

**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.

Signed \_\_\_\_\_

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

|  |            |
|--|------------|
| <i>Candidate's Declaration</i>   | <i>ii</i>  |
| <i>Abstract</i>  | <i>iii</i> |
| <i>Table of Contents</i>   | <i>iv</i>  |
| <i>Acknowledgements</i>  | <i>vi</i>  |
| <i>List of Acronyms</i>  | <i>vii</i> |
| <b>➤ Introduction</b>  | <b>1</b>   |
| Thesis Structure   | 3          |
| Theoretical Approach and Framework   | 10         |
| Techniques of Analysis and Data Collection                                     | 22         |
| <br><i>Part I: Context — The Case for UN Military Intervention in Darfur</i>   |            |
| <b>➤ Chapter 1</b>   |            |
| <b>The UN Security Council and its 'Responsibility to Protect'</b>             | <b>25</b>  |
| Introduction   | 25         |
| The United Nations Security Council  | 27         |
| <i>Formal structure, functions and powers</i>                                  | 29         |
| <i>The Permanent Five: Great Powers, national interests, and the veto</i>      | 39         |
| The Normative Evolution of Sovereignty and Security                            | 46         |
| <i>Traditional forms of sovereignty and security</i>                           | 47         |
| <i>Towards 'responsible sovereignty' and 'human security'</i>                  | 55         |
| <i>Towards 'humanitarian' intervention and the 'responsibility to protect'</i> | 65         |
| The UN Security Council in the Post-Cold War Era                               | 78         |
| Conclusion   | 84         |
| <b>➤ Chapter 2</b>   |            |
| <b>Crisis in Darfur and the Case for UN Military Intervention</b>              | <b>86</b>  |
| Introduction   | 86         |
| Darfur and the Sudanese State: From Exclusion to Rebellion                     | 89         |
| Khartoum's Counter-insurgency Strategy   | 96         |
| Conclusion: The Case for UN Military Intervention in Darfur                    | 108        |
| <br><i>Part II: Analysis — Explaining Council Non-intervention in Darfur</i>   |            |
| <b>➤ Chapter 3</b>   |            |
| <b>The Development of the Council's Response to Darfur, 2003-06</b>            | <b>119</b> |
| Introduction   | 119        |
| 2003-05: Coercive Intervention in Sudan Not Considered by Council              | 121        |
| <i>Council ignores eruption of conflict and humanitarian crisis in Darfur:</i> |            |
| 2003–early 2004  | 121        |
| <i>Council's initial engagement with Darfur: April–June 2004</i>               | 124        |

|  |            |
|--|------------|
| <i>Council considers imposing sanctions on Khartoum: July 2004</i>   | 130        |
| <i>Council gives Khartoum timetable for compliance: Resolution 1556</i>                                      | 134        |
| <i>Council threatens sanctions and establishes inquiry: Resolution 1564</i>                                  | 141        |
| <i>COI findings create new pressure for Council action: Early 2005</i>                                       | 151        |
| <i>Council re-engages with Darfur: March 2005</i>  | 156        |
| <i>Prolonged Council inaction on Darfur: Post-March 2005</i>   | 166        |
| 2006: UN Peace Operation Put on the Horseshoe Table  | 170        |
| <i>Initial discussions on a UN peace operation in Darfur: Early 2006</i>                                     | 170        |
| <i>Khartoum opposes transition to UN force in Darfur:</i>  |            |
| <i>February–April 2006</i>   | 175        |
| <i>Council imposes sanctions on four individuals: Resolution 1672</i>  | 179        |
| <i>Darfur Peace Agreement signed, Council responds: May 2006</i>   | 183        |
| <i>Council initiates transition to UN force: Resolution 1679</i>   | 187        |
| <i>Council delegation in Sudan to push for transition: June–July 2006</i>                                    | 190        |
| <i>Council extends UNMIS mandate to cover Darfur: Resolution 1706</i>  | 193        |
| <i>UN deployment obstructed by Sudan’s non-consent:</i>  |            |
| <i>Post–Resolution 1706</i>  | 201        |
| <i>Council resigned to three-phased hybrid operation: Late 2006</i>  | 206        |
| Conclusion   | 210        |
| ➤ <b>Chapter 4</b>   |            |
| <b>Explaining Council Non-intervention in Darfur: <i>The Western P3</i></b>                                  | <b>214</b> |
| Introduction   | 214        |
| The Western Permanent Members and Sudan  | 216        |
| <i>Competing policy priority (i): Perceived strategic counter-terrorism imperatives</i>                      | 219        |
| <i>Competing policy priority (ii): Securing the north-south Sudan peace process</i>                          | 230        |
| <i>Washington, London and the Iraq War: A deprivation of Western legitimacy and capacity</i>                 | 237        |
| Conclusion   | 241        |
| ➤ <b>Chapter 5</b>   |            |
| <b>Explaining Council Non-intervention in Darfur: <i>China, Russia, and Sudan’s Non-permanent Allies</i></b> | <b>244</b> |
| Introduction   | 244        |
| China, Russia, and the Sudan   | 247        |
| <i>Chinese and Russian anti-interventionism</i>  | 249        |
| <i>China-Sudan and Russia-Sudan bilateral trade and investment</i>   | 258        |
| Sudan’s Allied Non-permanent Members: Pakistan, Algeria, and Qatar   | 268        |
| Conclusion   | 273        |
| ➤ <b>Conclusion</b>  |            |
| <b>Protecting Civilians or Preserving Interests?</b>   | <b>277</b> |
| <i>Bibliography</i>  | 290        |

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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]   |
| ICC     | — | International Criminal Court   |
| ICG     | — | International Crisis Group   |
| ICISS   | — | International Commission on Intervention and State<br>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,<br>UK, France]             |
| P5      | — | Permanent Five members of the UN Security Council [US,<br>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  |
| SRS     | — | Special Representative of the UN Secretary-General                                   |
| TSCTI   | — | United States Trans-Saharan Counter-terrorism Initiative                             |
| WFP     | — | World Food Program   |