Protecting Civilians or Preserving Interests? Explaining the UN Security Council’s Non-intervention in Darfur, 2003-06

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Candidate’s Declaration

I, David Mickler, declare that all of this thesis is my own account of the research conducted by myself except where other sources are fully acknowledged by footnotes or referencing.

The extent to which the work of others has been used has been declared.

The thesis contains as its main content work which has not previously been submitted for a degree at any university.

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David Mickler

Date _________________________
Abstract

The UN Security Council is the preeminent multilateral decision-making body and has the legal authority to initiate military interventions if it first determines a threat to international peace and security, including from civil wars or widespread state repression. While traditional norms of non-intervention and the politics of the Cold War curtailed the body’s ability to fulfil this role, evolving understandings and practices of sovereignty and security in the post-Cold War era have led to the apparent emergence of a new norm permitting ‘humanitarian intervention’ and an in-principle acceptance that the body has a ‘responsibility to protect’ vulnerable civilians residing inside the borders of their own state, including through military means.

In this context, the thesis argues that the situation in Darfur, western Sudan, has represented a quintessential case for the Council to fulfil its ‘responsibility to protect’. According to a number of authoritative investigations, since 2003 the Sudanese government and government-allied Arab militias have committed war crimes and crimes against humanity on a widespread and systematic basis against Darfur’s non-Arab population. As a result, over 200,000 people died either directly from violence or indirectly from conflict-induced disease and malnutrition, while a further two million fled from their homes and villages in fear. A number of non-military measures were attempted by the Council but failed to create adequate security on the ground.

As such, there was a compelling legal-institutional, normative and moral case for the Council to coercively deploy a military intervention in Sudan to protect vulnerable civilians in Darfur. However, during the 2003-06 period of study, no such intervention was deployed. The thesis argues that intervention by the Council was precluded by the national interests of its permanent members, including a lucrative economic relationship between China and Sudan, and because of valuable Sudanese intelligence cooperation in Western counter-terrorism operations in the region. The thesis concludes that the Council’s members chose to preserve these national interests at the expense of protecting civilians in Darfur.
# Table of Contents

*Candidate’s Declaration*  
*Abstract*  
*Table of Contents*  
*Acknowledgements*  
*List of Acronyms*  

## Introduction

- Thesis Structure  
- Theoretical Approach and Framework  
- Techniques of Analysis and Data Collection

### Part I: Context — The Case for UN Military Intervention in Darfur

#### Chapter 1

**The UN Security Council and its ‘Responsibility to Protect’**

- Introduction  
- The United Nations Security Council  
  - *Formal structure, functions and powers*  
  - *The Permanent Five: Great Powers, national interests, and the veto*
- The Normative Evolution of Sovereignty and Security  
  - *Traditional forms of sovereignty and security*  
  - *Towards ‘responsible sovereignty’ and ‘human security’*  
  - *Towards ‘humanitarian’ intervention and the ‘responsibility to protect’*
- The UN Security Council in the Post-Cold War Era  
- Conclusion

#### Chapter 2

**Crisis in Darfur and the Case for UN Military Intervention**

- Introduction  
- Darfur and the Sudanese State: From Exclusion to Rebellion  
- Khartoum’s Counter-insurgency Strategy  
- Conclusion: The Case for UN Military Intervention in Darfur

### Part II: Analysis — Explaining Council Non-intervention in Darfur

#### Chapter 3

**The Development of the Council’s Response to Darfur, 2003-06**

- Introduction  
- 2003-05: Coercive Intervention in Sudan Not Considered by Council  
  - *Council ignores eruption of conflict and humanitarian crisis in Darfur: 2003–early 2004*  
  - *Council’s initial engagement with Darfur: April–June 2004*
Chapter 4
Explaining Council Non-intervention in Darfur: The Western P3

Introduction
The Western Permanent Members and Sudan
  Competing policy priority (i): Perceived strategic counter-terrorism imperatives
  Competing policy priority (ii): Securing the north-south Sudan peace process
  Washington, London and the Iraq War: A deprivation of Western legitimacy and capacity
Conclusion

Chapter 5
Explaining Council Non-intervention in Darfur: China, Russia, and Sudan’s Non-permanent Allies

Introduction
China, Russia, and the Sudan
  Chinese and Russian anti-interventionism
  China-Sudan and Russia-Sudan bilateral trade and investment
Sudan’s Allied Non-permanent Members: Pakistan, Algeria, and Qatar
Conclusion

Conclusion
Protecting Civilians or Preserving Interests?

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List of Acronyms

AFRICOM — United States Africa Command
AMIS — African Union Mission in the Sudan
ASG — UN Assistant-Secretary-General
AU — African Union
AU PSC — African Union Peace and Security Council
CFC — Ceasefire Commission [Sudan]
COI — International Commission of Inquiry on Darfur [2004-05]
CPA — Comprehensive Peace Agreement [2005, Sudan]
DPA — Darfur Peace Agreement [2006]
DPKO — UN Department of Peacekeeping Operations
EU — European Union
GDP — Gross Domestic Product
GNU — Government of National Unity [Sudan]
ICG — International Crisis Group
ICISS — International Commission on Intervention and State Sovereignty [2000-01]
ICU — Islamic Courts Union [Somalia]
IR — Academic discipline of International Relations
JTF-HOA — United States Joint Task Force Horn of Africa
JEM — Justice and Equality Movement [Sudan]
JIM — Joint Implementation Mechanism [UN/Sudan]
NATO — North Atlantic Treaty Organisation
NCP — National Congress Party [Sudan]
NIF — National Islamic Front [Sudan]
NRMD — National Movement for Reform and Democracy [Sudan]
OHCHR — Office of the UN High Commissioner for Human Rights
OIC — Organization of the Islamic Conference
P3 — Western permanent members of the UN Security Council [US, UK, France]
P5 — Permanent Five members of the UN Security Council [US, UK, France, China, Russia]
UN — United Nations
UNAMID — African Union-United Nations Hybrid Operation in Darfur
UNAMIS — UN Advance Mission in Sudan
UNHCR — UN High Commissioner for Refugees
UNMIS — UN Mission in Sudan
UNOCHA — UN Office of the Coordinator of Humanitarian Affairs
UNSC — UN Security Council
USG — UN Under-Secretary-General
USIP — United States Institute of Peace
SLM/A — Sudan Liberation Movement/Army
SPLM/A — Sudan People’s Liberation Movement/Army
SRSG — Special Representative of the UN Secretary-General
TSCTI — United States Trans-Saharan Counter-terrorism Initiative
WFP — World Food Program