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Ray Murphy

## **UN must take central role in Darfur crisis**

Military intervention of any kind for the protection of vulnerable populations is controversial. This was evident during the UN interventions in Somalia and Bosnia, and Nato action in Kosovo. It has been equally controversial even where intervention fails to happen, such as Rwanda.

It is estimated the conflict in Darfur has caused more than 200,000 deaths and created a humanitarian crisis involving more than 2.5 million displaced persons. The conflict has spread to neighbouring Chad and the Central African Republic.

There have been harrowing reports of ethnic cleansing, sexual violence and widespread attacks on the civilian population. Reports by reputable organisations and individuals have condemned all parties to the conflict, especially the regime of Omar Hassan al-Bashir currently in power in Khartoum. So why is responding to such crises so slow and ineffectual?

The outgoing UN secretary general, Kofi Annan, haunted by the failures in Rwanda and Srebrenica, has made compelling pleas for an international response to the crisis in Darfur. He has posed the question that if humanitarian intervention is an unacceptable assault on sovereignty, how should we respond to gross and systematic violations of human rights that affect every precept of our common humanity?

According to the 2001 report of the International Commission on Intervention and State Sovereignty, the primary responsibility for the protection of a population lies with the state itself. The report formulated a policy that when a population is suffering serious harm as a result of armed conflict, repression or state failure, and the state is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect. This is the dilemma that confronts the UN and the international community in Darfur today.

The African Manual on Peace Support Operations stresses the need for an appropriate legal basis for intervention under the UN charter, and emphasises state sovereignty and the non-use of force. This contrasts with the responsibility to protect principle adopted in the 2004 UN High Level Report on Threats, Challenges and Change and endorsed in somewhat less forthright terms at the UN world summit in September 2005.

Given the human rights record of many governments in Africa, the motivation may be as much to do with fear of intervention by outside states or organisations as with support for the provisions of international law and the UN charter. Nonetheless, it is noteworthy that in 2000 the African Union accepted the right to intervene in a member state in a situation involving war crimes, genocide and crimes against humanity.

The Khartoum government is reportedly about to agree a ceasefire and to sanction the deployment of a hybrid UN-African Union force. Even if this materialises, given the government's record, there will likely be practical difficulties. Apart from deciding on an appropriate mandate, the real issue is who will decide when the force will be deployed and its subsequent command and control. In this regard the role of the Security Council is vital.

The report in 2000 of the panel on UN peacekeeping operations (Brahimi Report) called for more robust rules of engagement in operations involving intra-state/transnational conflicts. While the report acknowledged that this would involve bigger forces that are better equipped and more costly, it did not seem to take full cognisance of the fact that the use of force must be accompanied by political will, a willingness to accept casualties and a need for an effective command mechanism to ensure cohesion and uniform application.

Often it appears that all the energy is expended on finding some form of agreement to deploy a UN force in the first instance, with too little attention paid to what the operation will achieve and how this will be accomplished in the long term.

The UN operations in Somalia in the 1990s showed that robust rules of engagement and increased size are not enough. While it is imperative not to employ an emasculated UN force, the recent UN operations in Lebanon and Kosovo show that it is essential to have a clear military and political strategy agreed at the outset.

So far world leaders have failed to live up to their 2005 pledge to protect civilians. Sanctions and a humanitarian corridor and no-fly zone over Darfur are some of the alternative proposals being considered if the current negotiations with Khartoum fail. There can be no substitute for the deployment of an effective protection force on the ground. We have been at this point in history before in Rwanda and Bosnia. The UN must be allowed to take a central role in Darfur in close co-operation with the African Union. The fate of thousands of people, peace in the region and the credibility of the UN itself are all at stake.

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