on all avenues of success for the UN and the rest of the world in Darfur. A large amount of the peacekeepers on active duty for UNAMID have served in AMIS, and therefore most of them are of African origin. The GOS have been insisting that a majority of the peacekeepers remain of African decent. “The Sudanese government has refused to permit non-African troops...” (2008: 4). This prerequisite which is in place by the GOS leads to the decrease in numbers of troops available to UNAMID and effectively impedes the peacekeeping mission from being of adequate assistance in Darfur.

Segall argues that the international community should see to “... Khartoum’s fundamental failure to accept the force ... the government of Sudan is actively

obstructing and undermining [UNAMID] ...” (2008: 4) and it is imperative that the UN react to this in a substantial and constructive manner.

Though there are numerous other ways in which the Sudanese government is complicating the work on international aid to Darfur one of the aspects which are most striking with regards to the GOS and international actors are that “rather than challenging Sudan politicians members of the international community are instead wrangling over details and shirking their own responsibilities to support ... [UNAMID] ...” (Segall, 2008: 5). This places control of decision-making firmly in the hands of the GOS because the international community places so much emphasis on what the state would see happen in Darfur. This has a negative impact on the actions of the international community because the GOS is part of the problem, and by doing according to its will the international community fuels the problem.

The AU especially has not been of any assistance in that it has time and again failed to openly criticize the actions of the Sudanese government in Darfur. Roba Sharamo states in his article that “due to a fear of negative reactions from key member states, the AU leadership has not effectively dealt with the government of Sudan. This has significantly undermined the AU’s response to the crisis in Darfur” (2006:52) and in many respects can lead to the UNAMID mission’s ultimate inability to be of any help in terms of restoring peace and assisting in the plight of the internally displaced.

3.7 Conclusion

When discussing the AU; EU and UN it becomes apparent their resolve for the crisis in Darfur is ambiguous. The political and social aspects with which they are faced are numerous and sometimes difficult to approach.

On a daily basis the aspects regarding the conflict change, the actors change in that sometimes the AU; EU and UN are faced with differing rebel groups that have different opinions on how the international community should approach negotiations between them and the Sudanese government.

These above mentioned facets of international relations leads one to argue for these organizations (and their positive impact), one can even excuse their somewhat reluctant

actions in Darfur which can be justified and which to some extent explains why international actors are having such difficulty in finding a solution in Darfur.

However the reality remains that many of the actions of these organizations which have been discussed throughout the course of this chapter leads inexplicably to the certainty that the AU; EU and the UN respectively and in union focus so intently on negotiations between rebel leaders and government leaders in Sudan that they are overlooking the plight of the people who find themselves in the middle of the conflict which is taking place in Darfur.

A majority of the mandates which are agreed upon have the tendency to pass the buck so to speak. And excuses such as *African solutions to African problems* are paramount in the reasoning for why so much strain is placed on the African Union to intervene in Darfur. More than that the agreements between these organizations gives both rebel movements and the GOS means in which to distort the usefulness of the international community in Darfur. The resolutions passed by the UN state explicitly that the AU should play a leading role in Darfur, despite the AU not having enough resources to do so, this in effect is what the GOS wishes. The reality of this is that compliance of the international community with what the Sudanese government wants creates a tension when one considers what the people of Darfur need. Ultimately mandates are being passed on behalf of the people of Darfur which state not so much what they are in need of but inevitably what the Sudanese government and rebel movements alike wishes, them to have, and this places a considerable amount of strain on the humanitarian and peace keeping effort in Darfur.

Chapter 4

Strengthening the protection of IDPs in Darfur: A need for change.

4. Introduction:

The Guiding Principles on Internal Displacement highlight that more has to be done to ensure the safety and protection of those people internally displaced. However in the case of Darfur increasingly this mandate is overshadowed by the ongoing violence in the region along with the negligence of both government and rebel groups fighting.

This chapter will look at what needs to be done in order for IDPs to receive better care and to ensure the safety of the more than 250, 000 people who have become displaced in 2007 alone not to mention the 2.2 million people that have been displaced since conflict ran rampant in 2003 which also led to 300, 000 people fleeing to neighbouring Chad for protection (IDMC, 2007:9).

From the perspective taken in this dissertation, protecting IDPs rest on four main ideals. In the previous section the first, that of sovereignty and the right to intervene has already been discussed. However in order to show a connection between these two topics and the others it will be discussed in brief at the commencement of this chapter as well.

The other ideals, as it will come to the fore also deal greatly with the assistance and responsibilities of the international community.

These are strengthening the mandate of the UNHCR to incorporate more than just those classified as refugees. Then attention will be turned to discussing the notion of having an early warning system along with that of insisting on a process of good governance in Sudan. Lastly more emphasis needs to be placed on increasing the involvement of western states to support the activities of both the United Nations and the African Union respectively. The states which will be focused on are China and the USA. And an attempt will be made to uncover how the peacekeeping process is affected by these states actions in the region of Darfur.

The second half of this chapter will focus on what happens in regions like Darfur, Sudan where the international community is lax on strengthening support for IDPs. It focuses primarily on two main pitfalls that of violence against women and the process of child soldiering.

4.1 The responsibility to protect:

During 2001 when the ICISS established the correlation between intervention and sovereignty the term *responsibility to protect* was coined which has subsequently been referred to as R2P in all international documentation. This notion was then taken further and in New York in 2005 when the World Summit was held at the United Nations Headquarters it was agreed upon by the member states of the UN under the section entitled *Responsibility to Protect Populations from Genocide, War Crimes, Ethnic Cleansing and Crimes Against Humanity* of the resolution Articles 138 -139 that:

“138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out” (2005, World Summit Outcome Report: 30)

This resolution was signed and agreed upon by all member states and therefore discussing strengthening aid towards IDPs in Darfur is of ample use in international relations. Because in this region of Africa, the Sudanese government has continuously been nonchalant and inactive in its duty toward the people. Therefore the international community should intervene and have the responsibility and the right to do so.

With the above in mind this chapter will focus on the responsibility of the international community to protect, as well as what its role should be in protecting and strengthening IDPs in Darfur. Because as was suggested at the World Summit and in documents such as that of the responsibility to protect current international relations rests upon the duties which not only the state in question has to deal with. But rather is also the duty of the international community, because ensuring the safety and well-being of humanity is of concern for everyone globally.

4.2 Materialising the collaborative approach – The UNs response for IDPs:

Apart from the Guiding Principles on Internal Displacement the UN was in need of an approach by its various organizations to implement the approach of the principles. And therefore the United Nations – Inter Agency Standing Committee (UN-IASC) met to discuss what needed to be done. One of the fundamental concerns for IDPs should be the lack of consensus amongst UN organizations concerning how to act on their behalf. Over the years a constant flow of internal bickering has been prevalent. The argument is mainly one based on which organization should be providing for the humanitarian needs of those displaced globally.

With this in mind UN organizations has been guilty of being considerably selective with regards to which conflict situations they are willing to get involved in. An example of this would be the UNHCRs “... decline to take on the management of IDP camps” (Cohen, 2006b: 105) in the region of Darfur, Sudan.

When talks commenced for the UN-IASC a basic requirement was agreeing upon how to protect the rights of IDPs and what should be done for IDPs from an international perspective. From these talks emerged the concern on how to define the concept of protection which is required by people in need of it.

After much deliberation it was concluded that “... all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law (i.e., human rights law, international humanitarian law, refugee law)” (Bagshaw & Paul, 2004: 26) was what the international community would define as protection.

From that point on the collaborative approach was decided upon because of it requiring the assistance of all UN-Bodies. According to those at the UN-IASC this approach along with the Guiding Principles on Internal Displacement "... was considered to provide the most appropriate and the only feasible response mechanism. It was expected that all humanitarian issues, including those which fall in gaps, i.e. are not covered by existing mandates of the agencies to be addressed through this approach" (Bijleveld, 2006: 29). The approach is viewed as being tangible because after so many years of meetings and drafting resolutions since the culmination of IDPs being considered a critical humanitarian issue some practical intervention is in dire need.

During 2006 Anne Willem Bijleveld (Director, Divisions of External Affairs) for the UNHCR commented that the collaborative approach gives all UN-Bodies "... the opportunity to transform the commitments we [UN Organizations] have made for many years into actions. The engagements we made under the new approach is not a matter of choice, but of necessity" (2006: 33).

4.2.1 Increasing the mandate of the UNHCR – through the collaborative approach:

No one organization has come to the fore vehemently wanting to take on the mandate on IDPs. And the call to create another UN body aimed to serve and meet the needs of IDPs has been met with great opposition. This because despite the distinctions which are so hastily made between IDPs and refugees in many respects the two groups face similar challenges. It is because of these similarities that many argue that the UNHCR should be at the forefront of assistance for IDPs. The reasons for this is based on statistical matter, because as Bijleveld states "recent statistics show a steady decline in the overall number of refugees worldwide ... the number of internal displaced persons is not following the same trend" (2006: 28). And therefore because of the expertise which the UNHCR already possesses it becomes the ideal candidate to take on the task. Despite it being a reality that the organization is unable to take on the challenge alone it is still the preferred organization. Richard Holbrooke who served as the USA Ambassador to the United Nations (1999 – 2001) made the argument that the UNHCR has become the "... lead agency to deal with IDP issues" (Bijleveld, 2006: 29).

Roberta Cohen makes a similar argument with regards to the role of the UNHCR arguing that “UNHCR ... [should] ... assume the lead for the protection of IDPs, the management of IDP camps, and emergency shelter for IDPs, a substantial enlargement of its role, and more encompassing than that of other agencies assigned to water and sanitation, nutrition, and early recovery” (2006b: 105). However despite the vote of confidence which the UNHCR has received the organization has been left with many challenges as it can be criticized in many respects for its past actions.

During the time that IDPs were first recognised as a great humanitarian catastrophe the UNHCRs reasons for its limited and even lack of involvement was merely that it lacked the resources and financial freedom to be of assistance to IDPs. Also they argued that the UNHCR was constraint by international law and that because their mandate was one aimed at refugees it would be considered illegal for them to intervene and would weaken their primary benefactors which are refugees (Bijleveld, 2006).

However these criticisms aside the collaborative approach aimed at strengthening the role which the UNHCR should be playing which has been called for by so many. The challenge despite previous unwillingness has also been undertaken by the UNHCR even if they are faced with so many bureaucratic restrictions.

This came in the form of the then Secretary-General Kofi Annan insisting that the final say on IDPs should remain with the Emergency Relief Coordinator (United Nations Document: In Larger Freedom, 2005: 38). Kofi Annan’s reasoning was merely based on ensuring the accountability of the humanitarian organizations. But this still increased the level of bureaucracy that these organizations are now faced with. And has subsequently increased the difficulty the UNHCR is faced with in reaching and being of service at the grassroots level. This because the protocol established by the UN through the Secretary-General has to precede any action taken in the field.

Roberta Cohen outlines that the prerequisite of the Secretary-General has led to the UNHCR being left with having to “... navigate a cumbersome, collaborative system, reporting to Resident/Humanitarian Coordinators who in turn may have to report to special representatives of the Secretary-General” (2006b: 105 – 106) which especially in the case of Darfur have proven to be rather negative. Because as violence is occurring in real time humanitarian organizations are unable to react as they first need permission to

be effective from headquarters, which usually gives consent to act once violence has subsided. This because of the amount of time which it takes to come to a decision and then to relay that decision back to those operating in the field.

4.2.2 The advantages of the collaborative approach to IDPs – specifically in Darfur

Despite the unconstructive observation that one can make concerning the bureaucratic process which stands in the way of pivotal assistance being given to IDPs it is important that we focus on what benefits there are to the collaborative approach which in many respects overshadows the nuisance of bureaucracy.

Bijlveld states that there are four major changes in the collaborative approach which will have a significant impact on how the UNHCR along with its other counterparts will be able to respond to the ever increasing problem of IDPs.

The new approach which has been adapted from the early 1990s materialized in 2006 and stipulates that “...agencies will be held accountable for a specific aspect of the global and country-specific humanitarian response. Agencies’ response is no longer a matter of choice but one of fulfilling a commitment” (2006: 31). This will be of great benefit to those displaced in Darfur as it has been previously mentioned the UNHCR was not willing to attend to the needs of those in that conflict ridden region. However one of the shortcomings remain that the approach has been piloted only in DRC, Liberia and Uganda. Despite this for those displaced in Darfur it means that these organizations are now met with a legal mandate which compels them to not overlook the degrading conditions which are prevalent in the region.

Also the collaborative approach aims at improving “... the predictability, timeliness and effectiveness of the response to humanitarian crisis ... with a system of enhanced accountability” (2006: 31). This is essential within the region of Darfur because in many respects humanitarian organizations have been guilty of overlooking the crisis in Darfur because of conflict also affecting other parts of Sudan. Despite conflict being ongoing it is still possible for these organizations to be of assistance in Darfur. Because the mandate gives them the right to intervene and ensure that the social and humanitarian needs of people in Darfur who have to prepare on a daily basis for possible ambushes by the Janjaweed are met.

The collaborative approach in many instances take on a different name, at times it is also referred to as the cluster approach which is then thought to imply that it “... address[es] gaps and strength[ens] the effectiveness of humanitarian response through building partnerships ... [also it] ... ensures predictability and accountability in international responses to humanitarian emergencies, by clarifying the division of labour among organizations, and better defining their roles and responsibilities within the different sectors of the response ... It mak[es] the international humanitarian community more structured, accountable and professional”

(<http://www.ocha.unog.ch/humanitarianreform/Default.aspx?tabid=70>). Because of this approach, how organizations respond to conflict will be determined by the organizations ability and expertise, for instance when the crisis asks for assisting people with food then the World Food Programme will be in charge of seeing to the needs of those in the crisis situation with the other organizations being of assistance where the WFP requires its assistance.

Lastly Bijleveld refers to the fact that organizations are “... expected to be constructive partners ... where they do not play a lead role ... [the approaches] ... require a profound understanding of the potential and the limitations of other actors as well as of their own. Institutional respect, modesty and pragmatism should be driving ... [the] ... collaborative effort” (2006: 31).

The approach of ensuring that international humanitarian actors are accountable for actions which they choose to take in regions such as Darfur is a huge feat for those faced with displacement. Because it ensures firstly that more is done to meet their needs and secondly one can argue that this mandate ensures that humanitarian organizations have more media attention that serves as a watchdog and keeps them in check.

4.3 Formulating preventive strategies for IDPs:

Darfur is discussed from the vantage point of humanitarian assistance, this is the argument which is posed by Prunier “Darfur was largely perceived as a humanitarian crisis” because of the “visible reality of violence and the murky complexity of its causes” (2005: 130). And for this reason over the years the argument has remained that the UN has to improve in its humanitarian efforts. And the organization has responded with the

Guiding Principles and the Collaborative Approach increasing the efforts of its humanitarian agencies.

However what should also be recognized is that IDPs are in need of more than just humanitarian assistance this to ensure that they do not become “... the well fed dead ...” which has been discussed in great detail at the UN (Cohen, 2006b: 107). This point was made by Cohen in that so much emphasis has been placed on the humanitarian effort that over the years it has become a rather lucrative industry, which for all intend and purpose is unable to provide IDPs with the necessary overall assistance.

For Cohen and Deng who are the authors of the acclaimed book *Masses in Flight: The Global Crisis of Internal Displacement* an effective means for providing for IDPs includes the humanitarian effort but is fundamentally based on prevention. They argue that “the remedies designed should not only be a response to emergency needs but should seek to prevent the conditions that caused the problem. The search for lasting solutions in turn becomes a form of prevention against recurrence” (1998: 240).

The following section of this chapter will look at some means of preventing violent conflict which would to some measure ensure the safety of civilians who are usually the ones caught in the cross-fire. With new conflicts breaking out in most parts of the world, specifically in the developing countries, academics and others have subsequently been placing emphasis on an early warning system. One which is aimed at giving some indication of countries which pose a threat to the well-being of its people. This mechanism is of use in that it allows the international community to respond before states reach that point of violence erupting.

Secondly the focus will be on the need for good governance as this theory assumes a level of stability and rationality on the part of the government in terms of how to deal with its population.

Lastly the focus will turn to the need for development, this will be done because despite the necessity of the above mentioned means to be of assistance in Darfur it has not been practiced in the region. Therefore one has to look at how to strengthen the position of IDPs now that conflict has already occurred and now that IDPs are faced with it on a daily basis.

4.3.1 Early warning systems:

When the conflict in Darfur first reached crisis levels the region received no media attention. The futile conditions with which the people there were faced were not discussed. This because so much emphasis was placed on peace talks which continued in the South of Darfur. The hope being that if it were successful it would spill over to all parts of Sudan. This was one of the international community's major failures within the region of Darfur considering that authors such as Alex De Waal have over the years written extensively on the instability which the country poses. Tar states in his article that it has always been known that despite the massive geographic nature of Darfur it has remained "... the least developed ... in the country with a long history of ethnic and racial strife" (2006: 412).

For this reason the international community is highly criticized in that it "... shows itself to be willing to come to the aid of the displaced only after problems have reached an advanced stage" (Cohen & Deng, 1998: 240).

What should be in place to prevent displacement is an early warning system, one which utilizes the amounts of research which is done on countries who show signs of instability. This research has to be used sufficiently which will lead organizations such as the UN to react before conditions in countries reach the point at which Darfur currently is. However as Jakkie Cilliers points out with regards to early warning systems in Sudan, we are faced with two realities "there appear to be two forms of early warning: one in theory and one in practice ..." (2006: 2). It is vital that the international community change its perspective on when and how to react to conditions which are faced in Darfur. Because one thing should be certain and that is that if there could be successful pin pointing of where crisis might be prevalent, effort can be made to prevent it. And even where this is not possible humanitarian efforts will not be caught off guard unable to be of assistance to those affected by conflict. Installing a process of early warning also implies that the international community's emphasis on protection will be enhanced. This because they will be issued with a clearer picture of what is needed in a country to ensure that violence does not break out. One of the greater benefits of this process is also the reality that it will reduce the amounts of violent outbreaks the world over. If the international community is willing to make use of it to the protection and benefit of the civilian population.

4.3.2 Good governance:

The notion of good governance has in the last decade been discussed quite broadly with many feeling that if states committed themselves to good governance violent conflict disrupting the growth and stability of a country would not be prevalent. Chapter one of this dissertation argued that one should consider good governance to imply *the way in which a state is ruled, the laws and principles set out for the state which ensures peace and security along with social development (page 19).*

An emphasis on good governance not only ensures that violence does not become recourse for action, but also assumes that the state places human rights in high regard. The argument which is made by Cohen and Deng follows that IDPs are in need of good governance because it ensures that their human rights are protected. They state “given that human rights are at the heart of the social order, protecting them is the best means of preventing conflict and displacement ... [it] ... encompasses the entire spectrum of universal norms, ranging from civil and political rights, to economic, social and cultural rights ...” (1998: 244).

Because Sudan is member to the UN more should be done to place pressure on the state to adopt principles of good governance within the country. Sudan because of its numerous ethnic groups and religious spheres is one of the countries most in need of good governance to ensure that its people are not marginalised. However in Darfur the opposite has been done, people there are marginalized this is evident from the amounts of IDP camps which are visible and in use.

The benefit of adapting a policy of good governance is that in many respects it ensures that there remains a level of equality within the confines of the nation state. This because political, social, economic and civil liberties are available to all people contrary to race, religion or even creed. The end result of this is that governments are held accountable for their actions and more importantly that governments work toward the betterment of the population as a whole.

Though never discussed one has to mention the prevalence of bad governance which from its name should be seen as the opposing pole to good governance. The Sudanese government in many respects will not refer to its state as not implementing a policy of good governance considering that some sectors of Sudanese policy is doing quite well.

However the indication that violent clashes have ran rampant in certain sections of its territory one has to argue that bad governance is prevalent. This because violence is one of the out comes of ineffective state systems, and preventing bad governance should serve as a great feat toward materialising stability for IDPs.

4.3.3 The need for development in the wake of IDP crisis:

The notion of development in the wake of crisis is more double barrelled than one would expect from first glance. There are many avenues that need to be discussed, and that need to be taken into consideration and which will be mentioned in the following section.

One of the first aspects that come up when discussing development in relation to IDPs is that more has to be done to ensure that even in small measure life can be normal even whilst being forced to dwell in IDP camps. By a level of normality I refer to the need for education. As this will prepare those living in camps for the moment when resettlement and reintegration does take place.

So much emphasis is placed on human rights along with how IDPs should be served. Education is one of the fundamental necessities for all people contrary to times of war or peace. And therefore IDPs should not be denied access to an education, in that for Cohen and Deng the overall argument remains that “education is essential to developing a person’s sense of identity and human dignity” (1998: 111). Therefore throughout the process of ensuring their safety it should never be forgotten that any programme of development which fails to recognize the basic human rights which belong to IDPs on the basis of being human, is not one that will prove very beneficial and useful within the field. Human rights is the means to bridging the gap between violent conflict and peace and it is for this reason that it is so important because people should never be allowed to forget about rights which are innate to them. Because when peace agreements are prosperous it is these ideals that will help rebuild the nation. For this reason Cohen and Deng argue “the most important reason for development agencies to enter into conflict situations early on is to initiate the process of planning for an eventual transition out of conflict” (1998: 295). This can however only be done where there are close working relationships between development workers and those who are victims of displacement.

The following section of this chapter however deals with the shortcomings to the argument which is made by Cohen and Deng in that the process of development which they focus on, one of education and instilling human dignity is not as easy to achieve, as is mentioned at the outset it is rather double barrelled. And the working relationship which should exist between aid workers and those that they serve is not as clear cut as one is left to assume. And this hinders the process of development taking place within IDP camps in Darfur but also globally.

4.3.4 The shortcomings of development: impeding the rights of IDPs:

The process which is discussed by Cohen and Deng is subsequently challenged by Fiona Terry who has written extensively on the role of humanitarian aid in places such as Darfur, which has been constantly suffering from violent conflict. For Terry the process is not as simple as what Cohen and Deng might lead one to assume. This because "... camps attract humanitarian assistance that provides guerrillas with an economic resource independent of external patrons" (2002: 9). This means that the good intentions of development work and humanitarian aid is sometimes lost.

This predicament which is faced in many ways leads to humanitarian agencies showing unwillingness to be of assistance in places such as IDP camps. This because in the field it is difficult to discern the difference between a rebel and someone in need of assistance which will be classified as an IDP or even a refugee. Terry goes to great length to discuss what has been known as the more traditional laws regarding humanitarianism namely that of neutrality; impartiality and lastly the imperative to serve (2002). When discussing how one should respond to the situation in Darfur these terms are always brought up and should be respected.

However the argument is made that in cases such as the one of Darfur these traditional laws which lead to development projects are flawed. Terry discusses aspects which need to be taken into consideration with regards to violent conflict which highlight why the traditional norms are oft times disputed and might not necessarily be of any use in violent conflict areas such as Darfur. NGOs are left with the responsibility to protect; it is part of the mandate which cannot be sidestepped at whim, therefore they create "safety zone[s]" (2002: 27) which usually come in the form of refugee or IDP camps. However they also

have very little control over these camps and in turn little control over protecting citizens which are in need of protection, this because of the impartiality clause which they are faced with. This clause highlights the respect for human rights contrary to who the person is or what threat the person might present. For this reason Terry states that “protected space[s] can be manipulated to serve military purposes” (2002: 27). Because of this one of the main fears which are held by NGOs and other humanitarian agencies alike is that their efforts benefit the war economy. This because in some instances in the field they are left with having to pay service charges to rebel groups in order to gain access to IDPs. And this money which is received from humanitarian organizations are used (at least this is the assumption being made) to purchase arms which would spur the conflict and prolong it.

Amnesty International has reported that in Darfur specifically, Terry’s argument has been the reality in that “aid agencies ... usually notify commanders in areas where they want to deliver aid to ensure safe passage, now they have to negotiate with an increasing number of parties ...”

(<http://asiapacific.amnesty.org/library/Index.ENGAFR540312006?open&of=ENG-36>)

which are mainly government armed groups and independent rebels.

The negative aspect of this as discussed by Terry is that very few of the NGOs would mention this because of the fear that rests with those in decision-making positions that the organization will lose money to be of service from various donors. The knowledge that aid for development might impact on a war economy never reaches the agenda of meetings “...evaluations ignore the broader impact of the war economy altogether” (2002: 40). This always because apart from the fear of losing donor money there is also the fear that it “...might...jeopardize the *good* image of aid among individual donors...” (2002: 41).

Another worrying factor with regards to development and humanitarian aid is that “...there is political credibility that accompanies aid” (2002: 42). Where groups are seen to be working with the NGO’s they might gain legitimacy because they are shown to be cooperative and are then praised for their willingness to end conflict. But then on the other hand uses the leeway that comes from having the support of the international community to enhance the atrocities. In Darfur this is evident in the amounts of promises

that have come from both government and rebel movements stating at media conferences that every effort will be made to avoid the casualties of IDPs and aid workers

(<http://www.reliefweb.int/rw/rwb.nsf/db900sid/MUMA-7GG3TN?OpenDocument>).

One of the last points made by Terry regarding development and the impact of aid workers in regions such as Darfur is the notion of population control. She states that “aid becomes an important tool of control; reducing or withholding food and other rations pressures refugees [and IDPs] to conform to the wishes of the aid distributors” (2002: 50). This contradicts the notion of having the imperative to serve because in effect the service is used as a means to have the people react and act in a manner which the NGO sees fit. By so doing rights are being violated, action has to be taken against this happening. Because negative action by the NGOs also implies that the plight of IDPs are two-fold. Firstly they have to adapt to the wishes of those who were sent there to help. And secondly they remain in fear of what the rebel groups and government groups might do to them.

It should be recognized that in the confines of this dissertation the argument is not that NGOs and humanitarian assistance is a negative aspect towards IDPs in Darfur. What needs to be pointed out is that humanitarian agencies are faced with so many obstacles. And sometimes the goals which are expected of them are mammoth and difficult to attain. The task at hand for NGOs and humanitarian agencies forces them to rely on mechanisms that in turn threaten the safety of those that they have to protect.

For this reason Terry argues that how humanitarian agencies go about serving cannot easily hold to the traditional norms which are so highly advocated. This because what happens within the field contradicts these norms. The thesis put forward by Terry expounds upon the problem of “moral principles” (2002: 2). This refers to humanities innate conscience and desire to do the right thing by people being served. Undoubtedly then when one juxtaposes the morality of humanity with the traditional norms, one of the principles will have to take a back seat. It is for this reason that Terry remains adamant that the norms should be revised or rethought in order to be of greater use within the field. This because it will allow those working in the midst of conflict the prerogative to take action which befits the situation, instead of having to wait for instructions from the UN Headquarters..

4.4 Self-interest ahead of the responsibility to protect - The involvement of Western states in Darfur:

Chapter three of this dissertation deals extensively with the involvement of state actors but focus solely on policy implementation of the AU; EU and the UN. In this section more clarity will be given on the responsibility to protect and how this would include state actors. For this purpose the duties of China and the USA will be taken into consideration. Both these states have involvement in the current conflict in Darfur and have voiced their concerns for the events taking place in the region. However this has come at the cost of the responsibility to protect. The strenuous relationship which exists between China and the USA has taken precedence and Darfur has been used as a platform for political confrontation between these states. Despite this these two nations has played its own role in highlighting the reality that more needs to be done to support the government and the people. Albeit that China and the USA has gone about it in varying ways.

China will be looked at because of its unfailing support of the Sudanese government, which has led to the country coming under crossfire from other nations, the argument being that China is worsening the situation. The second country in focus is the USA which has taken it upon itself to refer to the situation in Darfur as genocide, and currently is the only state to insist upon this definition to define the situation.

4.4.1 The role of China in Sudan, Darfur:

In recent years and in the wake of globalization furthering its position in how countries relate to each other, China has been given much more attention and is considered a great contender for taking over from the USA as a global hegemon. Talk of this kind has led to more focus being given to how these countries interact.

For this reason the globe has been rather critical of the role that China has set out for itself in Africa but Sudan specifically. Since the beginning of the 21st Century China has embarked on what the government has been referring to as its *peaceful rise* which is all part of realizing the harmonious world order. For Chinese leaders in Beijing this ideal “...presents opportunities, not threats...prosperity. Not instability or regression... This thinking advocates the benevolent acceptance of differences between individuals or

entities...” (Yongnian & Sow Keat, 2005: 6). This notion set forward by the Chinese also lays claim to the respect of sovereignty. China has freed itself to trade and to have working relationships with all countries. This because the Chinese hold to the opinion that state sovereignty is a supreme right held by all states. And therefore all countries have the right to use sovereignty as they see fit without the interference of other nations. This is exactly the basis of the relationship between China and Sudan. Chinese leaders insist that Sudan has sovereignty and therefore is acting in accordance to what is good for the country. In many ways one could argue that China has turned a blind eye to the events as it has unfurled in Darfur. And for this reason the country has been faced with constant criticism from various media houses. The Taipei newspapers have been rather critical in its approach to China accusing the country of hindering the UN efforts in Sudan. Danby states in his article China has “...blocked efforts at the UN to have Sudan’s actions classed as genocide, to have effective sanctions put in place, or to have a peacekeeping force with the power to protect the people of Darfur put into Sudan” (2006:8).

China and Sudan have proven to have a rather lucrative working relationship, this because China has found itself in dire need of oil revenues because of the vastness of its own population. And as Noel King reports Sudan has in recent years become China’s access to greater oil revenues in that China “... currently buys more than half of Sudan’s 500,000 barrel per year out put ...”

(<http://www.globalsecurity.org/military/library/news/2007/02/mil-070202-voa05.htm>) of oil. For this reason also China is one of Sudan’s main traders and “invest[s] billions of dollars in oil refineries [and] pipelines ...”

(<http://www.globalsecurity.org/military/library/news/2007/02/mil-070202-voa05.htm>) in the country.

The need for oil is what spurs the relationship between China and Sudan at least this is the assumption that one is led to through continuous research done on these two states. And the national interest of China is the main criticism concerning its actions in Darfur. This because of its want for oil, China has continued to support the activities of current Sudanese president Omar Al Bashir. Who many argue is responsible for the strain placed on IDPs. During the early periods of conflict China was accused of being responsible for distributing the weapons, which were being used in the conflict.

It is for this reason that during 2007 when the Chinese president Hu Jintao made his Africa visit and spend, two days in Sudan that it received so much media attention. As everyone was keen to see if these two statesmen would discuss the topic of Darfur and come to some conclusion on what could be done to resolve the tension. At that time discussions between China and Sudan led to Al Bashir deciding to give the AU and the UN permission to enlarge the peacekeeping mission which was had in the region of Darfur and which is discussed in chapter 3.

During these meetings Hu Jintao called upon the Sudanese to "...boost the UNs constructive role in realizing peace in Darfur along with the African Union..."

(<http://www.mg.co.za/article/2007-02-03-hu-tells-albashir-to-give-un-bigger-role-in-darfur>). The world had been urging the Chinese to do this because of the trade relationship which exist between them as this gave China greater influence in the country. At that same time the Sudanese was urged again to "...work more earnestly to get the rebels ... [to]. ... sign the Darfur peace agreement ..." (<http://www.mg.co.za/article/2007-02-03-hu-tells-albashir-to-give-un-bigger-role-in-darfur>). The UN showed much gratitude towards the Chinese government at that time because the frankness of the meetings between China and Sudan led to the country allowing albeit in small measure the increase of the peacekeeping mission in Darfur, which consisted of only 7000 African Union peacekeepers (this process is discussed in greater detail in chapter 3).

One of the USA's major criticisms of China at this time was the promises which China made to the Sudanese presidency in order for them to agree to the increase of the peacekeeping mission to Darfur. President Hu Jintao agreed to what the USA referred to as a "jaw-droppingly generous offer which is \$17 million to build a new presidential palace. \$104 million in debt forgiveness, and the promise to build a new railway line" (Committee of Foreign Affairs, 2007). For the USA this was the wrong way to go about ensuring that Sudan take the international community's position on Darfur seriously. But from the perspective of China they got the required outcome which was increasing the peacekeeping capacity of the AU and the UN

4.4.2 The role of the USA in Darfur:

As the world hegemon it is inevitable that a discussion will ensue regarding its actions in conflict stricken Darfur. For the USA Sudan presents a threat as does all other Arabic states because of the ongoing war on terror which the Bush administration is enthralled in. For this reason “...the actions and policies of the government of Sudan continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Sudan remains on the list of states the US considers as sponsors of international terrorism” (ICG Africa Report, 2004: 26). And it is for these reasons that the country has been at the forefront of calling for strong military action in the region of Darfur.

Because of the USA’s ventures into ridding the globe of terrorist which for the most part show tendencies to be anti-American the country has been the first to call the actions of the Sudanese government in Darfur as genocide. International media houses have been critical of the approach taken by the US arguing that since the 1990s the country has sought a regime change in Sudan and therefore its call of genocide has nothing to do with what would be best for the people of Darfur but is rather based on what is in the interest of the USA.

During September of 2004 Colin Powell (Former US Secretary of State) made the appeal for genocide during a Congressional Foreign Relations Committee meeting however at this time his “... charge was rejected by officials of both the European Union and African Unions and also privately by British officials” (Beaumont, 2004). The counter argument (represented by those opposing the views of the US) was that Darfur and the current crisis in the region is no different to violent strife in other parts of the world.

The information which the Bush administration has been basing its arguments on come from the research and field work done by USAID which subsequently has been argued to have been considerably “...politicized...” this also because as is argued in the report by Beaumont “...two of its most senior officials have long held strong personal views ... [and] ... have long been hostile to the Sudanese government” (Beaumont, 2004).

During 2005 however Erin Patrick in the Journal of Refugee Studies made a claim similar to that which was made by the USA government officials. The argument for Patrick is based on the 1948 Convention on the Prevention and Punishment of the Crime of Genocide – in which it stipulates what should be recognised by the international

community as genocide. In this article the actions of the Janjaweed are said to be done with the intention of destroying the ethnic groups of the region of Darfur and therefore is good enough reason for the classification of genocide and for international military intervention in the form of ousting the current government. However neither Patrick nor the US government have considered what a claim such as one of genocide would evoke in this turmoil ridden region of Darfur. And this is what most academics and UN personnel have been basing its claims on referring to Darfur as being only violent conflict. The US has given very little thought to what would happen in the aftermath, when the government of Al-Bashir is overthrown. Because it would not seem that the US officials have given this much thought, the position of the international community and academics alike have been to out rule the opinion of the Bush administration.

One of the greatest critiques of the US government has been its subsequent push for referring to the conditions in Darfur as genocide. But more importantly the US has been critiqued for pushing as a solution to the problem military force being used against president Al-Bashir. The Bush administration is criticised mainly because its suggestions does very little to solve the ongoing problem of IDPs in the region of Darfur.

Along with the above mentioned critique is the knowledge that the Bush administration has made every effort to oppose most actions being taken in the region. This because of the international community's unwillingness to support the claim of genocide which was presented by the US. This position which is held by them, one of either acting the way it sees fit or taking the risk of losing all support in the region of Darfur by the US is a main critique of the Bush administration and highlights how the responsibility to protect is overshadowed.

Despite this tension between the international community and the US on the topic of genocide, the humanitarian effort of the US has been unfailing in Sudan. Albeit that the International Crisis Group argues that the same vigour was not used within the violence occurring in Darfur specifically. Despite the humanitarian efforts which were made by the US one here has to return to the claim which was made by Beaumont in that there has over the past few years been considerable politicization of USAID (United States Agency for International Development). This is mainly due to the Bush administration in the

White House seeking to “... assert political control over international assistance” (http://blogs.cgdev.org/globaldevelopment/2005/12/should_usaid_be_moved_to_the_s.p.p). The reason which is given for this shift in the country’s means to be supportive to the global humanitarian effort is that it will help the administration make due on the policies which are found in the 2002 National Security Strategy, which was proposed by the government. This shift in what USAID stands for is also found in the organization’s mandate in that it now says that its principle goal is “...promoting U.S national security, foreign policy, and the War on Terrorism. It does so by addressing poverty fuelled by lack of economic opportunity, one of the root causes of violence today” (http://www.usaid.gov/about_usaid/primer.html).

The implications of this politicisation has proven to be detrimental for those living in the region of Darfur along with the negative impact that this has had on the global humanitarian effort which is pursued in Darfur. The reasons for this being that where the international community failed to give credence to the US position on the credibility of the Sudanese government the retaliation of the US was to passively respond to assist in the humanitarian effort.

However despite the desires of the US to respond militarily in Darfur without the aid of the globe was postponed in that president Bush declared it to be an unwise decision. But in his speech giving his reasons for not going ahead with unilateral military intervention in the region he states that the UN process has been “...slow [and] ... tedious ... to hold a regime accountable ...” (Baker, 2007:A06). But that it is still the prerogative of the international community to not intervene militarily and therefore the US should do the same.

In the Chinese media it was claimed that the responses of China and the US albeit different was done with the same goal in mind. That of protecting the human dignity of the people in Darfur (http://newsxinhuanet.com/english/2008-02/28/content_7682217.htm). However the same cannot be said when one evaluates these countries presence in the region. Therefore the last section pertaining to the USA and China will briefly look at what impact these countries have had on peacekeeping in the region of Darfur. Their impact will be discussed from the vantage point of having the

responsibility to protect. Because this mandate has been continuously and unabatedly overshadowed in the region of Darfur, specifically by these two states in question.

4.5 Peacekeeping obscured by the nature of the responsibility to protect:

Peacekeeping as has been discussed from many vantage points in this dissertation is vital to any peace process which is discussed and placed into practice in the region of Darfur. However peacekeeping is stunted in many ways. On the one hand it is left with the limits which are placed on the mission by the Sudanese government and on the other by the limits which are placed because of countries that are involved in Darfur, placing its national interest ahead of what is required in the region.

One reality which the globe is faced with is that a call for the increase of peacekeeping is vital. However this will be of very little consequence if the mandates of peacekeepers are influenced on so many levels. Particularly if it has very little to do with the protection of IDPs but more to do with what countries who make peacekeepers available would see happen.

When peacekeeping was first initiated through UN process it was said that its primary goal was to “... help resolve conflicts between states by deploying unarmed or lightly armed military personnel ...”(<http://www.unac.org/peacekeeping/en/un-peacekeeping/fact-sheet/una-canada-background-for-journalists/>). This usually occurred during the post-conflict sphere of violence in countries. However because as Mary Kaldor (2006) argued violence in countries has taken on a new shape – one of interstate warfare. This is the current conditions which Darfur is faced with and for this reason it also calls for peacekeeping methods to be adapted to suit the current wave of violence which they are faced with in the area.

Peacekeepers have to do more than just “help countries torn by conflict [to] create conditions for sustainable peace” (<http://www.un.org/Depts/dkpo/dkpo/faq/index.htm>). They are at the forefront of what is going on in Darfur and they are placed in the same dangerous position which IDPs are faced with and for this reason – to ensure their safety – countries involved in Darfur should make every concerted effort to place the livelihood of those people in the field above their personal interest.

The overall mandate of peacekeeping from the perspective of the UN is that “peacekeeping operations should strictly observe the purpose and principles of the Charter of the United Nations” (<http://globalsecurity.org/military/library/news/2000/11/war-001114-unpk.htm>) this is what is argued in Resolution 1327. The UN Charter dates back to 1945 when the organization was first established and at that time it was agreed upon that the UN has the right and obligation to access and intervene in conflict situations and serve as mediator in order to resolve conflicts. The UN also has the right to make use of regional organizations – in the case of Darfur the African Union – in order to gain access to conflict ridden areas to ensure that peace prevails and that the safety of civilian populations are protected.

For the UN each mandate should be based on the security of humanity and during 1945 when states agreed upon the establishment of a global watchdog, which in many ways is the position which is held by the UN, they also agreed to respect the means used by the UN to resolve problems of a violent nature within countries. And because of this agreement it is vital that states serve in Darfur under the banner of the UN because this will prove to be vital.

The reality is that in Darfur the international community is faced with numerous challenges and it is difficult for the UN to gain access to a strong hold in the region. States have to be reminded that the responsibility to protect a policy document which everyone was keen to realise is not based on protecting individual state’s interests within Sudan but rather to protect the people of the country. And to ensure that when this crisis concludes the country has the capacity to once again resume its place as a responsible state actor in the global sphere.

4.6 The pitfalls of not strengthening the protection of IDPs in Darfur:

Throughout this dissertation various reasons have been posed for why people become displaced. Because of using the case study of Darfur the overriding reason is one of violent conflict. Along with discussing why people become displaced is the reasoning of which groups are prone to displacement. For the most part people such as Deng and Cohen relate the plight of the elderly; women and children. These are the groups that are

unable to flee because of lack of finances and health reasons to name but a few. This last discussing section of the dissertation will look at how these groups are affected and what the over all consequences of displacement are. This will be done through considering the role of the international community along with the Sudanese government. It aims to indicate how if action by the international community is not timely as is discussed in the section regarding strengthening the rights of the displaced. That it become increasingly possible that people in Darfur will go from being victims to becoming actors in conflict in a vain attempt to resolve their own issues.

This section will look at the plight of women in Darfur, the realities with which they are faced in the wake of ever increasing violence. The stigma of rape, having to take over the responsibility of both husband and wife in the household along with the trauma which goes along with the above mentioned. Then the plight of children will be looked at, children who grow accustomed to violence and accustomed to living in camps. Children who because of this receive little or no education, children who the international community feel will delve into the web of becoming a child soldier. This because rebel movements have the tendency to recruit soldiers in such a manner by abducting them from their villages and homes.

Now it should be mentioned that in Darfur and in Sudan generally there has been little talk about concern for child soldiers. However in times of violence specifically on the African continent this has generally been seen as a massive problem. And because violence has a way of influencing and moving towards neighbouring states, it should be assumed that the phenomena of child soldiering in Darfur could reach catastrophic proportions.

These categories of displaced people - women and children, the international community should place emphasis on. However this is not to say that the plight of the elderly should be overshadowed. But because of time constraints which this dissertation is faced with, it will rely on others to complete research of such a nature. Here in this dissertation emphasis will remain on discussing the cruel realities with which women and children are faced. Because it brings to the fore the absolute conviction that it is impossible for the world to sit by and not react in a positive manner to the situation in Darfur. If this is not

done, if a positive attitude is not adopted we will once again be left with having to concede that the international community have failed in the wake of crisis, in the wake of gross human rights violations. Despite the ample promises of never again which has been reiterated in Rwanda and Bosnia to name but a few.

4.7 Violence against women – the calculated destruction of ethnic groups:

Violence against women in times of war is not viewed as a new phenomenon. However this does not make the experiences of women less volatile and is an aspect of war that the international community should pay close attention to.

UNIFEM (United Nations Development Fund for Women) states that “violence against women and girls is a problem of pandemic proportions”

(http://www.unifem.org/attachments/gender_issues/violence_against_women/facts_figures_violence-against_women_2007.pdf). In countries such as Darfur which is faced with violent conflict the safety of women is impossible to guarantee. Many of the NGOs working in the region of Darfur mention concern for the rights of women in the wake of ongoing violence, this because of the many cruelties, hardships and responsibilities with which they are faced. Sexual abuse is discussed as one of the first and major concerns for women. Since violence has broken out in 2003 reports have become relentless regarding the rape and sexual assault of women and girls in Darfur.

In war torn countries and in this case specifically many organizations and authors alike refer to rape as being “... a weapon of war...” (van Zeijl, 2007: 10). This because of the systematic destruction of communities through rape. Through traumatizing those people in the community by having them be witness to such atrocities. This leads to and further instils the knowledge to those being oppressed of their worthlessness in society. Femke van Zeijl who did research on gender issues in the current violent situation in Darfur states “...the Arab militia and military make a point of abusing women in front of their families or entire village. Raping women is such an effective weapon because it affects an entire community for decades” (2007: 10).

Rape is usually associated with a great amount of stigma which usually affects women victimised in such a manner for the rest of their lives. In Darfur this situation is worsened because of the cultural values which are attached to Islamism. The Muslim religion which

is dominant in Sudan places great emphasis on the chastity of women, it is greatly revered and therefore “rape is an enormous taboo...” (van Zeijl, 2007: 10) in society and women are generally left with bearing the brunt of being outcast by their communities despite them being the victims of sexual and physical assault.

The subheading of this section refers to the destruction of ethnic groups; this is one of the fundamental points of action when communities are attacked. And many have written extensively on the notion of men being murdered and women being raped. This takes its toll on society along with the ethnic groups affected. However rape is used as a weapon of war in that it is considered to be a more atrocious as well as more effective means of achieving the goal of ethnic cleansing.

Research which was compiled by Vèronique Nahoum-Grappe a French Anthropologist refers to rape in times of conflict as being a means of “destroying the future” she continues by arguing that “through raping wives and daughters ... the attackers actually target the real enemy : the men behind them. Having to have your enemy’s baby goes one step further and turns this sexual violence into a tool of ethnic cleansing” (van Zeijl, 2007: 10 – 11).

In a country where chastity is one of the cornerstones of belief rape has a devastating impact on the social spheres of that region. Despite the continuous resolutions being passed at the UN and the reality that internationally states are attempting to become more prone to the respect of women’s rights, in most Islamic nations the rights of women are oft times overlooked.

This is specifically the case in Sudan and with that more importantly in Darfur, many of the women and girls that experience such atrocities by the hands of mainly the Janjaweed lose all credibility in society as is mentioned by van Zeijl “a raped woman isn’t worth much in Darfur” (2007: 10). She is cast out by her family and will have to come to terms with having to provide for herself for the duration of her life. Because women that are raped in this region will find it increasingly difficult to find a partner (van Zeijl) one who will be able to provide for her in the confines of marriage. The reasons for this are based on the stigma of rape as well as the possibilities of conceiving a child from the hands of the perpetrator. Another heart wrenching reality is that in Darfur there is “... a popular

myth, [one which states] you cannot get pregnant from rape. So there have been cases where pregnant rape survivors have been imprisoned for adultery” (van Zeijl, 2007: 10). It is through such actions that women are left with experiencing continual waves of discrimination as they are not sufficiently protected not by domestic law or that of international law.

Apart from being raped and the possibility of being arrested for adultery these women are also left with the possibility of protracting diseases contracted through being raped. Mainly the fear exists of contracting HIV/ AIDS which has been running rampant on the African continent. And in cases of sexual assault has come to be known as the main killer of women in African societies. Amnesty International insists that “violence is a key factor in women’s risk of contracting the virus”

(<http://asiapacific.amnesty.org/library/print/ENGACT770872004>) and therefore should be given close attention. Despite the violence in Darfur having started in 2003 very little has been written on the plight of women with regards to the HIV virus. However Amnesty International has compared the ongoing Darfur crisis to those in other countries such as Colombia and the DRC (Democratic Republic of Congo), this because of the “... similarities of rape and sexual violence ... used as a weapon of war. The majority of women in Darfur have also undergone female genital mutilation, a factor increasingly likely to put them at risk of infection”

(<http://asiapacific.amnesty.org/library/print/ENGACT770872004>) which increasingly indicates how very little rights women have in general in a region such as Darfur.

The amounts of women who are faced with contracting HIV/AIDS is also a concern because the reality being that in many IDP camps they are the main breadwinners as men are the primary targets of specifically the Janjaweed. Sarah O’Boyle writes that “if a man wanders outside the camp and is found by the Janjaweed militias he will almost certainly be killed” (<http://www.sudanreach.org/DarfurWomen.pdf>). For this reason women are more likely to take the risk of attempting to provide for the family because if “a woman ... goes outside the camp [she] might only be raped [despite this] women must travel outside the camp on a daily basis to collect firewood for cooking and to sell as it is the only form of income generation within the crowded camp”

(<http://www.sudanreach.org/DarfurWomen.pdf>). Because of the duties which women have of providing for the needs of their families, they are the ones that are left with taking the risks, this is a great challenge for women in regions such as Darfur and once again point to how greatly the rights of women are overshadowed in societies.

This calculated attacks on men places a considerable amount of strain on women in society this because they are left with having to play a dual role which they are not really able to do – this also because the lack of rights which are afforded to women in areas such as Darfur.

For the international community statistics is always a vital and determining factor on how they react to situations. However it is impossible to state exactly how many women fall victim to rape in a violent conflict such as the one taking place in Darfur. Researchers argue that accurate statistics is made impossible because of the “... lack of humanitarian access to much of Darfur ... But it is safe to say that there are many thousands of women who have been raped” (van Zeijl, 2007: 11). This persistent violation of women has gone unnoticed by the Sudanese government. And with that is still the reality that there exist so many myths regarding rape in the country that the plight of women are not given ample attention. The government has insisted on referring to these reports of women being raped and research being compiled on it as “concoctions and they respond to reports about it by arresting or threatening the aid workers or journalists responsible” (van Zeijl, 2007: 11) for highlighting the plight of women.

Where the international community and with that the responsible Sudanese government fail to respond to ongoing violence in Darfur the pressure will mount on women and the concern of displacement will spiral to even greater catastrophic levels as camps will become housing for only the sick. Then killing won't be because of violent attacks by the Janjaweed or any other militia group but rather death will increasingly be because of people dying of illness, which can be blamed on inaction by the international community along with the Sudanese government.

For now the international community is left with the concern of IDPs and realising the goal of stability along with sustainability for these people. But where men and women are

killed and violated the international community will also be left with a vast amount of children which have no provider or caregiver which will be able to take responsibility for their well being. The plight of children will therefore be looked at in the following section to see how life in IDP camps will inevitably have a negative impact on their livelihoods.

4.8 Constructing ongoing violence - The plight of children in violent conflict:

The rights of the child have in recent decades become a very important document because of the various strives with which children are faced primarily in areas of violent conflict. It is for this reason that UNICEF (United Nations Children Fund) was established to become “... the driving force that helps build a world where the rights of every child are realized” (http://www.unicef.org/about/who/index_introduction.html). This is done to ensure that the physical and psychological needs of every child are protected and met. Despite this goal and mandate of UNICEF the rights of children are in many instances largely overlooked, and they too like women fall into the cracks of international and domestic decision-making. For the most part this occurs because of this group (children) being unable to speak out and demand that their rights are met, for they are too young to insist that state actors see to their needs.

Research compiled by UNICEF in Darfur during the 2006 period state that “some 1.8 million children have been affected by the conflict, some of them displaced multiple times through repeated attacks. The impact of violence, disease, malnutrition and dependency is leaving a mark on this generation of children, weakening their capacity and trapping them in the cycle of poverty.”

(http://www.unicef.org/infobycountry/sudan_darfuroverview.html). These are the conditions with which children in Darfur are faced, and one of the fundamental concerns will remain the impact that this wave of violence which is always associated with waves of poverty will have on children in the region.

Throughout the world rebel groups strengthen their army through the use of boy children who are left defenseless because of witnessing the brutal killings of fathers and the rape of mothers. This has been no different in Darfur – albeit that the work of UNICEF has been paramount peace agreements and disagreements still hamper the situation. Also the

insecurity with which IDP camps are faced proves to be one of the fundamental reasons as to why children become susceptible to the realities of soldiering.

For children in Darfur if violence continues unabated the future will become bleaker as well as the prospects for peace. And when the international community under the auspices of the UN and the AU consider what tactics they will use to end this conflict this should be one of their fundamental concerns.

Children in Darfur experience extreme poverty, they are left without a home and are referred to in numerous international conventions as being “unaccompanied minors” (Lischer, 2006: 1). Some of them make it to the limited security of IDP camps where to a certain degree they have shelter and the protection of consenting adults, however many are not that fortunate.

Education for these children are limited, more so for the average girl child because of the strict cultural rules of a society such as Darfur. Because of the lack of education these children are reared with knowing only war. They will surely become consumed with the various fallacies of why their country is war torn. With lack of education they too will become disgruntled concerning their plight. But because they only know war, because the lifting of arms are the only means of resolving problems that they have been exposed to, they too will follow that route because it is known to them and because it is the only one available to them.

Children who are abducted and recruited as soldiers have no choice in the matter, have no other means of survival and surely will continue on the war path because of the various psychological traumas which they are faced with. The relentless killing and plundering will become what they are accustomed too; it will become an everyday normal experience.

It is for this reason that in this dissertation it is viewed as a bleak prospect for IDPs if the international community does not in greater measure attempt to strengthen the rights of IDPs, if they do not do more to resolve the complexities of conflict in Darfur because the future looks bleak without it. If nothing tangible is done about the future generation of Darfur surely violence will continue because this generation will at a later stage also take to violence to ensure their freedom. More has to be done to guarantee the future prospects

of this country to ensure the safety of its people – because this will prevent the international community of having to struggle with the same conflict for generations, if only more is done to resolve the conflict in the present moment.

4.9 The collateral damage of violence in Darfur:

The plight of women and children – along with that of the elderly which was not discussed in this dissertation are of paramount concern. The realities with which they are faced point towards the realization for the international community that it is not merely enough to sit and delegate with the warring parties involved. Because the plight of the people is one that on the one hand is in dire need of a peace process but also on the other in need of humanitarian and developmental aid.

When one looks at the daily experiences of the people who are affected by the conflict, the bystanders to ongoing conflict it becomes impossible for the international community or even the Sudanese government to hamper on an ideal of sovereignty because the protection and sustainability of lives should be the cornerstone of any talks regarding sovereignty.

The international community's duties with regards to Darfur is then not only one of arranging peace talks it is one of ensuring that the people in the area get the help that they are in need of contrary to the bickering and disagreements of those within the political sphere.

Chapter 5

Further research on IDPs and Conclusion

5.1 Further options for research and conclusion:

One of the major concerns within this dissertation has been the protection of human rights for IDPs and by so doing ensuring that their needs are met through the various established programmes which have been adopted by the international community. In compiling the research which was clarified and discussed there has been a lot of criticism of the international community, this was not done to discredit what actions have been taken thus far. On the contrary it was to show that more still needs to be done and that no organization or state involved in Darfur should become complacent in any way.

When reflecting on further research that can be done and should be done for IDPs one has to reflect back on the first research endeavour which was undertaken by Francis Deng along with Roberta Cohen. At the outset of their arguments and suggestions for the international community they state “what distinguishes the internally displaced and makes them of concern to the international community is the coercion that impels their movement, the human rights abuse they suffer as a result of their displacement, and the lack of protection for them within their own countries” (1998: 17). When future research is compiled it should still keep that in mind that the major and first predicament with which talk about IDPs are concerned is the lack of human dignity and the reality that human rights are taken away from them.

Without a doubt further research will have to continue reflecting on the suggestions which were made during 1998 when talk of displacement first reached the ears of the international world. Therefore here at the end of a discussion on displacement I would like to make some further suggestions on how to deal with the phenomena of it (however still keeping closely to the earlier suggestions made on IDPs) but specifically focusing on Darfur.

It became evident that for displaced persons in Darfur one cannot make suggestions or even fathom the plight which they are faced with without giving consideration to the current government situation. And therefore one of the primary realities with which anyone is faced with in attempting to find some solution to conditions within Darfur is to deal with the Sudanese government; the Janjaweed and the other rebel groups SLA/M and the JEM.

This brings to the fore greater realization for why the adoption of a suitable peace agreement for the region in Darfur is of utmost importance. In chapter three the dismal responses of the European Union; African Union and United Nations have been discussed in attempting to succeed with the implementation of a peace agreement. It is the opinion of this dissertation that a peace agreement should focus more on what would benefit the country in terms of stabilizing the conditions and ensuring the safety of the people who suffer the most whilst governments and rebel groups bicker.

For the most part one thing that also comes across in newspaper reports on violence in Darfur is the pledge by these contentious groups to want to solve the problem and work for the people. Possibly it should be the prerogative of the international community to force them to make due on this pledge. A peace agreement should consist of more than just the reality that governing in the country will be placed in the hands of all parties. Nor should it mainly focus on dividing the country so that every group can have a region to govern.

It should focus on what is in the best interest of the people who are in great need of peace and stability to be present in the country. The international community has to focus on the establishment of a civil society that is constructive in rebuilding the current state of Darfur. Daniel Posner helped to write extensively on how to rebuild a country after violent conflict and after being classified as a failed state. The argument which he poses is simply that “civil society is said to possess almost magical qualities for improving governmental performance – from promoting good health, reducing crime, and generating economic growth to facilitating political reform and easing the reintegration of ex-combatants after civil wars” (2004: 237).

And for this reason it is suggested here that further research is necessary to help the international community come to that point where they are more willing to compile a

peace agreement of such a nature instead of continuing to make an appeal on those involved, because as history has pointed out this has not been of any use in Darfur. The international community has to find a means of strengthening and promoting a strong civil society and research which could be compiled on how one should go about achieving this will prove to be a great feat in helping countries recover from violent outburst. And it would also ensure that the rights of citizens are protected so that displacement becomes less prevalent in the world.

With regards to focusing on peace agreements and the compilation of one that befits the situation faced in Darfur. One which places the emphasis on the people more should also be done to research the role that democracy plays in this. The international community prides itself in a doctrine of democracy, for although flawed in many respects it does promote equality amongst people and states. Tim Dunne discusses the notion of the *democratic peace theory* which is based on the reality “... that war has become unthinkable between liberal states” (2001: 178). This promotes the ideal of democracy and points out how stability within a country is not only beneficial to the population but gives the state greater access to trade and other financial agreements with other nations which will end in being lucrative.

The suggestion here is that greater effort has to be made to prove, practically that the signing of a peace agreement will in the long run be more beneficial to the key players involved. This also because as is pointed out by Cohen and Deng “... the spread of democracy ... may yet show the way toward the easing of crises of ... internal displacement” (1998: 23).

Moving away from the Sudanese government and the respective rebel movements’ further research has to be done to improve the outlook of the humanitarian effort. It cannot be disputed and the chapters of this dissertation highlight this reality – humanitarian aid has come from various avenues and has been made available in Darfur. However what is also brought across is that not nearly enough is being done. Research which deals with how humanitarian aid and development can prove to be more efficient will be a great feat for the relief of displacement the world, over as it will mean

that the burden of displacement will become lighter. Possibly with an aim of adjoining humanitarian relief with development might prove to be of great use in areas such as Darfur. Research could be undertaken to detect whether or not humanitarian agencies along with development agencies will be able to forge a working relationship as was done with the *collaborative approach* which is discussed in chapter four to ensure that there is more accountability and that both the humanitarian and development needs of people are met.

One thing is certain with regards to further research on IDPs and with that in mind on Darfur specifically, it has to be an approach which keeps the plight of the people in mind. Research should be based on what is in the best interest of the people, as is the same with actions being undertaken – it has to acknowledge the reality that the effects of actions taken affect real people which have been tormented with the “devast[ation of] families, cultures, jobs, education, and the security of a stable society” (Cohen & Deng, 1998: xix).

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