

# **Deaths in Wars and Conflicts in the 20<sup>th</sup> Century**

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Deaths in Wars and Conflicts in the 20th Century, 3rd ed.

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Milton Leitenberg

This third edition is a revised and updated version of “Deaths in Wars and Conflicts Between 1945 and 2000,” the title used for the first two editions.

FOR THE INNOCENT VICTIMS

and

for the staffs of the International Crisis Group, Human Rights Watch,  
and the United Nations agencies who try to prevent their deaths

The Peace Studies Program was established at Cornell in 1970 as an interdisciplinary program concerned with problems of peace and war, arms control and disarmament, and more generally, instances of collective violence. Its broad objectives are to support graduate and post-doctoral study, research, teaching and cross-campus interactions in these fields.

Indeed, we have no excuses anymore. We have no excuses for inaction and no alibis for ignorance. Often we know even before the very victims of conflict that they will be victimized.

United Nations Secretary-General Kofi Annan  
February 5, 1998

“The crimes which we seek to condemn and punish have been so calculated, so malignant and so devastating, that a civilization cannot tolerate their being ignored, because it cannot survive their being repeated.”

U.S. Chief Prosecutor Robert Jackson, Opening Address  
for the United States, November 21, 1945  
International Military Tribunal, Nuremberg

At what point does an intolerable wrong within a sovereign state’s borders require forming a UN posse to aid victims and punish wrongdoers?

At what point does the world stop depending on posses and institutionalize a system of international law enforcement?

“Peace on Earth, by Posse,” *New York Times* editorial, 28 December 1992.

Barbara Walters. “a reporter in Sarajevo tearfully asked you how many deaths there had to be before the United Nations would send help. 12,000 it was asked; 15,000; 30,000? And you answered: ‘I understand your frustration, but your situation is better than at least 10 other places in the world.’ Do you really believe that, sir?”

United Nations Secretary-General Boutros Boutros-Ghali. “Yes. I can give you a list of 10 situations that deserve United Nations intervention.”

ABC-TV, *Nightline*, January 4, 1993.

[The number of war-related dead and missing in Yugoslavia for the period 1991–92 was estimated at 150,000.]

“I think sending in an international force [to the Congo] is the only solution . . . I find it outrageous that in 2003 we can allow people to be butchered without responding forcefully.”

Sergio Veira de Mello, United Nations High  
Commissioner for Human Rights, May 2003

“A Beastly Century”: It was a phrase used by Margaret Drabble, a British novelist, in an address to the Royal Society of Literature in London, on December 14, 2000.<sup>1</sup> But of course it was no more than a human century. In 1994, the historian Eric Hobsbawm wrote that 187 million people were “killed or allowed to die *by human decision*” in what he called the “short century”—a period of about 75 years from 1914 to 1991.<sup>2</sup> The period chosen by Hobsbawm spanned the beginning of World War I to the dissolution of the Soviet Union and the end of the Soviet occupation of its Eastern European “allies.” Given that Hobsbawm is a Marxist historian, his choice of the category “by human decision” was particularly significant.<sup>3</sup> However, the sum that he provided was low by just about 44 million people for the full twentieth century, during which approximately 231 million people died in wars and conflict and, in very large numbers, “by human decision.” The data to support this statement are presented in the following pages and in a detailed table beginning on page 73. The purpose of this study is to provide the derivation of the numbers in that table and to briefly discuss several instances in the past fifteen years or so when large numbers of deaths could unquestionably have been averted by international action.

### **Introduction: the Genesis of the Data Collection**

One of the earliest significant pieces of work at the Stockholm International Peace Research Institute (SIPRI) was the massive study published in 1971, *The Arms Trade with the Third World*.<sup>4</sup> Around 1975 or 1976 several of the initial SIPRI staff members came together to examine the question of whether additional information of a more qualitative nature could be derived from the SIPRI Arms Trade Project, a long-running project that continues to this day. Specifically, the question to which an answer was

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<sup>1</sup> Margaret Drabble, “A Beastly Century,” *American Scholar* 70, no. 1 (Winter 2001): 160.

<sup>2</sup> Eric J. Hobsbawm, *The Age of Extremes: A History of the World, 1914–1991* (London: Michael Joseph, 1994). Although Hobsbawm coined the phrase “by human decision,” he apparently made no estimate of his own. As a source for the 187 million he refers only to a book by Zbigniew Brzezinski, *Out of Control: Global Turmoil on the Eve of the Twenty-First Century* (New York: Simon and Schuster, 1993), especially pp. 7–18. Brzezinski, however, supplies an estimate of *between* 167 million and 175 million, and it is clear from the data that he provides that his estimates are quite rough. Although Hobsbawm’s book was published only one year later, it contains no indication of how or why he increased the number to 187 million.

<sup>3</sup> More specifically, Hobsbawm’s autobiography states that he has been a lifelong communist party member for 60 years. Eric Hobsbawm, *Interesting Times: A Twentieth-Century Life* (New York: Pantheon, 2003).

<sup>4</sup> *The Arms Trade with the Third World*, SIPRI, Stockholm International Peace Research Institute (Uppsala: Almqvist and Wiksell, 1971); and *Arms Trade Registers: The Arms Trade with the Third World*, SIPRI, Stockholm International Peace Research Institute (Cambridge: MIT Press, 1975).

sought was: *What were the effects of arms transfers to developing countries on the incidence and nature of wars and conflicts in these countries?* Did arms transfers increase or decrease the frequency of such wars, the decision-making on initiating war, the ways in which the wars were fought, the level of mortality in them, the duration of the wars, or the ways in which they were terminated? Unfortunately, it quickly became apparent that it was not possible to answer these questions. Following the publication of the SIPRI arms trade volume there was substantial information available about the arms transfer half of the equation, but there was no comparable available database on the wars and conflicts that had taken place in the years since 1945.

This led to two separate efforts. The first was a book which contained many useful chapters but could not answer the original questions in any systematic manner.<sup>5</sup> Several volumes of a more or less related nature also appeared at the same time authored by others.<sup>6</sup> In 1987 and 1988 the original SIPRI volume was updated,<sup>7</sup> but not until 1994, nearly twenty years after the original questions had been posed, did a book attempt to examine the subject with any thoroughness.<sup>8</sup>

The second effort began with the author's attempt to produce a compendium of all studies which claimed to provide a global survey of all wars and conflicts following 1945, or at least a significant geographically-defined fraction of them (for example, in Africa, Asia, etc.). As a consequence, it also produced a list of such wars and conflicts.<sup>9</sup> It also led to two studies of military intervention by the "Great

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<sup>5</sup> *The World Military Order: The Impact of Military Technology on the Third World*, Mary Kaldor and Asbjorn Eide, eds. (London: Macmillan Press, 1979).

<sup>6</sup> *Arms Transfers to the Third World: The Military Buildup in Less Industrial Countries*, Uri Ra'anani et al., eds. (Boulder: Westview Press, 1978); *Arms Transfers in the Modern World*, Stephanie G. Neuman and Robert E. Harkavy, eds. (New York: Praeger, 1979).

<sup>7</sup> Michael Brzoska and Thomas Ohlson, *Arms Transfers to the Third World, 1971–1985*, SIPRI, Stockholm International Peace Research Institute (Oxford: Oxford University Press, 1987); *Arms Transfer Limitations and Third World Security*, Thomas Ohlson, ed., SIPRI, Stockholm International Peace Research Institute (Oxford: Oxford University Press, 1988).

<sup>8</sup> Michael Brzoska and Frederic S. Pearson, *Arms and Warfare: Escalation, De-Escalation and Negotiation* (Columbia: University of South Carolina Press, 1994). See also the series of ten individual case studies on Managing Arms in Peace Processes (Disarmament and Conflict Resolution Project), all published by UNIDIR in Geneva in 1966.

<sup>9</sup> Milton Leitenberg, "Survey of Studies of Post-WWII Wars, Conflicts and Military Coups," September 1977, 167 pages. Although unpublished, the study was distributed to requesting libraries and listed in publication indexes. See also Milton Leitenberg, "The Military Implications of Arms Transfers to the Third World: What Do We Know and What Don't We Know?" conference paper, March 1979; and Milton Leitenberg, "World Wide Military Coups Since 1945; A Short Note on a Data Collection," in *Problems of Contemporary Militarism*, Asbjorn Eide and Marek Thee, eds. (London: Croom Helm, 1980), pp. 388–95.

Powers” in post-WWII wars and conflicts which took place in the developing nations.<sup>10</sup> Finally, it produced a memorandum to the SIPRI Governing Board in the mid-1970s, which was published some years later, recommending that the annual *SIPRI Yearbook: Armaments, Disarmament and International Security* include an annual survey of wars and conflicts.<sup>11</sup> The Governing Board rejected the suggestion for many years, and a decade passed before such an annual chapter appeared in the SIPRI Yearbooks. It was in the course of this latter group of studies that it became obvious that there was no adequate database for perhaps the simplest of the issues raised: the number of deaths in the wars and conflicts that had taken place since 1945. I had begun to set aside such numbers around 1970,<sup>12</sup> but for the reasons explained above, this became a more systematic effort beginning around 1975.

### Issues Surrounding the Data

A first compilation of the data for deaths in wars and conflicts, for 1945 to 1990, was published in a paper prepared for the World Bank by Robert McNamara in 1991.<sup>13</sup> The paper included a table titled, “Deaths in Wars and Conflicts in Developing Economies and Estimates of Related Deaths since the End of World War II: 1945–1990.” It showed a total of approximately 40 million deaths. Exceedingly few such compilations existed, and the figures were used by several international agencies and NGOs. Between 1974 and 1996, in the years that the annual monograph *World Military and Social Expenditures* was published by Ruth Leger Sivard, many issues carried a comparable table prepared by Dr. William Eckhardt in Canada. However, Eckhardt’s tallies came to sums only half as high as those presented here. That difference can serve to make the first point regarding data on deaths in wars and conflicts: such figures at times display enormous variance.

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<sup>10</sup> *Great Power Intervention in the Middle East*, Milton Leitenberg and Gabriel Sheffer, eds. (New York: Pergamon Press, 1979); and Milton Leitenberg, “The Impact of Worldwide Confrontation of the Great Powers: Aspects of Military Intervention and the Projection of Military Power,” in *Armament, Development, Droits de L’Homme, Desarmament*, Faculty of Law, University René Descartes (Paris V) (Brussels: Etablissements Bruylant, 1985), pp. 406–59.

<sup>11</sup> Milton Leitenberg, “Research on War and Conflicts: Methodological Considerations,” in *UNESCO Yearbook on Peace and Conflicts Studies, 1982* (Westport, CT: Greenwood Press, 1983 and UNESCO), pp. 151–63.

<sup>12</sup> Milton Leitenberg, “America in Vietnam: Statistics of War,” *Survival* 14 (November–December 1972): 268–74.

<sup>13</sup> Robert S. McNamara, “The Post-Cold War World: Implications for Military Expenditure in the Developing Countries,” *Proceedings of the World Bank Annual Conference on Development Economics, 1991* (Washington, DC: International Bank for Reconstruction and Development, World Bank, 1992). That table and others appended to McNamara’s paper were prepared by Nicole Ball and Milton Leitenberg.

The reasons for this are several. First, numbers that are publicly available pertaining to this issue vary widely in quality and reliability. The accumulation of many sources for a single war or conflict can at times supply some internal corrective. At the same time, one can frequently discern the trail of a particular number as it is used first by one source, picked up by a second, and then others, particularly those reported in the general media. For this reason, figures released for individual wars and conflicts by NGOs such as the International Crisis Group, Human Rights Watch, the International Rescue Committee, the U.S. Committee for Refugees, and UN agencies have been used preferentially whenever they have been available. Figures released by one or another party to a war of conflict need to be considered with particular care. For example, Table 2 (p. 76) shows a figure for mortality in Tibet in 1956–59 of 200,000. Organizations that campaign on behalf of Tibet routinely claim that one million Tibetans were killed by Chinese government forces in 1956<sup>14</sup> or that 1.2 million Tibetans have died in “excess deaths” between 1950 and 1990. However, it has proved impossible in several approaches to the organizations using these figures to obtain documentation from them that supports these claims. Thus some figures in the compilation may be too high, while others may be too low. Evidence which became available after 1990 indicated that several entries in the original 1945–1990 tally done for the McNamara paper had definitely been too low, and some conflicts had even been omitted entirely. When evidence showed figures to be in error, these have now all been corrected. Nevertheless, for the reasons indicated above it would be wise to consider the 1945–2000 tally of 40 million to be correct to perhaps plus or minus 10–20 percent. The reason that the 1990 and 2000 tallies yield the same sum of approximately 40 million is that the 1990 tabulation included several events—with a total of almost exactly 10 million deaths—which were subsequently segregated in the current text into a separate category. This is explained further in the following pages.

There is, however, a second and perhaps even more significant reason for differences reported in academic sources or compilations, as distinguished from those reported by the general media. It is simply that various social scientists have selected different criteria for the numbers that they include. Some include *only* “battlefield deaths.” Some have *excluded* deaths caused by bombing, since those may be predominantly civilian mortality, and not deaths of combat personnel. And very many *exclude* deaths caused

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<sup>14</sup> A recent example of the number of 1 million for 1956 was a PBS/TV documentary in the United States on February 19, 2003. In support of the 1.2 million figure, John Maier, Director of the International Committee of Lawyers for Tibet, wrote “According to most non-Chinese sources, approximately 1–2 out of 6 million Tibetans have been killed since 1949 as a direct result of the Chinese invasion and occupation. Many were killed during the original struggle against the Chinese invaders. Many others died as a consequence of Chinese agricultural policies which led to severe famine in the 1950s and 1960s.” Maier additionally claimed that Tibet had never experienced famine before the Chinese invasion. Personal communication, July 17, 1991. Speaking in 1988, the Dalai Lama used a similar figure, stating that “more than a million of our people have died as a result of the occupation (since 1949).” Address to Members of Parliament, by His Holiness The Dalai Lama, Strasbourg, June 15, 1988. The famine in China in the 1960s is discussed in the text of this paper.

by starvation or disease. Restrictive criteria that serve to exclude large numbers of people that die during wars and conflicts simply produce grossly misleading conclusions regarding the consequences of the event. Conflicts that produced comparatively small numbers of battlefield or combat deaths but hundreds of thousands and even a million or more civilian casualties appear to be trivial events if only combat mortality is tabulated. Counts of dead resulting from World War II certainly include both military and civilian mortality, including deaths caused by the bombing of urban centers. The most significant and meaningful quantity is the total number of deaths caused to the nation or the warring party, military or civilian, and irrespective of what the means of killing was, whether by high explosive or by other means, and whether in active combat or not. For example, of the 2 million people that are estimated to have died in Cambodia after 1975 under the Pol Pot regime, only 80,000 to 100,000 were directly killed; all the rest died of starvation or disease resulting from policies and programs carried out by the Pol Pot administration. Non-combatant mortality is therefore included in this study. It is particularly pertinent to include deaths caused by starvation and disease during war and conflict when such deaths are a direct concomitant of the conflict. This is especially important because food denial has become an explicit and very significant strategic policy in several wars and conflicts in recent decades (Biafra, Angola, Ethiopia, Somalia, Cambodia, Sudan). It accounts for some of the highest mortalities, and that mortality is, of course, overwhelmingly civilian.<sup>15</sup>

In the past five years, several new data sets on wars and conflicts have become available, but two of them in particular suffer from the traditional deficit of compilations—and interpretations based on these compilations—that retain the criteria of the standard “Correlates of War” (COW) project that are defined by “*battle deaths*.” For example, it is possible that scarcely more than a handful of deaths in the 1994 Rwanda and in the 2003–2006 Sudan/Darfur genocides could be counted as “battle deaths.” In fact, the first of the compilations by Gleditch and colleagues, which uses a very much lower threshold of only 25 annual battle deaths in comparison with the COW threshold of 1,000 annual battle deaths, does not include mention of Rwanda in its tabulation.<sup>16</sup> This is simply a Swiftian misrepresentation of recent and current historical reality, a portrayal of “That which is not.”

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<sup>15</sup> It is for this reason that mortality figures appearing in the annual compilation on wars and conflicts in the SIPRI *Yearbooks*, particularly for the very largest numbers, are most frequently understated.

<sup>16</sup> Nils Petter Gleditch et al., “Armed Conflict 1946–2001: A New Dataset,” *Journal of Peace Research* 39:5 (2002): 615–37; Bethany Lacina and Nils Petter Gleditch, *Battle Deaths Estimates*, raw data; Lotta Harbom and Peter Wallensteen, “Armed Conflict and Its International Dimensions, 1946–2004,” *Journal of Peace Research* 42:5 (2005): 623–35.



The second and more recent study was produced by Andrew Mack for *The Human Security Report, 2005: War and Peace in the 21<sup>st</sup> Century*.<sup>17</sup> It concluded that “all forms of political violence, except international terrorism, have declined worldwide since the early 1990s.” At the same time, the study continued by pointing out that “The biggest death tolls do not come from the actual fighting, however, but from war-exacerbated disease and malnutrition. These ‘indirect’ deaths can account for as much as 90% of the total war-related death toll. Currently there are insufficient data to make even rough estimations of global or regional ‘indirect’ death toll trends.” Obviously even if the data gathered in Tables 1 and 2 below are not as accurate as it might be possible to provide with additional work, they suggest that Mack’s statement is false. More importantly, publication of the data in the *Human Security Report, 2005* without compiling information about what its authors referred to as “90 percent of the total war related death toll” by definition produces a skewed and optimistic misrepresentation.<sup>18</sup>

The third set of compilations is by Monty Marshall and Ted Robert Gurr, *Peace and Conflict: A Global Survey of Armed conflicts, Self-Determination Movements, and Democracy*.<sup>19</sup> First published in 2001, the Marshall/Gurr compilations were the first to point to a marked downturn in all forms of conflict after 1990. Although they also utilize the COW threshold in part, events such as those in Rwanda in mid-1994 do appear in their work since they also catalogue “communal conflicts.”

It is useful to pay a bit more attention to the tendency of social and political scientists to select criteria that *exclude* a major portion of the events that they are ostensibly analyzing. In 1975 *The Bulletin of the Atomic Scientists* carried an article which included a table listing “Peaceful Societies in Recent History,” in which Britain was listed as a peaceful society from 1485 to 1940.<sup>20</sup> The time span included Britain’s entire imperial period, the Napoleonic Wars, Britain’s armies fighting in North America, India,

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<sup>17</sup> *The Human Security Report, 2005: War and Peace in the 21<sup>st</sup> Century* (Oxford: Oxford University Press, 2005).

<sup>18</sup> See for example Colum Lynch, “Report Finds Combat Deaths, Armed Conflicts on the Decline,” *Washington Post*, October 18, 2005.

<sup>19</sup> Successive versions of this were published in 2001, 2003 and 2005 by the Center for International Development and Conflict Management, University of Maryland (College Park).

<sup>20</sup> Matthew Melko, “Peace, a Subject Worth Studying,” *Bulletin of the Atomic Scientists* 31, no. 4 (April 1975). The article was based on Melko’s book, *52 Peaceful Societies* (Oakville, Canada: Canadian Peace Research Institute, 1973). In the 100 years of “Pax Britannica” from the British defeat of France at Waterloo in 1815 to the start of WWI in 1914, Felix Greene listed 28 British military engagements in various parts of the globe as it established its colonial empire. Greene noted that there were only 15 years in the hundred in which British military forces were not involved in combat. Since the list included only British colonial wars, it omitted other major British military engagements such as the Crimean War of 1854–1856. Felix Greene, *The Enemy: What Every American Should Know About Imperialism* (New York: Random House/Vintage, 1970), pp. 58–59.

Egypt, the Sudan, South and Central Africa, Afghanistan, etc. This grotesque, even perverse, description was explained as follows:

To begin with, I shall consider peace to be an absence of war, revolution, or other physical conflicts among men . . . Sometimes a country, like Britain in the eighteenth century, participates in a series of external wars, while maintaining peace at home . . . So if a region or state is peaceful, I shall consider it peaceful regardless of what its government may be doing somewhere else.

That the author also seems to have excluded the civil war between 1642 and 1650 (Cromwell and the Parliamentary generals vs. Charles I and the Royalists) “at home,” which would contradict his own definition, was a minor point. Almost in the same year, in a RAND report on “International Terrorism,” there was not a single word or mention of the killings of literally tens of thousands of individuals in Argentina, Brazil, and Guatemala by semi-official moonlighting police and military groups. These were not defined as “terrorists.” Only the left-wing groups were listed. In the section on Europe, there was no discussion of Italy, in which nearly all of the terrorist groups at that time were right-wing, the left-wing ones not yet having come to the fore. In this case the authors of the RAND report wrote:

Only incidents that had clear international repercussions were included—incidents in which terrorists went abroad to strike their targets, selected victims, or targets that had connections with a foreign state (e.g., diplomats, foreign businessmen, offices of foreign corporations), or created international incidents by attacking airline passengers, personnel and equipment.<sup>21</sup>

Again, the problem was not that a definition was not presented, but that the categories were grotesquely contrived to omit by far the greater portions of the kinds of events they ostensibly pretended to have under discussion. Melko’s “peaceful” counted only killings at home: a nation’s armies could massacre as many populations as it pleased elsewhere, but nevertheless, it remained categorized as “peaceful.” RAND’s “terrorism,” on the other hand, counted only events with “relevance” away from home. There was ostensibly no “international relevance” if the Guatemalan military killed hundreds of thousands of its indigenous population.<sup>22</sup>

While the degree of contrivance exhibited in the two examples given above may be considered extreme, it is directly germane to studies of wars and conflicts, and to the attempt to provide an estimate of any one datum occurring in them, for example, mortality. The survey of comparative studies of post-Second World War wars, conflicts, and military coups referred to earlier examined the lists or numbers of

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<sup>21</sup> B.M. Jenkins and J. Johnson, *International Terrorism, A Chronology, 1968–1974*, RAND Paper R-1597-005, ARPA, March 1974.

<sup>22</sup> To indicate that such scholarly “selection” is not something restricted only to work that was done thirty years ago, in 2000 a researcher doing a study for the World Bank solicited the data presented in this study and then did not use it, using instead a very much lower number of deaths. The higher figures apparently did not suit the theoretical constructs that the researcher preferred.

post-Second World War “wars” or analogous events in some 90 different research studies.<sup>23</sup> Virtually none of these studies utilized a common set of events, since individual authors were free to set their own definitions and criteria for the inclusion of events. The number of events in different studies varied by more than a full order of magnitude, from around 30 to over 350. Yet the authors of all of these studies described them as being of nominally complete populations, not of selected samples.

The survey demonstrated the problems faced in attempting to draw conclusions from much of the research and data on wars since the Second World War. Hardly any two authors used the same definitions, criteria, or database. Categories and descriptive phrases were used in a haphazard fashion. The word *conflicts* was used in the title of this study since there have been very few declared *wars* since 1945, and different authors often use different terms for the same event. For example, if a reader looked at the *New York Times* (a source which cannot itself be considered a thorough compendium) on the morning of 7 March 1979, he would have found active fighting—whether defined as “war” or not—in Chad, between Uganda and Tanzania, between China and Vietnam, between Yemen and Democratic Yemen, by South Africa in Angola, by Zimbabwe in Zambia and Mozambique, and between Vietnam and Kampuchea. Nevertheless, more than half of these events would have been missing from most of the studies surveyed because they would not have satisfied various arbitrary criteria going back to those set out by J. David Singer and Melvin Small in *The Wages of War, 1816–1865*, and followed by many others in one fashion or another. In particular, the Correlates of War project, and the very many others that followed and used its criteria, set a threshold of 1,000 “war deaths” annually—which meant battlefield deaths—for a conflict to be included in their compilations and analyses. There were few “battlefield deaths” in Cambodia between 1975 and 1978, comparatively few in Somalia in 1990 and 1991, or in Rwanda in 1994; but it would simply be bizarre if two million dead in Cambodia, 350,000 in Somalia and 800,000 or more in Rwanda were omitted from compilations. It is for these reasons that it was decided that the tally presented here would absolutely include deaths of civilians, deaths due to bombing, deaths due to starvation, etc. It took nearly 30 years for the mainstream academic research community on wars and conflicts to face the incongruities caused by the dependence on the definitional and quantitative thresholds that were most widely used; nevertheless, as noted earlier, they were once again resurrected by *The Human Security Report, 2005*.<sup>24</sup>

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<sup>23</sup> M. Leitenberg, “Survey of Studies.”

<sup>24</sup> Several papers at an important conference, the Uppsala Conflict Data Conference, held in June 2001 and funded by the World Bank, addressed this issue: Nicholas Sambanis, “A Note on the Death Threshold in Coding Civil War Events”; Dan Smith, “Counting Wars: Research Implications of Definitional Decisions”; M.R. Sarkes and J.D. Singer, “Armed Conflict Past and Future: A Master Typology.”

In presenting the data in this study at various seminars, three questions have frequently been asked. The first is to provide an estimate for the total number of deaths in wars and conflicts for the entire 20<sup>th</sup> century. The answer is composed of the following components:

- C World War I mortality, between 13 and 15 million.
- C The Armenian Genocide of 1915, listed in a separate category below.
- C The Russian civil war of 1918–1922 and the Polish-Soviet conflict towards its end, deaths of over 12.5 million in Russia alone. (A sum that is approximately equal to the battlefield deaths of all participants in WWI.)<sup>25</sup>
- C The Mexican Revolution, 1909–1916, 1 million deaths.
- C The Spanish Civil War, 1936–1939, 600,000 deaths.<sup>26</sup>
- C Various colonial and other pre-1914 wars, approximately 1.5 million deaths.
- C World War II, deaths of between 65 and 75 million.
- C Wars/conflicts between 1945 and 2000, deaths of 41 million.

This comes to a total of between 136.5 and 148.5 million.

The second question usually asked is to provide comparative estimates of the number of people who died or were put to death in the Soviet and Chinese “gulags,” concentration or labor camps. (The number of people who died in German and Japanese concentration camps are included in the WWII totals.) In his book, *The Age of Extremes: A History of the World, 1914–1991*, Eric Hobsbawm provided a figure of 187 million “people killed or allowed to die *by human decision*” for the “short century” of just over 75 years that he examined. Hobsbawm noted that 187 million dead was equivalent to about 10 percent of the global population at the year 1900.<sup>27</sup> Hobsbawm’s category, and Brzezinski’s in somewhat different words—“by human decision”—includes such non-wartime, politically caused deaths as those in the Soviet Union between the 1920s and 1956, and in China between 1949 and 1975. The figure for the USSR is made up of two components: the forced starvation in the Ukraine and among the “kulaks” in the 1930s, and the killings and deaths in the “gulag” system of labor and concentration camps and in the various Soviet purges. The sum of deaths in these two circumstances was very conservatively estimated at roughly 35 million. Alexander Yakovlev, who has since 1989 headed the commission in the former USSR and then Russia to review the history of repression in the Soviet era, reported the exact same sum. He

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<sup>25</sup> Gregor Dallas, *1918* (London: John Murray, 2000).

<sup>26</sup> Hugh Thomas, *The Spanish Civil War* (New York, Harper and Row, 1961). Thomas’ book provides an excellent example of the data problems of deaths in wars and conflicts. If one examines a range of books on general twentieth century history one usually finds the figure of one million deaths in the war, and other estimates ranging from .75 to 1.5 million. Thomas himself quotes several extremely high estimates that were given at the time of the war, both on the Republican and the Nationalist sides. However in a special appendix he explains why these are not credible, and he goes on to present the itemized best estimates for deaths in five categories: on the battlefield, under aerial bombardment of cities, in assassinations, during imprisonment, and due to disease, both on the Republican and Nationalist sides. Adding these up he arrives at 600,000.

<sup>27</sup> Hobsbawm, *The Age of Extremes*, op cit.

calculated “that some 35 million people were killed by political terror, or deliberate starvation” in the USSR.<sup>28</sup> Insofar as various Soviet policies targeted specific national groups (Ukrainians, Tatars, Chechens, or Balts), those programs of starvation, or of exile and death, can be classed as genocides.

These are not the only estimates available. Robert Conquest settled on a figure of 14.5 deaths for the starvation portion, equally divided between the 1932–1933 Ukrainian famine and the 1930–1937 “dekulakization” campaigns to destroy an independent Russian peasantry and to replace them with agricultural collectives.<sup>29</sup> Steven Rosefielde first estimated “Excess Collectivization Deaths 1929–1933” at approximately 6 million, and “Excess Deaths 1929–1937” at 16.25 million, but subsequently reported “Adult Excess Deaths Potentially Attributable to Collectivization, The Terror, and Gulag Forced Labor” at 25.4 million according to the 1937 USSR population census, and 21.4 million according to the analogous 1939 census.<sup>30</sup> In 1990 Anton Antonov-Ovseenko estimated deaths due to starvation in 1932–33 alone at 22 million.<sup>31</sup> In 1986, Martin Walker reported Soviet figures of 18,840,000 people arrested in the USSR’s political purges between 1935 and 1941, with 7 million shot directly.<sup>32</sup> In 1988, Soviet sociologist, Igor Bestuzhev-Lada estimated that 38 to 50 million people had been “repressed” under Stalin: 19 to 25 million peasants, and “at least as many . . . political opponents from 1935 to 1953.”<sup>33</sup> In 1990 and 1994 R.J. Rummel published estimates of “61,911,000 . . . Soviet Genocides and Mass Murders, 1917–1987.”<sup>34</sup>

<sup>28</sup> Alexander N. Yakovlev, *A Century of Violence in Soviet Russia* (New Haven: Yale University Press, 2002).

<sup>29</sup> Robert Conquest, *The Harvest of Sorrow: Soviet Collectivization and The Terror Famine* (Oxford: Oxford University Press, 1986), particularly ch. 16, “The Death Toll,” pp. 299–307. See also *Famine in the Soviet Ukraine, 1932–1933. A Memorial Exhibition, Widener Library, Harvard University* (Cambridge, Harvard University Press, 1986).

<sup>30</sup> Steven Rosefielde, “Excess Collectivization Deaths 1929–1933: New Demographic Evidence,” *Slavic Review* 42, no.1 (May 1984): 83–88; and Steven Rosefielde, “Excess Mortality in the Soviet Union: A Reconsideration of the Consequences of Forced Industrialization 1929–1949,” *Soviet Studies* 35, no. 3 (July 1983): 385–409.

<sup>31</sup> Anton Antonov-Ovseenko, “Stalin bez Maski” [Stalin Unmasked], Moscow, 1990, cited in V.E. Korol, “The Price of Victory: Myths and Reality,” *Journal of Slavic Military Studies*, 92 (June 1996): 417–26.

<sup>32</sup> Martin Walker, *The Waking Giant, Gorbachev’s Russia* (New York, Pantheon Books, 1986), p. 207.

<sup>33</sup> “Soviet Sociologist on Number of Stalin’s Victims,” *Radio Liberty Research Bulletin* 32, no. 16, Issue #3481 (April 20, 1988). See also Jiri Hochman, “On ‘Excesses’ and ‘Errors’: Soviet Manipulation of Their Historical Deathroll,” in *Gorbachev’s Glasnost: Challenges and Realities*, Ladislav Bittman, ed. (Boston: Boston University, College of Communication, 1989). I have omitted from these references the estimates by Nikolai Tolstoy, Anton Antonov-Ovseyenko, and others.

<sup>34</sup> R.J. Rummel, *Lethal Politics: Soviet Genocide and Mass Murders Since 1917* (Rutgers, NJ: Transaction Publishers, 1990); and “61,911,000 Murdered: The Soviet Gulag State,” ch. 4 in *Death by Govern-*

Some Soviet Studies specialists refer to even higher estimates: for example, in a lecture given around 1983 Dr. Alex Inkles attributed the loss of 100 million Russian lives “to Lenin and Stalin.”<sup>35</sup> They arrive at such a figure by combining four categories of events, two of which are, however, included in this monograph under specific wars. The four are: (1) The Red-White civil war and the Polish conflict of 1918–1922, (2) the forced starvation of the 1920s and 1930s, (3) the Gulag, and (4) Soviet deaths during World War II. Estimates of Soviet mortality during World War II have increased in more recent studies. In 1990 Gorbachev raised the figure of 20 million that had been used during the Khrushchev and Brezhnev years to 27–28 million. However, in 1996 B.V. Sokolov published a total figure of 43.5 million deaths during World War II, 26.5 military and 17 million civilian,<sup>36</sup> Iurii Geller estimated the total at 46 million, and V.E. Korol placed the estimate at 47–48 million people.<sup>37</sup>

As for China, extremely detailed figures of mortality during the successive “rectification campaigns” were published in the post-Mao period after 1977, in nearly all instances by the Chinese government:

C	1949–54	land reform movement	4,500,000 (civilians)
C	1949–54	“suppression of counterrevolutionaries”	3,000,000 (civilians)
C	1959	“Anti-Rightists” campaign	approx. 900,000 (civilians)
C	1959–61	Great Leap Forward/starvation	30 million (civilians)
C	1965–75	“Cultural Revolution”	1,613,000 civilians and 537,000 military, totaling 2,150,000
		additional deaths in labor camps during Cultural Revolution	6,000,000

These are again conservative estimates, in some cases as little as a quarter or half of sums that have been put forward elsewhere.<sup>38</sup> In the early 1980s China released census data that indicated 22.8 million “excess

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ment, R.J. Rummel (Rutgers, NJ: Transaction Publishers, 1994).

<sup>35</sup> Personal communication, Dr. Walter C. Clemens, Jr. May 2004.

<sup>36</sup> B.V. Sokolov, “The Cost of War: Human Losses for the USSR and Germany, 1939–1945,” *The Journal of Slavic Military Studies* 9, no. 1 (March 1966): 151–93. Col. David Glantz, the editor of *The Journal of Slavic Military Studies*, suggests 35 million as a more probable figure, and I have adopted that, which raises the World War II estimate by 15 million above the number used in the first edition of this monograph. Col. David Glantz, personal communication, February 22, 2004. It is clear, however, that the estimates quoted above which are higher by yet another 10 million are supported by plausible documentation and may be correct.

<sup>37</sup> V.E. Korol, “The Price of Victory: Myths and Reality,” *Journal of Slavic Military Studies*, 92 (June 1996): 417–26.

<sup>38</sup> U.S. government estimates were that approximately 15 million people were killed in the two 1949 to 1954 campaigns, 2,250,000 in the first six months of 1951 alone. Koumintang sources in Taiwan at times quote 14 million as having been killed in pre- and post-1959 land acquisition campaigns, at other times

deaths” by starvation in 1959–61 as a consequence of Mao’s “Great Leap Forward” policies. In their own public press Chinese authorities referred to “at least 16 million deaths.” Using the same Chinese data, the U.S. Bureau of the Census recalculated the mortality as having been 28 million.<sup>39</sup> Non-government Chinese academic researchers subsequently estimated the number that starved as being still higher, perhaps 30 million or more.<sup>40</sup>

The highest estimates resulted from a study prepared by the Chinese Academy of Social Sciences in 1994 for internal use by Chinese government officials. The 581 page report that they prepared tallied mortality in a dozen of China’s repressive campaigns between 1950 and 1976, particularly the Great Leap Forward and the 1966–1976 Cultural Revolution, in the city of Fengyang and its surroundings in Anhui province. The research group that prepared the study then extrapolated the very detailed estimates they obtained for the single region and province to the rest of China. It resulted in an estimate of as many as 80 million deaths resulting from Chinese government policies under Mao Zedong between 1950 and 1976.<sup>41</sup> Although the sum for China therefore may be as high as 80 million, I have used the total for the figures shown in the list above, which add up to slightly more than half that amount, 46,550,000 deaths. One should also note that the 1997 volume, *The Black Book of Communism*, which surveyed the regimes and events in the USSR, China, North Korea, Vietnam, Cambodia, Laos, Afghanistan, and the East European states between 1950 and 1990 under communist rule, estimated that 85 to 100 million people were killed

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15–30 million dead in the same campaigns [“Message of President Chiang Kai-shek to the Chinese People,” *Free China Review* 21, no. 11 (November 1971): 68–76]. “The Human Cost of Communism in China,” a study prepared for the Committee on the Judiciary of the U.S. Senate in 1971, estimated that between 32 and 61 million people had been killed between 1949 and 1970. That sum does not include any number for deaths during the 1959–1961 “Great Leap Forward” starvation. Soviet figures quoted 26.4 million people as having been killed between 1949 and 1965, again apparently omitting the 1959–1961 starvation (Radio Moscow, April 7, 1969). R.J. Rummel claimed 38.7 million people had been “murdered . . . by the Chinese communists” (R.J. Rummel, *China’s Bloody Century: Genocide and Mass Murder Since 1900*, New Brunswick, NJ: Transaction Publishers, 1991). In addition, higher estimates than the 6 million used above for the number that died in Chinese labor camps “by starvation” reach 20 million.

<sup>39</sup> John S. Aird, “Recent Demographic Data From China: Problems and Prospects,” in *China Under the Four Modernizations, Part I*, Joint Economic Committee, United States Congress, August 13, 1982, pp. 171–223; Judith Banister, “An Analysis of Recent Data on the Population of China,” *Population and Development Review* 10, no. 2 (June 1984): 241–71; and Judith Banister, *China’s Changing Population* (Stanford: Stanford University Press, 1987).

<sup>40</sup> Jasper Becker, *Hungry Ghosts: Mao’s Secret Famine* (New York: Free Press, 1997).

<sup>41</sup> Daniel Southerland, “Repression’s Higher Toll; New Evidence Shows Famine, Violence Spared Few,” *Washington Post*, July 17, 1994. (The first of two articles titled “Uncounted Millions: Mass Death in Mao’s China.”)

by these governments, collectively.<sup>42</sup> It finally remains to enter the sums fitting this category for North Korea. The estimates for mortality in the famine caused by government policies in North Korea in the last half of the 1990s varies between 600,000 and 2.65 million people,<sup>43</sup> while the estimate of the number of those who died in the North Korean Gulag between 1970 and 2000 is 400,000.<sup>44</sup>

However, one must still add 1 million for the Armenian genocide of 1915, and the deaths due to forcible enslavement in the Congo Free State between 1900 and 1908, which total 4 million people.<sup>45</sup> (I have arbitrarily placed the 1975–78 sum of 2 million for Cambodia in the wars/conflicts group, rather than in the “by human decision” group.) Adding 35 million (USSR), 46.5 million (China), 4 million (Congo), 2.4 million (North Korea), and 1 million (Armenia) produces a total of 89 million deaths, with

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<sup>42</sup> Stephane Courtois et al. *The Black Book of Communism: Crimes, Terror, Repression* (Cambridge, Harvard University Press, 1999). The original French language edition was published in 1997.

<sup>43</sup> Andrew S. Natsios, *The Great North Korean Famine* (Washington, DC: U.S. Institute of Peace Press, 2001); Andrew Natsios, “The Politics of Famine in North Korea,” U.S. Institute of Peace, August 2, 1999; “The Food Crisis of North Korea: Witnessed by 605 Food Refugees,” Korean Buddhist Sharing Movement, Seoul, South Korea, 1988; Hazel Smith, “Overcoming Humanitarian Dilemmas in the DPRK (North Korea), U.S. Institute of Peace, Special Report #90, July 2002. In 2003 and 2004, Natsios used the figure of 2.5 million, while Marcus Noland in 2003 presented data from several studies which he believed supported a more likely figure between 600,000 and 1 million. Marcus Noland, *Famine and Reform in North Korea*, Working Paper 03-5 (Washington, DC: Institute for International Economics, 2003), pp. 12–13.

<sup>44</sup> Suki Kim, “Inside North Korea,” *New York Review of Books* 50, no. 2 (February 13, 2003): 18. Carl Gershman, “North Korea’s Human Catastrophe,” *Washington Post*, April 17, 2003.

<sup>45</sup> What would after 1945 be termed genocide began in the Congo Free State in 1885 and lasted until 1908, producing an estimated 10 million deaths. I have taken a proportional sum (40%) of the total estimated deaths, only for the years 1900 to 1908, to fit the categorization of “in the Twentieth Century.” See Adam Hochschild, *King Leopold’s Ghost: A Story of Greed, Terror and Heroism in Colonial Africa* (New York: Houghton-Mifflin, 1998). Hochschild’s book, in addition to its superb history of the atrocities of King Leopold’s Congo enterprise, included several interesting parallels to events that would take place many decades later. One was a reference to Article 6 of the Act of Berlin, signed by the European powers in regard to their colonies, which states “In the name of the Almighty God: All the Powers exercising sovereign rights, or having influence in the said territories, undertake to watch over the preservation of the native races, and the amelioration of the moral and material conditions of their existence.” A second was a *Punch* cartoon dating from 1905, showing King Leopold in conversation with the Sultan of Turkey, who had been condemned for massacres of Armenians:

“Leopold: Silly fuss they’re making about these so-called atrocities in my Congo property.

Abdul: Only talk, my dear boy, they won’t do anything. They never touched me.”

The third was another *Punch* cartoon dating from 1909. It portrayed a “Congo slave driver” whipping a chained and naked African on the steps of a building with signboards reading “European Hall of Deliberation: Congo Atrocities Debate.” The cartoon was captioned “The Guilt of Delay.” The third cartoon also appears to foretell events that would take place 90 years later in Africa as well.



the recognition that the actual number may very well be much higher. Adding that number to the “wars and conflicts” sum for the twentieth century of 136.5 to 148.5 million deaths produces a total of 225.5 to 237.5 million deaths—say 231 million—rather than Hobsbawm’s figure of 187 million for “politically caused” deaths in the entire 20<sup>th</sup> century.<sup>46</sup>

The third question pertains to estimates of deaths attributed to “structural violence,” a concept that stipulates excess mortality in developing nations due to poverty and environmental distress: disease, malnutrition, contaminated water, etc., in comparison to the mortality for the same age cohort in advanced industrial states. An attempt to answer this in quantitative terms was made some years ago, and is therefore not dealt with further here except to indicate that in 1978, the estimate of “excess deaths” mortality in developing nations was estimated at 12–13 million per year, and in 1993 at 14 million.<sup>47</sup> By 2000, the figure had probably increased to 17–18 million per year. In 2003 the United Nations Development Programme (UNDP) estimated this sum to be 25 million per year. (A further extended note relevant to this question appears on page 81 following the sources for table 2.)

It is clear that the magnitude of the figures for deaths in wars and conflicts between 1945 and 2000 is governed largely by a small fraction of the events in which deaths reached one million or more. The first of these is 6,200,000 for the end of China’s civil war between 1945 and 1949 (some estimates are as high as 10 million). The Korean War follows with 4.5 million, Indochina with 3.5 million between 1961 and 1975, the Nigeria-Biafra civil war with 2 million in 1969–1970 and Sudan with 2 million between 1983 and 2000, 1.75 million in the Congo, 1.5 million in Bangladesh in 1971, and 7–8 others in the range of 1 million. These alone comprise roughly half of the total.

If one excludes the number of deaths in several major wars in which Western states fought or intervened in developing nations, such as the Korean War, France in Indochina and Algeria, and the United States in Indochina, one sees that the next significant group might be called “the great domestic slaugh-

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<sup>46</sup> In their book released in June 2001, *Wilson’s Ghost, Reducing the Risk of Conflict, Killing and Catastrophe in the 21<sup>st</sup> Century* (New York: Public Affairs, 2001), Robert McNamara and James G. Blight state that “Over 160 million people died in war during the twentieth century.” I had made a copy of my totals as of 1995 available to McNamara, plus the commentary on Hobsbawm’s category, and as he used the 160 million sum almost immediately afterward on another occasion, it would appear that he conflated the two numbers and split the difference.

A documentary film, *Aftermath: The Remnants of War*, produced in 2002 and based on the book by Donovan Webster, referred to the 20<sup>th</sup> century as “the most violent in all of human history” but used the low death toll of only “more than 100 million” for the 20<sup>th</sup> century, less than half the actual total.

<sup>47</sup> Charles Zimmermann and Milton Leitenberg, “Hiroshima Lives On: Deaths Caused by Lack of Development,” *Mazingira: The World Forum for Environment and Development*, Issue #9 (1979): 60–65. (*Mazingira* is the journal of the United Nations Environment Program. The first half of the paper’s title is inappropriate, and was placed on the paper by the journal’s editors without the authors being informed of the alteration of their own title.)

ters.” Between 1955 and 2000, 13 out of 19 of these events took place in Africa (see table below), with a death total of 12.25 million. As an author ironically commented “Deaths are counted one by one in the Middle East...Africa...doesn’t benefit from the same kind of attention.”<sup>48</sup> Nine of the ten conflicts with the highest death tolls that took place in the 1990s occurred in Africa.<sup>49</sup>

**Table 1**  
**War-Related Deaths, 1955 – 2000, Selected Countries**

<b>Country</b>	<b>Years</b>	<b>Estimated Deaths</b>
Sudan	1955–1972	750,000
Indonesia	1965	ca. 400,000–450,000
Nigeria/Biafra	1967–1970	1 million civilian plus 1 million military
Bangladesh/East Pakistan	1971	1 million civilian plus 500,000 military
Uganda [Idi Amin]	1971–1978	ca. 300,000
Burundi	1972	ca. 250,000
Indonesia/East Timor	1975–1980	ca 100,000 (out of a population of 2 million)
Cambodia/Khmer Rouge	1975–1978	1.77 million, of which ca. 90,000 murdered
Angola	1980–1988	ca. 700,000
Mozambique	1980–1988	ca. 1 million (1989 UN figure was 900,000)
Uganda [Obote]	1981–1985	ca. 300,000
Sudan	1983–2000	2 million (as of April 2001)
Iraq/Kurds	first half 1988	ca. 100,000 killed in a pure WWII Nazi mobile unit-style extermination campaign (Since 1970, the campaign destroyed 3,000 Kurdish villages and displaced 1.5 million Kurds.)
Somalia	1991–1992	350,000 died due to starvation and warfare; 1.5 million refugees
Bosnia/Yugoslavia	1992–1995	ca. 200,000
Angola	1993–1994	over 100,000. In September 1994, a UN Secretary General’s Report quoted a “death rate” of 1,000/day, or over 300,000/year, “the highest of any conflict in the world.” Two million refugees.
Burundi	October 1993	ca. 200,000
Rwanda	1994	800,000; 4 million refugees (In December 2001 the Rwandan government reported this number to have been 1.07 million.)
Zaire/Congo	1997–April 2003	1.75 million (Between 3.3 and 4.7 million have been killed or died of starvation due to fighting in the Congo in the time span indicated: to remain within “the 20 <sup>th</sup> Century,” only a portion of that sum is counted here.)
<b>TOTAL DEATHS</b>		<b>Approximately 15 million</b> <sup>50</sup>

<sup>48</sup> Jacques Norlain, “The Need for a Global Vision of Peace on the Continent,” *African Geopolitics*, no 7–8 (Fall 2002).

<sup>49</sup> Virgil Hawkins, “Measuring UN Security Council Action and Inaction in the 1990s,” *African Security Review*, 12:2 (2003): 61–71.

<sup>50</sup> For sources, see Table 2.

### And After the Numbers, There Is the Question “Why?”

This cannot be the place to attempt an essay on the causes of wars in the post-WWII period. There are thousands of books dealing with various wars since 1945, and there may be as many as a thousand on the wars in Indochina alone.<sup>51</sup> However, some useful observations can be made about the international response to at least some of these. The place to begin would be with the 1948 United Nations Convention on Genocide (formally, the Convention on the Prevention and Punishment of the Crime of Genocide), which was adopted by the UN General Assembly on December 9, 1948, and entered into force on January 12, 1951. The first three articles of that Convention read as follows.

#### Article I

The Contracting Parties confirm that genocide whether committed in time of peace or in time of war, is a crime under international law which they undertake *to prevent* and *to punish* (author’s emphasis).

#### Article II

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

#### Article III

The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide.

Notably there are no quantitative thresholds set for the behaviors listed under Article II.

The first genocide of the 20<sup>th</sup> century was carried out between 1904 and 1908 against the native Herero population in South West Africa by a German expeditionary force.<sup>52</sup> The German military commander, Lothar von Trotha, issued an order saying that all Herero men, women, and children would be pursued to the death, specifically stating that Germany was involved in a “race war.” On becoming publicly known, the order caused a domestic and an international outcry, and was officially revoked two weeks later by the German Kaiser. Nevertheless, the policies that General von Trotha had articulated were

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<sup>51</sup> Richard Dean Burns and Milton Leitenberg, *The Wars in Vietnam, Cambodia and Laos, 1945–1982; A Bibliographic Guide* (Santa Barbara: ABC-Clio Press, 1984).

<sup>52</sup> The sources in footnote 53 were kindly supplied by Dr. Eric Weitz, whose new book, *A Century of Genocide: Utopias of Race and Nation* (Princeton: Princeton University Press, 2003), provided the reference to the German-Herero history.

pursued in practice in the field. The commonly accepted figure is that about 60 percent of the Herero population was killed. Any figures are estimates because no one knows the size of the Herero population before the war. The population estimates range from 35,000 to 100,000. In the first official census of 1911, after the war, German officials counted 15,130 remaining Herero.<sup>53</sup> A volume published in 2002 by a Namibian exile claims that 85,000 out of 100,000 Herero died between 1904 and 1907. It also reports that German forces attacked two other indigenous tribal groups, the Damara and Nama, and caused the deaths of 10,000 out of 20,000 Nama during the same years.<sup>54</sup>

Many Herero died not only from direct military engagements but also from the horrendous conditions in the concentration camps, and from thirst and starvation after being driven into the Omaheke desert. Concentration camps had already been developed by King Leopold in the Belgian Congo, and they were also used by the British during the British-Boer War in South Africa between 1899 and 1902. The German concentration camps for the Herero remained in operation until 1908. All the authors of recent German scholarly work on the events explicitly label them as a genocide. In 2004 the German government officially took the same position. On August 14, 2005, Heidemarie Wieczorek-Zeul, the German Federal Minister for Economic Cooperation and Development, spoke at the 100<sup>th</sup> anniversary commemoration of the 1904 Herero uprising in Namibia. She described the “war of extermination...and annihilation in Germany’s name,” and added that “The atrocities committed at that time would today be termed genocide.”<sup>55</sup>

Almost exactly 50 years later, Great Britain duplicated the German/Herero experience in what was called the “Mau Mau” rebellion in Kenya. Officially 11,000 Kenyans died in British detention camps, although a new study of the conflict indicates that the number was very much higher. Documentary evidence apparently is unavailable, and the true figure may never be known. But demographic estimates suggest that between 100,000 and 300,000 people died in the British camps. This took place less than ten years after the European Holocaust and the discovery of the Nazi concentration camps. The Mau Mau rebellion was an independence movement to end British colonialism, but British officials rationalized the camps and the conditions in them by constant reference to Mau Mau “terrorists.” The actual name of the

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<sup>53</sup> These figures are from Gesine Krueger, *Kriegsbewältigung und Geschichtsbewusstsein: Realität, Deutung und Verarbeitung des deutschen Kolonialkriegs in Namibia 1914–1907* (Göttingen: Vandenhoeck and Ruprecht, 1999), pp. 63–64. See also Jan-Bart Gewald, *Herero Heroes* (Athens: Ohio University Press, 1999); Jürgen Zimmerer, *Deutsche Herrschaft über Afrikaner* (Hamburg, 2002); and Jürgen Zimmerer and Joachim Zeller, eds., *Völkermord in Deutsch-Südwestafrika* (Berlin: Links, 2003).

<sup>54</sup> Keshi Pelao Nathanael, *A Journey to Exile: The Story of a Namibian Freedom Fighter* (Aberystwyth: Sosiumi Press, 2002), p. viii.

<sup>55</sup> “The Atrocities Committed Would Today be Termed Genocide,” *Development and Cooperation* 31:10 (October 2004): 392–93.

organization, whose members largely belonged to the Kikuyu tribe, was the Land and Freedom Army. Exactly 32 white settlers were killed during the rebellion.<sup>56</sup>

The widely-invoked phrase of “Never Again” following the WWII Holocaust—which could be considered a historic vow—nevertheless proved to be empty rhetoric and bankrupt as a policy on which any state was prepared to act, with the exception of the select cases in the 1990s of Somalia, Bosnia, and Kosovo, and in those cases after long delays, at times of years. And when responses that did serve to terminate the killings finally were made in these instances, they occurred as much for extraneous political reasons as for the genocides themselves. Several illustrative examples can be given. In every case, there are two sets of decision-makers: first, the initial perpetrator who *decides* to make war—to kill and starve civilians, whether it includes genocide or not—and then the rest, who decide to look on, observe, read diplomatic cables describing what is taking place, and *decide* to do nothing.

### *Somalia*

*In December 1990* the International Committee of the Red Cross had already criticized the United Nations for its absence from Somalia and its lack of activities there. The UN had pulled its staff out, UN Undersecretary Jonah later explained, because it could not get insurance for them in the conflict zone. *In January 1991* Andrew Natsios, a senior U.S. Agency for International Development official who was responsible for emergency relief operations and was the U.S. government’s coordinator for responses to developments in Somalia, testified before a U.S. Congressional committee and said that “Somalia was the greatest emergency in the world.” He reported that the death rate due to starvation was by then 1,000 per day, and suggested that that was a sufficiently high number to be a criterion for a major preventative effort. Natsios had by then also begun urging such an effort within the U.S. administration. *In March 1991* the President’s National Security Advisor asked Fred Cuny, who had just planned the logistics and procedures for the U.S. Provide Comfort operation in Northern Iraq, to draft a plan for an analogous U.S. mission in Somalia. The Chairman of the Joint Chiefs of Staff, General Colin Powell, and the Joint Chiefs opposed any United States involvement, and the plan was not adopted.<sup>57</sup> After months of negotiations with local parties in 1991, which permitted the UN to place 500 Pakistani troops in Mogadishu, the capital city of Somalia, the United Nations was itself paying 2,000 Somalis belonging to clan militias to—in effect—keep the 500 Pakistanis under guard and confined to quarters. The payments were, of course, for other reasons: they were for the Somali irregulars to “protect” the NGOs distributing food. But 80 percent

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<sup>56</sup> Caroline Elkins, *Imperial Reckoning: the Untold Story of Britain’s Gulag in Kenya* (New York: Owl Books/Henry Holt, 2005).

<sup>57</sup> This information is based on interviews with Fred Cuny, and personal memoranda that he provided to the author several weeks before he was killed in Chechnya in 1995.

of all the food aid being brought into the country was being stolen by these same Somali “protectors” and the militias, many of which were one and the same.

*In July 1991* a conference of the Somali warring parties was held in Djibouti, after which a message was sent to UN Undersecretary Jonah: “We have done what we can as intermediaries; the UN must now step in.” The reply was, in essence, “We are sorry, it is too complicated a problem for us.” Later, in January and February 1992, Jonah and a deputy made two day-trips to Mogadishu and were given Potemkin tours by General Aideed, and in the spring of 1991 the UN bureaucracy had spent three months looking for an authority in Somalia to provide a permission to carry out a single aid delivery contract. *In July 1991* Cuny was again requested by the U.S. National Security Council to draft another plan for a rapid U.S. humanitarian food mission, and was specifically told that it was to be ready for announcement before the Republican Presidential Convention in the fall. The plan was again rejected because of the opposition of the Joint Chiefs of Staff; instead President Bush authorized a U.S. airlift for August, also against their opposition. The mockery of what had been occurring with UNOSOM I in Mogadishu for months under UN Resolutions 751 and 767 strongly contributed to the August decision. For much of the year UN Secretary General Boutros-Ghali pleaded, privately and publicly, for the major powers and the UN Security Council to intervene in Somalia, and criticized them for their disinterest in Africa in contrast to Yugoslavia. By September 1991 the death rate in Somalia was 2,000 per day.

*On September 16, 1992* Holly Burkhalter testified to a U.S. Congressional Committee on behalf of Human Rights Watch, saying,

It seems to me a great tragedy and a scandal that things have to get to the point of *2,000 deaths a day* for the people that really make decisions in this town to notice that something is desperately wrong. Because Andrew Natsios and others were calling this the worst humanitarian disaster in the world 10 months ago. The UN has known what the problems are. Indeed, the Secretary General of the UN has been begging on his knees for the last year for attention to Somalia. What took us so long?<sup>58</sup>

*Following the November 1992 U.S. Presidential elections*, in a matter of days during several National Security Council meetings, the deployment of U.S. forces in a multinational mission under UN authorization was agreed to. This force would become UNITAF, operating under UN Resolution 794, with Chapter VII authority to use force. The U.S. Joint Chiefs of Staff finally agreed on the condition that there would be no similar United States role in a UN operation in Yugoslavia. Several other countries had reportedly rejected UN Secretary General Boutros-Ghali’s earlier requests that they should lead such a mission. The UN reported the death rate in Somalia at this point as 3,000 per day. Already 300,000 to 350,000 people had died: around 250,000 by starvation, and the remainder in inter-clan warfare. The U.S. Department of State actually used estimates that were higher by 100,000 or more. Peter Tarnoff, Under-

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<sup>58</sup> Holly Burkhalter, House Committee on Foreign Affairs, Subcommittee on Africa, Hearing on “The Crisis and Chaos in Somalia,” 102<sup>nd</sup> Cong, 2<sup>nd</sup> Sess., 16 September 1992, pp. 30–33.

Secretary of State for Political Affairs, testified to Congress that “It is our estimate that in the year preceding the arrival of US forces in December 1992, the figures were somewhere between 400,000 and 500,000 people had died in country. We cannot be sure of those estimates, but that is the approximate figure.”<sup>59</sup> The estimates also predicted that in the absence of external military intervention 1.5 to 2 million people might die in Somalia in the year to follow. All this was due to fighting among low numbers of exceedingly poorly armed, essentially civilian militia units, primarily in Mogadishu, and the confiscation by these tribally-affiliated irregulars of the unprotected food aid being shipped to Somalia. The effort required at any time by any serious international military contingent to suppress these irregular groups would have been comparatively trivial. When U.S. forces finally intervened in mid-December 1992 without any bloodshed, 30 nations suddenly promised to send forces, and 17 of them had forces on the ground in Somalia in a matter of days.

### *Yugoslavia*

International coverage of the wars in the former Yugoslavia, particularly in Bosnia, was voluminous, detailed, and explicit.<sup>60</sup> It made no difference for four gruesome years, until a potentially fatal loss

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<sup>59</sup> *US Participation in Somalia Peacekeeping*, Hearing, Committee on Foreign Relations, United States Senate, 103<sup>rd</sup> Congress, 1<sup>st</sup> Session, October 19–20, 1993, p. 33.

<sup>60</sup> Milton Leitenberg, “Media and Genocide: Are Public Media Useful for Early Warning or Creating Political Will for Early Response,” in *Violent Crime and Conflict: Toward Early Warning and Prevention Mechanisms* (Milan: ISPAC/UN, 1998).

Dozens of books and many hundreds of monograph studies and academic journal articles have been written regarding the events in Yugoslavia since fighting broke out. I have listed here what I consider to be the best sources: Laura Silber and Allan Little, *Yugoslavia: Death of a Nation* (London: Penguin/BBC Books, 1996); Warren Zimmerman, *Origins of a Catastrophe: Yugoslavia and Its Destroyers* (New York: Times Books, 1996); Richard Ullman, ed., *The World and Yugoslavia's Wars* (New York: Council on Foreign Relations, 1996); Peter Gow, *Triumph of the Lack of Will: International Diplomacy and the Yugoslav War* (New York: Columbia University Press, 1997); David Own, *Balkan Odyssey* (New York: Harcourt Brace and Co., 1995); *War Crimes in Bosnia-Herzegovina*, Vols. I and II (New York: Helsinki Watching/Human Rights Watch, August 1992 and April 1993); “Bosnia-Herzegovina: The Fall of Srebrenica and the Failure of UN Peacekeeping,” *Human Rights Watch/Helsinki Report* 7, no. 13 (October 1995): 1–58; Nedzib Sacirby, “The Genesis of Genocide: Reflection on the Yugoslav Conflict,” *The Brown Journal of World Affairs* 3, no. 1 (Winter–Spring 1996): 341–52; David Rieff, *Slaughterhouse: Bosnia and the Failure of the West* (New York: Simon and Schuster, 1995); Warren Zimmerman, “The Last Ambassador: A Memoir of the Collapse of Yugoslavia,” *Foreign Affairs* (March–April 1995): 1–20; Leo Tindemans, et al., *Unfinished Peace: Report of the International Commission on the Balkans*, Aspen Institute Berlin/Carnegie Endowment for International Peace, 1996; David Rohde, *Endgame: The Betrayal and Fall of Srebrenica, Europe's Worst Massacre Since World War II* (New York: Farrar, Straus and Giroux, 1997); Roy Gutman, *A Witness to Genocide* (New York: Macmillan, 1993); Susan L. Woodward, *Balkan Tragedy: Chaos and Dissolution After the Cold War* (Washington, DC: Brookings Institution, 1995); Jane M.O. Sharp, *Honest Broker or Perfidious Albion? British Policy in Former Yugoslavia*

of credibility to both NATO and the United Nations was at stake. Even then, it was the potential risk to a U.S. presidential election that finally forced a denouement. And there had been no lack of advance warning to the EU, the CSCE, the UN, and to individual nations. U.S. Ambassador Zimmerman had reported and then publicly described the prewar meetings of the Serbian and Croatian presidents, Slobodan Milosevic and Franjo Tudjman, attempting to come to an agreement over outspread maps on how to divide up Bosnia between them. These meetings were also known to several other western ambassadors, and duly reported to their home capitals.

On December 9, 1992, the UN Secretary Council unanimously stated that it was “particularly alarmed by reports that the Serb militia . . . are forcing the inhabitants of Sarajevo to evacuate the city. If such attacks and actions continue, the Security Council will consider, as soon as possible, further measures against those who commit or support them.”<sup>61</sup> It was the umpteenth such Security Council “warning.” In no case was any action taken beyond yet another Security Council “consideration,” which took several weeks of political organizing to achieve, and resulted only in another empty “warning.” On January 10, 1993, French Foreign Minister Roland Dumas announced that France was “prepared to act alone if necessary to liberate by force Bosnian prisoner camps where civilians are reported to have been raped and tortured;” other French officials added, however, “only under UN sanction.”<sup>62</sup> No one else joined the offer, UN Secretary General Boutros-Ghali expressed his opposition, and within a day or two France withdrew its proposal.

All of this ineffectuality by the UN was matched only by the most brazen, disdainful lies on the part of the Serbian forces fighting in Bosnia. After 1,500 emaciated Muslim prisoners were found in a Serbian concentration camp that Serbian militia claimed did not exist, the Serbian camp commander said that “It is necessary for humanitarian purposes to protect these people . . . they were in danger of being killed by their own people . . . Most of them are here as though they are on a picnic.”<sup>63</sup> As late as February 1993, Serbian forces were claiming that the artillery on the heights overlooking Sarajevo was not theirs, or alternatively, not firing. Others quickly learned that blatant lies were tolerated: Croat forces in mid-February 1993, standing amid the burned out houses of a Muslim village in Bosnia that they had just

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(London: Institute for Public Policy Research (IPPR), December 1997).

<sup>61</sup> Stanley Meisler, “Report by UN Chief Urges Sending Troops to Macedonia,” *Los Angeles Times*, December 10, 1992.

<sup>62</sup> Robert Mauthner and Alice Rawsthorn, “Peace Talks Remain Deadlocked; France May Use Force Over Camps in Bosnia,” *Financial Times*, January 11, 1993.

<sup>63</sup> Peter Maass, “Illusory Serb Prison Camp Materializes; Hundreds Held at Bosnian Facility That Militia Said Did Not Exist,” *Washington Post*, August 27, 1992.



occupied and which they had systematically razed, smiled coyly and claimed that the Muslims had burned down their own homes “because they use candles.”<sup>64</sup>

On February 10, 1993, long after the fighting had begun and information regarding Serbian atrocities was well known, U.S. Secretary of State Christopher stated:

We cannot ignore the human toll. Serbian “ethnic cleansing” has been pursued through mass murders, systematic beatings and rapes of Muslims and others, prolonged shelling of innocents in Sarajevo and elsewhere, forced displacement of entire villages, inhumane treatment of prisoners in detention camps, and the blockading of relief to sick and starving civilians. Atrocities have been committed by other parties as well. Our conscience revolts at the idea of passively accepting such brutality . . . The world’s response to the violence in the former Yugoslavia is an early and crucial test of how it will address the concerns of ethnic and religious minorities in the post-Cold War world. That question reaches throughout Eastern Europe. It reaches to the states of the former Soviet Union . . . The events in the former Yugoslavia raise the question of whether a state may address the rights of its minorities by eradicating those minorities to achieve “ethnic purity.” Bold tyrants and fearful minorities are watching to see whether “ethnic cleansing” is a policy the world will tolerate.<sup>65</sup>

The first paragraph of Secretary Christopher’s statement can almost be taken as an operational paraphrase of “genocide.” Nevertheless, within three months the Secretary’s rhetoric and U.S. policy had turned to phrases about “quagmire,” and to total U.S. non-involvement. Secretary of State Christopher embarked on a 200-day long period in which he personally saw to it that no response was made to repeated requests by Congressman Frank McCloskey to elicit a statement from the U.S. Department of State as to whether genocide was taking place in Bosnia. Christopher would offer no more than that the acts by the Serbs were “almost indescribable,” “an atrocious set of acts,” and “tantamount to genocide.”<sup>66</sup> Christopher would repeat the same behavior a year later when the events in Rwanda occurred, forbidding U.S. Department of State officials for several months from categorizing them as Genocide.

In 1938, Neville Chamberlain made his notorious comment regarding Germany’s demands of Czechoslovakia, that it concerned “a quarrel in a far away country between people of whom we know nothing.” In January 1980, German Chancellor Helmut Schmidt, irritated at the Carter administration’s response to the Soviet invasion of Afghanistan, a rather mild response which he nevertheless felt was excessive and was made too quickly, ironically echoed these words in saying that Afghanistan was “a

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<sup>64</sup> Recorded by Independent TV (UK); shown on PBS-TV in the United States in mid-February 1993.

<sup>65</sup> U.S. Department of State press release, Secretary of State Warren Christopher’s press conference and statement, “New Steps Toward Conflict Resolution in the former Yugoslavia,” 10 February 1993, U.S. Department of State Bureau of Public Affairs, Washington, DC.

<sup>66</sup> This sequence of events is described in detail in Samantha Power, *“A Problem From Hell”:* *America and the Age of Genocide* (New York: Basic Books, 2002), pp. 296–306, 318–27.

small country, far away.”<sup>67</sup> And now it was U.S. Secretary of State Christopher’s turn: on May 25, 1993, just three months after his February speech, Secretary Christopher described the war in Bosnia “as a humanitarian crisis a long way from home, in the middle of another continent.”<sup>68</sup>

Once the UN had designated six Bosnian cities as “safe havens,” and did nothing to carry out dozens of resolutions passed by its bodies, the world watched a succession of four years of utterly scandalous and disgraceful behavior by the great powers, by the EU, by NATO, and by the UN. Secretary Christopher was no longer concerned that “bold tyrants and fearful minorities” were watching.

By January 13, 1993, UN officials stated that 250,000 shells had been fired on the city of Sarajevo alone since the siege of the Bosnian capital had begun. On one single day (December 6, 1992) UN military observers counted 1,500 shells falling on the Sarajevo suburb of Otage. Every day the shells were “observed”: counted, recorded, reported, and the sums given to the press. They were well reported in the media, published in the press and referred to on TV. *Each* shell can also be considered a *late* “warning.” They were irrelevant to any UN or coalition response. In effect, by that mid-way date, the decision had been taken 250,000 times to do nothing, simply to watch. Pictures of emaciated and tortured concentration camp inmates in Europe were once again widely seen, in Europe and all over the world, on TV and in the press, while the occupants were still in the camps. The UN Secretary General’s Special Representative, Yasushi Akashi, and the military commanders, Generals Rose (UK) and Morillion (France), successively accommodated Serbian demands, and let the fighting and killing go on. When Gorazde and Srebrenica, two of the UN’s six designated “safe haven” cities, were overrun by Serbian forces, General Janvier (France) persistently refused to call in air-strikes, which local (Dutch) military commanders repeatedly requested, to protect either the UN forces or the cities and their civilian inhabitants. Instead the British and Dutch governments asked to withdraw their forces from the two respective cities. Between 1991 and 1995, for different reasons at different times, the United States, British, and French governments refused to undertake a coordinated military response, and the USSR and then Russia actively supported Serbia. It was widely understood that the vaunted “humanitarian” effort the Western governments supported was being carried on so as to *avoid* a military response to the killing and genocide. Speaking to the North Atlantic Assembly in May 1995, U.S. Assistant Secretary of State Richard Holbrooke stated that “the failure to respond properly in the first phase of the Yugoslav tragedy [was] the greatest collective failure of the West since the 1930s. . . .”<sup>69</sup> The Cambridge historian Brendan Simms went so far as to argue that

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<sup>67</sup> Chancellor Schmidt’s remarks were made during an airport tarmac interview; author’s notes, Swedish evening TV News, January 1980.

<sup>68</sup> Interview with U.S. Secretary of State Warren Christopher, *Nightline*, ABC-TV, 25 May 1983, quoted in Samantha Power, “*A Problem from Hell*”, op. cit., p. 306.

<sup>69</sup> Statement by Richard C. Holbrooke Before the North Atlantic Assembly, Budapest, May 29, 1995.

during the years 1992 to 1995, the British government's policy was pro-Serbian to the degree of utilizing various mechanisms to block any meaningful intervention in Bosnia, extending the duration and severity of the war.<sup>70</sup> In the spring of 2003 Tony Judt concurred, "In the course of the 1990s the British steadfastly blocked efforts at the UN to implement military intervention against Milosevic, while French generals on the ground simply ignored orders, with the covert backing of their government."<sup>71</sup> That French military commanders of the UN forces in Bosnia spoke regularly with the Quai d'Orsay, France's Ministry of Foreign Affairs, which was openly pro-Serb, was widely known at the time. UN Secretary General Boutros-Ghali, as well as his Special Representative in Bosnia, Yasushi Akashi were similarly pro-Serb in their sympathies.

When a U.S.-led NATO intervention finally occurred to end this debacle, after the massacre by Serb military forces of a column of 7,000 or more Muslim men fleeing Srebrenica, one of the United Nations' declared "safe havens,"<sup>72</sup> it was because NATO's credibility was at stake, and because of the relation of the events to the timing of the forthcoming U.S. presidential election in November 1996. But the intervention still could not take place under United Nations auspices, for the same reason that the intervention in Kosovo several years later could not; Russia's threatened veto in support of Serbia made it impossible to obtain UN Security Council authorization for the action despite the patently clear relevance of the UN Genocide Convention.<sup>73</sup> Four years later, after a change of government in the UK, it was Prime Minister Tony Blair who was instrumental in convincing the Clinton administration to oppose Serbian forces on the ground in Kosovo.<sup>74</sup>

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<sup>70</sup> Brendan Simms, *Unfinest Hour: Britain and the Destruction of Bosnia* (London: Allen Lane, 2001).

<sup>71</sup> Tony Judt, "The Way We Live Now," *New York Review of Books* 50, n. 5 (March 27, 2003): 6.

<sup>72</sup>See J.C.H. Blom et al., *Srebrenica—A "Safe" Area: Reconstruction, Background, Consequences and Analyses of the Fall of a Safe Area*, Netherlands Institute For War Documentation (NIOD), 2002; and Ivo H. Daalder, *Getting to Dayton: The Making of America's Bosnia Policy* (Washington, DC: Brookings Institution Press, 2000).

<sup>73</sup>*Lessons of Kosovo*, Report of the House of Commons (UK) Defense Select Committee, 23 October 2000; Ivo H. Daalder and Michael E. O'Hanlon, *Winning Ugly: NATO's War to Save Kosovo* (Washington, DC: Brookings Institution Press, 2000); and Independent International Commission on Kosovo, *Kosovo Report: Conflict, International Response, Lessons Learned* (Oxford: Oxford University Press, 2000).

<sup>74</sup> Chaim Kaufmann, "See No Evil: Why America Doesn't Stop Genocide," *Foreign Affairs* 81, no. 4 (July–August 2002): 142–49.

## Rwanda

As for Rwanda, the lack of an international response to the post-April 1994 genocide was most definitely not because of a lack of early warning.<sup>75</sup> There were *years* of *early* warning: the small scale massacres which were duly documented in successive Human Rights Watch reports since 1990; the massive killings in Burundi in October 1993; the human rights organizations in Rwanda which had learned of what was coming and were trying to convince any and all foreign visitors whom they could find of the impending calamity. UNAMIR, with a UN-mandated force of 2,500 men, was present in Rwanda, as was a Special Representative of the UN Secretary General. The unprecedented report that the UNAMIR commander, Canadian General Dallaire, sent to UN headquarters on January 11, 1994, and which most researchers writing on the Rwanda events knew about since mid-1995, was publicly released in September 1997 as part of a Belgian legislative investigation.<sup>76</sup> General Dallaire had been provided with information by a senior commander of the government's Hutu militia, the Interamwehe, with details of the plans and preparations by his own organization for the coming genocide:

- C the drawing up of lists of those to be killed—all Tutsi living in the capital city, Kigali, but also Hutu officials and human rights activists willing to collaborate in a power-sharing government along the lines agreed to in the Arusha Accords;
- C the stockpiling and location of arms for the Hutu militias, with which to do the killing;

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<sup>75</sup> The best sources on the events in Rwanda are: *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, Joint Evaluation of Emergency Assistance to Rwanda, 5 volumes (Copenhagen: Government of Denmark, March 1996); *The Joint Evaluation of Emergency Assistance to Rwanda: A Review of Follow-Up and Impact Fifteen Months After Publication* (Copenhagen: Government of Denmark, June 12, 1997); Gerard Prunier, *The Rwandan Crisis: History of a Genocide* (New York: Columbia University Press, 1993); Taylor B. Seybolt, *Coordination in Rwanda: The Humanitarian Response to Genocide and Civil War* (Cambridge: Conflict Management Group, February 1997); Alain Dextexhe, "The Third Genocide," *Foreign Policy* 97 (Winter 1994–95): 3–17; "Genocide in Rwanda, April–May 1994," *Human Rights Watch/Africa* 6, no. 4 (May 1994): 1–13; Holly Burkhalter, "The Question of Genocide: The Clinton Administration and Rwanda," *World Policy Journal* 11, no. 4 (Winter 1994–5): 44–54; Milton Leitenberg, "Rwanda, 1994: International Incompetence Produces Genocide," *Peacekeeping and International Relations* 23, no. 6 (November–December 1994): 6–10. (Also published in A.J. Jongman, *Contemporary Genocides: Causes, Cases, and Consequences*, Den Haag: PIOOM, 1996); Milton Leitenberg, "Rwanda and Burundi Genocide: A Case Study of Neglect and Indifference," 1997; Philip Gurevich, *We Wish to Inform You That Tomorrow We Will Be Killed With Our Families: Stories from Rwanda* (New York, Farrar, Straus and Giroux, 1998); Alison Deforge, *Leave None to Tell the Story: Genocide in Rwanda* (Washington, DC: Human Rights Watch, March 1999); *Special Report of the International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda and the Surrounding Events* (Addis Ababa, Organization of African Unity, July 7, 2000); and Michael Barnett, *Eyewitness to Genocide* (Ithaca, Cornell University Press, 2002); Human Rights Watch, *The Rwandan Genocide: How It Was Prepared*, Briefing Paper no. 1, New York, April 2006, <http://hrw.org/backgrounders/africa/rwanda0406/>.

<sup>76</sup> Charles Truehart, "UN Alerted to Plans for Rwanda Bloodbath: '94 Document Shows Peacekeepers Sought to Seize Hutus' Weapons," *Washington Post*, September 25, 1997.

- C the rate of killing that Interamwhe had projected: 1,000 persons every twenty minutes;
- C the plan to attack the Belgian peacekeepers in the UN's UNAMIR force as the genocide began, to precipitate the withdrawal of the force.

General Dallaire requested permission to confiscate the stockpiled weapons within 36 hours, and to interpret his (Chapter VI) mandate so as to protect Rwandan civilians in any future contingency. Both requests were denied by senior officials in the office of the Secretary General within twelve hours. The Undersecretary General for Peace Keeping Operations at the time was Kofi Annan, and the denial of Dallaire's request went out under the signature of one of his deputies.

A copy of General Dallaire's cable also reached the desk of the head of the U.S. Department of State's Africa division. A month passed before the official read it, and when he did—long after Dallaire's request had already been turned down—it was considered implausible by U.S. officials. A Rwandan government radio station had been broadcasting for months, urging the killing of Tutsi, and would continue to do so during the genocide. Dallaire apparently made the same request a second time some time later on, and was again denied. A U.S. AID investigative team that had chanced to be in Rwanda in the last days of February 1994 also learned at least some of these details, and asked the U.S. ambassador in Kigali to discuss some response to the situation: they were in effect ordered home.<sup>77</sup> On March 30, only days before the genocide would begin, the UN Secretary General did request and obtained from the Security Council an authorization for an extension of the duration for General Dallaire's UNAMIR force to operate in Rwanda. He did not, however, request any increase in the size of its forces or, more significantly, in its mandate.

When genocide started, the international response was catastrophic. Rwanda became the first victim of the retreat from the previous U.S. position of "multilateral engagement." U.S. decision-making by then was entirely governed by what had taken place in Somalia in mid-1993 and by the disastrous process following that event, which produced the final version of the Presidential Decision Directive 25 (PDD-25), the new policy document outlining how the United States would deal with crises such as these. As released, the document was a total reversal from its initial and intended version. A hysterical U.S. congressional and executive response to the loss of eighteen U.S. military personnel in Somalia led to President Clinton proceeding to lecture the United Nations and General Secretary Boutros-Ghali in September 1993 on how the UN "had to learn to say no." France, Belgium, and the United States landed substantial contingents of troops in Kigali or in neighboring countries, but only to withdraw their own nationals. The Hutu government and the Interamwhe took this "hands off" response as a signal to spread out from the capital city and to accelerate the killings. Had the same force landed in Kigali with Chapter VII authority to reinforce UNAMIR, the killings would have been stopped in a week with less than ten percent of their

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<sup>77</sup> U.S. Department of State official, Personal Communications, 1997–1998.

ultimate number of deaths. Four years later an international panel of ten western generals agreed with that conclusion.<sup>78</sup>

At the time, however, the United States and other countries pressed in the UN Security Council to withdraw the UNAMIR force entirely, and it was cut to 250 observers even as estimates of the numbers killed reached into the hundreds of thousands. As the numbers reached 200,000, then 500,000, then 700,000, they were all reported in the media, week by week, but the U.S. Department of State ordered its staffers not to use the term “genocide” for many weeks in describing the events. Not until mid-June, two full months later and under severe criticism, did U.S. Secretary of State Christopher announced that he “was not afraid to use the word ‘genocide’.” When the French government became concerned, it was not due to the genocide, but because of the impending defeat of the genocidal government forces that it was still supporting, and in part to facilitate their escape. This effort was pursued under the guise of a “humanitarian” mission. In 2003 Rwanda’s ambassador to the United States bluntly recalled this incident:

In one of the more bizarre twists to the Rwandan saga, when it became clear that Rwandan Patriotic Forces were on the verge of defeating the forces of genocide, the Security Council quickly approved a French-led intervention that saved the genocidal forces, gave them breathing space to reorganize and allowed them orderly withdrawal into neighboring Zaire (now Congo), where the international community continued to feed them in the camps they established along the border with Rwanda. To this day, the United Nations has been reluctant to deal with these forces . . . .<sup>79</sup>

Countries that correctly criticized the French plan in the UN Security Council—New Zealand, the Czech Republic, and several others—did not, however, offer to send their own military forces to Rwanda to help UNAMIR stop the killing. In the end, the most widely-quoted estimate was that 800,000 Tutsi and moderate Hutu has been massacred in roughly 13 weeks, 100 days or less. In April 2004 the Rwandan government reported that a national census indicated that the number killed was 937,000.<sup>80</sup>

Years later there were apologies regarding the behavior of states and the UN during the Rwandan events in 1994: President Clinton apologized for the inaction of the United States, and in December 1999, on the occasion of the release of the UN report on its own inaction, UN Secretary General Kofi Annan

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<sup>78</sup> Col. Scott R. Feil, *Preventing Genocide: How the Early Use of Force Might Have Succeeded in Rwanda* (Washington, DC: Carnegie Corporation of New York, April 1998). Three years earlier, and unassisted by the Carnegie panel of ten generals, the same position had been argued by this author in four papers published between 1994 and 1997. They are listed in footnote 75.

<sup>79</sup> Richard Sezibera, “The Lesson of Rwanda,” *New York Times*, March 19, 2003.

<sup>80</sup> “Rwanda: Census Finds 937,000 Died in Genocide,” *IRIN News* (UN Office for Coordination of Humanitarian Affairs), April 2, 2004.

apologized on behalf of the UN.<sup>81</sup> In July 1998 the United Nations Security Council “welcomed the decision of the Organization of African Unity (OAU) to establish the International Panel of Eminent Personalities to Investigate the Genocide in Rwanda and the Surrounding Events.”<sup>82</sup> In other cases there has been no apology. The United States never acknowledged any error in supporting the retention of Cambodia’s seat in the United Nations for years by Pol Pot’s genocidal Khmer Rouge, on the basis that the Vietnamese-installed Cambodian government was a puppet regime. In the case of East Timor, UN Secretary General Kofi Annan was forced to make a public admission that he had been “misled” by Indonesian Prime Minister Habibie, when Habibie had promised that Indonesian security forces would be responsible for maintaining public security at the time of Timor’s independence elections. Months before the eventual killings took place, on the day that Indonesian security forces distributed weapons to anti-independence irregulars, the international community had all the “early warning” that would ever be necessary to know what would eventually follow. But the United Nations did nothing, and waited, looking on until 100,000 East Timorese were dead in a smaller version of the events in Rwanda.

The cases discussed above represent some of the more—or most—egregious situations. They show disinterest and incompetence by states, by defense alliances, and by the United Nations, and extreme reluctance to invoke and utilize the Chapter VII provisions of the United Nations Charter to legitimate the use of force, even in the most extreme circumstances. Moreover, in a substantial number of cases in which the United Nations did apply economic sanctions, they were violated by some United Nations members without any consequence, as in the case of Greece and Serbia during the 1990s. By the fall of 2002, the debacle of United Nations Security Council resolutions being successfully flouted by Iraq for twelve years, with the overt assistance since March 1995 of Russia, France, and China, three of the permanent veto-holding members of the UN Security Council, came to a head.<sup>83</sup> Significant public voices with a claim to moral authority—the Pope, the United States Council of Churches, the Catholic Bishops—all strongly and repeatedly opposed any use of force against Iraq, despite the most blatant non-compliance by Iraq with the provisions of UN Security Council resolutions, all promulgated under Chapter VII provisions of the UN Charter authorizing the use of force to ensure their implementation.

It is interesting and instructive to compare the situation in 2002 with that in 1988, when Iraq carried out the genocidal Anfall campaign against the Kurdish population in Iraq. Neither the Pope, nor the

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<sup>81</sup> UN Secretary General Kofi Annan’s remarks were made around December 15, 1999, at the release of the (United Nations) *Report of the Independent Inquiry into the Actions of the United Nations During the 1994 Genocide in Rwanda*.

<sup>82</sup> United Nations Press Release, SC/6545, July 13, 1998.

<sup>83</sup> See Maria Wahlberg, Milton Leitenberg, and Jean Pascal Zanders, “The Future of Chemical and Biological Disarmament in Iraq: From UNSCOM to UNMOVIC,” *SIPRI Yearbook 2000: Armaments, Disarmament and International Security* (Oxford: Oxford University Press, 2000), pp. 560–75.

U.S. National Council of Churches, nor the Catholic Bishops called for the international community to uphold and to enforce the UN Genocide Convention. They did not utter a single word. Nor during the twelve years of Iraq's non-compliance did they ever call on the UN Security Council to enforce the provisions of UN Security Council 687 against Iraq.

### *2003: The Congo*

Much of the dereliction and travesty of the previous case studies was repeated in the Congo. There was certainly no question of insufficient warning (or media attention): fighting had been going on since 1998, in the words of UN Secretary-General Kofi Annan in early June 2003, "after nearly five years of continuous fighting." It included the military involvement of six, and at various times up to nine neighboring countries. In the words of Erik Kennes, the war is "a complex knot of three intertwined conflicts: first the local conflict of the Kivu region in Eastern Congo; second the national conflict between President Kabila and Congolese rebels fighting to overthrow him; and third, a regional conflict involving several Central African actors."<sup>84</sup> The armies of Zimbabwe, Uganda and the Congo itself became commercial actors, extracting natural resources, while Rwanda's objectives were strategic, a carryover from its expulsion of the Hutu Interahamwe from post-genocide Rwanda. As indicated in Table 1, the death toll as of the spring of 2003 had reached 3.3 million or higher. At the end of May 2003, Sergio Viera de Mello, the United Nations High Commissioner for Human Rights, said "Someone once said that as long as there is conflict in the Ituri district, there will be no peace in the Congo. I think sending an international force is the only solution. . . . *I find it outrageous that in 2003 we can allow people to be butchered without responding forcefully.*"<sup>85</sup> The Ituri region contains 4.6 million people, of whom between 500,000 and 600,000 people (12 percent) were internally displaced in 2003.<sup>86</sup> In the first three months of 2003, some 50,000 people were reportedly slaughtered in rivalry between tribal militias in eastern Ituri.

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<sup>84</sup> "The Economics of War: The Intersection of Need, Creed and Greed," A Conference Report, Washington, DC: Woodrow Wilson International Center for Scholars, September 10, 2001, pp. 25–27. See also Human Rights Watch, *Zaire: Attacked by All Sides. Civilians and the War in Eastern Zaire*, Africa Report 9:1(A), New York, March 1997; and U.S. Congress, House of Representatives, Committee on International Relations, Hearing on *Suffering and Despair: Humanitarian Crisis in the Congo*, May 17, 2001 (Washington, DC: U.S. Government Printing Office, 2001).

<sup>85</sup> Emily Wax, "U.N. Approves French-led Peacekeepers for Congo," *Washington Post*, May 31, 2003.

<sup>86</sup> United Nations Security Council, "Second Special Report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo," S/2003/566, May 27, 2003. See also Felicity Barringer, "Security Council Votes to Dispatch Peacekeepers to the Congo," *New York Times*, May 31, 2003; and United Nations Security Council, *Special Report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo*, S/2002/1005, September 10, 2002.



On February 24, 2000, under UN Security Council Resolution 1291, the mandate approved for the United Nations Organization Mission in the Democratic Republic of Congo (MONUC) explicitly stipulates the provision of Chapter VII authority:

Acting under chapter VII of the Charter of the United Nations, the Security Council also decided that MONUC may take the necessary action, in the areas of deployment of its infantry battalions and as it deems it within its capabilities, to protect United Nations and co-located JMC personnel, facilities, installations and equipment, ensure the security and freedom of movement of its personnel, and protect civilians under imminent threat of physical violence.<sup>87</sup>

Despite this explicitly clear provision, major press reports in May and June 2003 continued to repeat that the UN forces did not have such authority, for example, that “The United Nations peacekeepers in Bunia . . . are hampered by a mandate allowing them to use weapons only when fired on.”<sup>88</sup> At the same time, the mandate for MONUC provided for only 5,537 military personnel, of which 500 were to be observers. Although this authorization was later increased to 8,700, only 5,300 UN troops had actually reached the Congo by mid-June 2003. However even under the Chapter VII provisions, the enhanced MONUC in 2000 was not “organised as a robust peacekeeping operation. Peacekeepers and the mission leadership were not recruited with an expectation that they would use force to defend civilians, and peacekeepers deployed slowly. No major developed country sent more than a handful of troops.”<sup>89</sup>

A superb report by the International Crisis Group (ICG) described the mechanisms by which Uganda, Rwanda, and the government of Congo have been fighting a proxy war through local militias in the Ituri region, and the transformation of the conflict from “organized chaos to genocide” between 1999 and 2003.<sup>90</sup> Rwanda supports the militias of the Hema tribal group, and the Congolese government supports the militias of the Lendu tribal group. Each supplies its proxy with arms: AK-47 rifles, rocket launchers, mortars, and the munitions for these. In this instance, the influx of modern weapons has cer-

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<sup>87</sup> “Democratic Republic of the Congo–MONUC–Mandate,” <http://www.un.org/Depts/dpko/missions/monuc/mandate.html>.

MONUC had originally been established in 1999 as an observer force only.

<sup>88</sup> Somini Sengupta, “Won’t Disarm Congo Armies, U.N. Force Declares,” *New York Times*, June 11, 2003. See also news report and editorial, *New York Times*, May 31, 2003, and news reports in the *Washington Post*, June 2 and June 7, 2003.

<sup>89</sup> Victoria K. Holt, “The Military and Civilian Protection Developing Roles and Capabilities,” *HPG Research Briefing* no. 22, London Humanitarian Policy Group, Overseas Development Institute, March 2006, p. 3.

<sup>90</sup> “Congo Crisis: Military Intervention in Ituri,” ICGAfrica report #64, International Crisis Group, Nairobi/New York/Brussels, June 13, 2003.

tainly had a dramatic impact in a very short time on the nature of the conflict and its level of mortality. A half-dozen years before, most inter-tribal conflict in this particular area was fought with machetes.<sup>91</sup>

When the killings began May 2003 in Bunia, the main city in the Ituri region, the 712 members of MONUC situated in Bunia, described by UN spokesman Fred Eckhardt as having no more than a monitoring function, did no more than hunker down inside their compound, even when they were themselves attacked.<sup>92</sup> They “only watched as Hema and Lendu militias went around hacking babies and old men, dumping bodies in a water tank, slaughtering people seeking refuge in a church.”<sup>93</sup> The contending armed militias are not very large, and military casualties are light; the civilians are the victims. Substantial numbers of these tribal militias are themselves young boys—estimates are up to 60 percent—with no military training. *In 2000, when the RUF rebels in Sierra Leone routed a contingent of 8,000 UNAMSIL troops, it took no more than 800 first-line British troops operating under a revised UN Security Council resolution (1289) under Chapter VII provisions to disperse the rebels and end the uprising, with the loss of exactly one British soldier.* There are now 17,000 UN peacekeepers in Sierra Leone, currently the largest such UN force deployed, in a country probably smaller in size than the Ituri region. Nevertheless, in contrast to what was clearly demonstrated to be crucial in Sierra Leone, some countries that have deployed troops with MONUC in the Congo “Reportedly . . . have made special arrangements with the United Nations specifically stating they will not use armed force for any reason,” despite the fact that MONUC was authorized under Chapter 7 provisions.<sup>94</sup>

In mid-May 2003, UN Secretary-General Annan requested that UNSC members develop “a coalition of the willing,” with a particular request to France, to send troops to Bunia.<sup>95</sup> With the authorization of UN Security Council Resolution 1484, May 30, 2003, France agreed to lead a coalition under European Union auspices, the Interim Emergency Multinational Force (IEMF), and to supply half the number of the 1,400 men who would make up the deployment. South Africa was also to contribute troops. UNSC 1484 authorized the IEMF to take “all necessary measures” under Chapter VII authority of the UN Charter to fulfil the UNSC 1484 mandate. It was very late in the game, and it took another month before the

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<sup>91</sup> Emily Wax, “Machetes Set Aside for Guns in Congo’s Bloody Conflict; Influx of Modern Weapons Gives Rise to Growing Brutality,” *Washington Post*, June 15, 2003. See also “Under Fire: The Human Cost of Small Arms in North-east Democratic Republic of the Congo. A Case Study,” Oxfam, 2001.

<sup>92</sup> Felicity Barringer, “U.N. Council May Request Foreign Force for Congo,” *New York Times*, May 13, 2003.

<sup>93</sup> “Hacking” refers to killings by machete. Somini Sengupta, “In Africa, Pricking the West’s Conscience,” *New York Times*, June 1, 2003.

<sup>94</sup> Doug Brooks, “Help for Beleaguered Peacekeepers,” *Washington Post*, June 2, 2003.

<sup>95</sup> Barringer, *New York Times*, May 13, 2003, op. cit.

first 100 troops arrived. The most significant aspect of the emergency response was the list of restrictions under which it was to operate:

- C It would operate only within the city limits of Bunia; it would not extend into the surrounding countryside.
- C It would cease operations on September 1, 2003, to be replaced by 1,400 Bangladeshi troops under the MONUC mandate. The Bangladeshis had long been planned as a reinforcement for the existing 700-man unit from Uruguay.
- C The unit would not disarm the contending militias—despite the fact that it would operate under a mandate authorizing it to “take all necessary means,” including the use of force—nor would it attempt to separate the militias.
- C The size of the force was to be limited to 1,400 men.

Much was made of the fact that this would be the first deployment of peacekeepers nominally under EU supervision outside of Europe.<sup>96</sup> As of January 1, 2003, the EU deployed a 700-man unit, “Operation Concordia,” in Macedonia. It replaced a previous all-European Unit that had operated under NATO authority. However, if each of the 15 EU member states had contributed only 300 troops—half the number of the French contingent—the force could have deployed 4,200 well-armed and well-trained troops. The existing 1,400 were described as “a Band-Aid, not a cure for the killing,” and “nothing more than gesture politics.”<sup>97</sup>

Although a section on the events in Darfur province in Sudan which follows has been brought up to date, developments in the Democratic Republic of the Congo (DRC) between mid-2003 and 2006 are not included here, and only a brief summary follows.<sup>98</sup> MONUC has been operating in the DRC since November 1999, and MONUC forces are now spread throughout the entire country, described as equivalent in size to all of Western Europe. Its present authorized strength is 16,820 military personnel (15,029 troops and 729 military observers) and 475 police personnel. Forty-eight countries supply military personnel, often in extremely low numbers, and 24 countries supply police. The present UN authorization is until September 30, 2006, and the budget for MONUC for July 1, 2005 through June 30, 2006 is \$1.154 billion.

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<sup>96</sup> Thomas Fuller, “European Peacekeepers To Go To Congo on Non-NATO Mission,” *New York Times*, June 5, 2003.

<sup>97</sup> Sengupta, *New York Times*, June 11, 2003, op. cit.

<sup>98</sup> Three additional extremely useful reports, all by the International Crisis Group, are: *The Congo’s Transition is Failing: Crisis in the Kivus*, Africa Report no. 91, March 30, 2005; *Katanga: The Congo’s Forgotten Crisis*, Africa Report no. 103, January 9, 2006; and *Security Sector Reform in the Congo*, Africa Report no. 104, February 13, 2006. All are available at <http://www.crisisgroup.org>. See also United States Institute of Peace, “Crisis in the Democratic Republic of the Congo: Role of the International Community,” USIPeace Briefing, Washington, DC, March 4, 2005, [http://www.usip.org/pubs/usipeace\\_briefings/2005/0304\\_nbdrc.html](http://www.usip.org/pubs/usipeace_briefings/2005/0304_nbdrc.html).

MONUC operates under Chapter 7 provisions of the UN Charter, and during the earliest months of its deployment in the Ituri region, it did use force and carried out military operations to protect civilians. Since then, its use of military action has been spotty and variable. The Congolese army's behavior towards Congolese civilians appears frequently to be as bad as that of the various insurgent militias that it is ostensibly combating, with reports of killing, pillage and rape.<sup>99</sup> Rwanda and Uganda reportedly continue to support their proxy militias operating in the Congo, including by supplying arms, which violates a UN embargo on arms supplies into the Congo.<sup>100</sup> Further, both Rwanda and Uganda were accused in 2003 by a UN Panel of Experts on the Illegal Exploitation of Natural Resources of prolonging the Congolese civil war in order to extract natural resources for their own illegal financial benefit.<sup>101</sup>

In 2003, the DRC and insurgent groups signed a peace agreement which provided for a three-year political transition leading to a national election to be held in June 2006. However, as of February 23, 2006, 1,200 people were reportedly dying every day, which would mean 438,000 deaths per year—presumably excess deaths attributable to conflict—in a population of 60 million.<sup>102</sup> This would indicate a rate of killing only slightly reduced from the peak years of 1998 to 2003. By 2006, Refugees International reckoned that 4.6 million people in all have died since fighting began in the Congo.<sup>103</sup> Nevertheless, in February 2006, the United States announced that it would cut its financial contribution for MONUC almost exactly in half in the coming fiscal year, from \$302 million to \$153 million.<sup>104</sup>

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<sup>99</sup> “DRC: MONUC Gets Tough on Foreign Armed Groups,” IRIN report, Office for the Coordination of Humanitarian Affairs, United Nations, March 22, 2006, [http://www.irinnews.org/report.asp?ReportID=52364&SelectRegion=Great\\_Lakes&SelectCountry=DRC](http://www.irinnews.org/report.asp?ReportID=52364&SelectRegion=Great_Lakes&SelectCountry=DRC).

<sup>100</sup> Mvemba Phezo Dizolele, presentation to the Monitoring Roundtable, March 15, 2006, United States Holocaust Memorial Museum.

<sup>101</sup> United Nations Security Council, Letter Dated 12 April 2001 from the Secretary-General to the President of the Security Council, S/2001/357, April 12, 2001; and United Nations Security Council, Letter dated 10 November 2001 from the Secretary-General to the President of the Security Council, S/2001/1072, November 13, 2001.

<sup>102</sup> “Democratic Republic of the Congo: Humanitarian Profile,” ReliefWeb Map Centre, Office for the Coordination of Humanitarian Affairs, United Nations, February 23, 2006; and “MONUC At a Glance,” Academy for Genocide Prevention, Monitoring Roundtable: Great Lakes, March 15, 2006, United States Holocaust Memorial Museum. If the budget has been approximately \$1 billion per year, that would mean a total of \$6 billion to date.

<sup>103</sup> Andrea Lauri, presentation to Monitoring Roundtable, March 15, 2006, United States Holocaust Memorial Museum.

<sup>104</sup> More precisely, from \$302,077,000 in FY 2006 to \$152,745,000 in FY 2007. U.S. Department of State, “FY 2007 Budget in Brief,” Section on Contributions to International Operations, <http://www.state.gov/s/d/rm/rls/bib/2007/html/60314.htm>, accessed March 16, 2006.

The war has been in progress for eight years now. Of all the wars currently in progress, it reportedly has the largest concentration of child soldiers. And as in so many of the conflicts since 1990, “rape has been consistently used as a weapon of war.”<sup>105</sup> Although this is a practice successively reported by human rights organizations working in regions of conflict—most particularly in Bosnia, Rwanda, Liberia, Sierra Leone, Northern Uganda, the DRC and Darfur—there has been virtually no academic research into the reasons for this, how and whether authorized by senior commanders, the purpose that it is meant to serve, or to what degree it becomes part of the routine of irregular forces living off the land by pillage and destruction.

*Sudan: Darfur Province, 2003–2006*

For nearly three years, a repeat of the events in Rwanda and in the Congo on a smaller scale has been taking place in Darfur, the western province of Sudan bordering on Chad. The province is the largest in Sudan, described as being the size of France. With Sudanese government assistance and collaboration, including units of the regular Sudanese armed forces and bombing raids by aircraft, local Sudanese Arab militias called “Janjaweed” (or Janjawid) have been carrying out a central government policy of massacring black villagers in Darfur. By early 2006 the death toll had reportedly reached between 300,000 and 400,000, and over two million people have been displaced from their home areas. The displaced population is kept surrounded in what are in effect concentration camps, are regularly attacked within these camps, and are held without assured access to food or water. In a BBC interview on March 29, 2004 the United Nations Sudan Coordinator, Mukesh Kapila, described the situation in Darfur as similar in character, if not in scale, to the Rwanda genocide in 1994: “This is ethnic cleansing. This is the world’s greatest humanitarian crisis, and I don’t know why the world isn’t doing more about it.”<sup>106</sup> Jan Egeland, the UN Undersecretary General for Humanitarian Affairs concurred, accusing the armed groups supported by the Sudanese government of using “scorched earth tactics,” deliberately destroying food and humanitarian supplies, and attacking refugee centers in a program of “systematic depopulation. I consider this ethnic cleansing.”<sup>107</sup> Sudanese forces and the Janjaweed militias followed the same policies that the Sudanese government had used in the previous decades in the south of the country “attack[ing] with unremitting

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<sup>105</sup> Martin Bell, “The War the World Forgot,” *The Guardian* [UK], April 24, 2006.

<sup>106</sup> “Sudan: ‘Greatest Humanitarian Crisis,’” *New York Times*, March 20, 2004; “Attacks in Sudan Seen as Humanitarian Crisis,” *Washington Post*, March 20, 2004.

<sup>107</sup> Warren Hoge, “UN Aide Says Sudan is Tolerating Ethnic Cleansing,” *New York Times*, April 3, 2004; “Humanitarian Issues in Darfur, Sudan,” HPG Briefing Note, Humanitarian Policy Group, Overseas Development Institute, April 2004.

brutality. Scorched earth, massacre, pillage and rape were the norm.”<sup>108</sup> The Arab militias attacked refugee camps across the border in Chad by early 2004, and in February–March 2006, Sudanese operations along the border with Chad threatened to extend warfare into Chad, as the Sudanese government recruited and armed Chadian insurgent groups.<sup>109</sup>

This is not the first time that the government of Sudan has either instigated or abetted conflict in a neighboring state leading to significant loss of life. From at least the early and mid-1990s until mid-2004 Sudan supported the insurgency by the Lord’s Resistance Army (LRA) in Northern Uganda, by supplying arms, training, food, and bases of sanctuary inside Southern Sudan.<sup>110</sup> Early in 2006, the death rate in the LRA-Uganda conflict was reported as 7,600 per year.<sup>111</sup>

Early action by the African Union was minimal: it suggested sending a “fact finding” mission, although substantial and reliable information about what was taking place in Darfur quickly became widely available.<sup>112</sup> “Early warning” had also been available. An extensive and highly detailed chronol-

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<sup>108</sup> Julie Flint and Alex de Waal, *Darfur, A Short history of a Long War* (London: Zed books, 2005).

<sup>109</sup> Lydia Polgreen, “Refugee Crisis Grows as Darfur War Crosses a Border; 20,000 in Chad are Uprooted by Attacks,” *New York Times*, February 28, 2006.

<sup>110</sup> U.S. Department of State, *Report to Congress: Northern Uganda Crisis Response Act*, February 2, 2005, especially pp. 6–7. See also Tim Judah, “Uganda: The Secret War,” *New York Review of Books* 51:14 (September 23, 2004): 62–64, and Katherine Southwick, “Investigating War in Northern Uganda: Dilemmas for the International Criminal Court,” *Yale Journal of International Affairs* 1:1 (Summer-Fall 2005): 105–19.

<sup>111</sup> See the report by an NGO coalition, Civil Society Organisations for Peace in Northern Uganda, *Counting the Cost: Twenty Years of War in Northern Uganda*, Kampala, March 20, 2006.

<sup>112</sup> Examples of this material include Office of the UN Resident and Humanitarian Co-ordinator for the Sudan, *UN Humanitarian Situation Report, Darfur Crisis, Sudan* [“Darfur Sitrep”], March 16, 2004; International Crisis Group, *Darfur Rising: Sudan’s New Crisis*, Africa Report #76, March 25, 2004 (<http://www.crisisgroup.org>); Overseas Development Institute, *Humanitarian Issues in Darfur*, Sudan, HPG Briefing Note, London: The Humanitarian Policy Group, ODI, April 2004; United States House of Representatives, Committee on International Relations, Hearing and Markup: *The Crisis in Darfur: A New Front in Sudan’s Bloody War; and Condemning the Government of the Republic of Sudan for Its Attacks Against Innocent Civilians in the Impoverished Darfur Region of Western Sudan*, 108<sup>th</sup> Congress, 2<sup>nd</sup> Session, Washington, DC: U.S. Government Printing Office, May 6, 2004; Human Rights Watch, *Darfur Destroyed: Ethnic Cleansing by Government and Militia Forces in Western Sudan*, Washington, DC, May 2004, <http://www.hrw.org>; United States Department of State, *Documenting Atrocities in Darfur*, Publication #11182, Washington, DC, September 2004; Ted Dagne and Bathsheaba Everett, *Sudan: The Darfur Crisis and the Status of North-South Negotiations*, RL 32643, Washington, DC: Congressional Research Service, U.S. Library of Congress, October 22, 2004; Amnesty International, *Sudan: Arming the Perpetrators of Grave Abuses in Darfur*, November 2004; Human Rights Watch, *Entrenching Impunity: Government Responsibility for International Crimes in Darfur*, Washington, DC, 2004, <http://www.hrw.org>; United Nations, Security Council, *Report of the Secretary General on the*

ogy of the Darfur events produced by the Coalition for International Justice noted for the 1980s: “Drought and famine in Darfur in 1983–84; increasing struggle between pastoral groups and farmers over diminishing resources.” For the late 1980s, it noted: “Fur-Arab War between Jebel Marra Fur communities and an alliance of 27 Arab tribes of the northern Rizeigat groups.” Sporadic inter-tribal fighting occurred once again at the end of 1991, mid-1992, October 1996, and 1998 to 2001.<sup>113</sup> This history indicates the underlying tensions in the area which the government of Sudan exploited starting in 2003. The presumed leader of the current Janjaweed militias was quoted by a former governor of Darfur province as expressing gratitude in 1988 for “the necessary weapons and ammunition to exterminate the African tribes in Darfur,” and in the mid-1990s a “slaughter of at least two thousand members” of one of the major “African” tribes did take place, followed in 2001 and 2002 by attacks on the villages of two other of these tribes.<sup>114</sup> Those being attacked were settled “African” agriculturalists. Those doing the attacking were more nomadic “Arab” cattle herders. In the decades-long civil war in southern Sudan the tribal groups being attacked

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*Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of resolution 1564 (2004) and paragraph 17 of resolution 1574 (2004)*, S/2005/10, January 7, 2005; Human Rights Watch, *Targeting the Fur: Mass Killings in Darfur*, A Human Rights Watch Briefing Paper, January 21, 2005; *Report of the International Commission of Inquiry on Darfur to the United Nations Secretary General, Pursuant to Secretary Council Resolution 1564 of September 18, 2004*, January 25, 2005; International Crisis Group, *Crisis in Darfur*, 2005, <http://www.crisisgroup.org>; International Crisis Group, *Darfur: The Failure to Protect*. Africa Report #89, March 8, 2005, <http://www.crisisgroup.org>; Ted Dagne, *Sudan: Humanitarian Crisis, Peace Talks, Terrorism and U.S. Policy*, IB98043, Washington, DC: Congressional Research Service, U.S. Library of Congress, March 11, 2005; David C. Gompert et al., *Learning from Darfur: Building a Net-Capable African Force to Stop Mass Killing*, Defense and Technology Papers no. 15 (Washington, DC: Center for Technology and National Security Policy, National Defense University, July 2005), [http://www.ndu.edu/ctnsp/Def\\_Tech/DTP%2015%20Darfur.pdf](http://www.ndu.edu/ctnsp/Def_Tech/DTP%2015%20Darfur.pdf); International Crisis Group, *Unifying Darfur's Rebels: A Prerequisite for Peace*, Africa Briefing #32, October 6, 2005, <http://www.crisisgroup.org>; International Crisis Group, *The EU/AU Partnership in Darfur: Not Yet a Winning Combination*, Africa Report #99, October 25, 2005, <http://www.crisisgroup.org>; International Crisis Group, *Sudan: Saving Peace in the East*, Africa Report #102, January 5, 2006, <http://www.crisisgroup.org>; Physicians for Human Rights, *Darfur, Assault on Survival: A Call for Security, Justice, and Restitution*, 2006; Gerard Prunier, *Darfur, the Ambiguous Genocide*, Ithaca, NY: Cornell University Press, 2005; Julie Flint and Alex de Waal, *Darfur, A Short History of a Long War*, London: Zed Books, 2005; Coalition for International Justice, *Chronology of Reporting on Events Concerning the Conflict in Darfur, Sudan* (Washington, DC: February 2006); International Crisis Group, *To Save Darfur*, Africa Report no. 105 (March 17, 2006), <http://www.crisisgroup.org>; Joyce Apsel, ed., *Darfur: Genocide Before Our Eyes*, 2<sup>nd</sup> ed. (New York: Institute for the Study of Genocide, 2006); and Human Rights Watch, *Ensuring Protection in Darfur: The UN Mandate*, Briefing Paper no. 2, New York, April 2006, <http://hrw.org/backgrounders/africa/sudan0406/>.

<sup>113</sup> Coalition for International Justice, “Chronology of Reporting on Events Concerning the Conflict in Darfur, Sudan,” Washington, DC, February 2006, p. 1.

<sup>114</sup> Nicholas D. Kristof, “Genocide in Slow Motion,” *New York Review of Books*, 53:2 (February 9, 2006): 14–17.

were black and animist. In Darfur they were black, but they were Muslim, as were the attackers, and the villages of the two groups in Darfur province were essentially randomly intermingled. When the attacked villagers responded in mid-2002 and early 2003 by attacking Sudanese government garrisons, the government responded in the same way as it had done previously in the South: systematic, organized, deliberate genocide. Another excellent description of the genesis of the events was provided in a review of Gérard Prunier's 2005 book on Darfur:

The real trigger for the conflict was manufactured by Sudan's government with an assist from Libya's Moammar Gaddafi. For nearly all of its known history, Darfur had not been a binary society of African versus Arab: Its people belonged to a mosaic of tribes, all of them Muslim and all of them black. But in 1985, Libyan forces arrived in Darfur to deliver food aid and set about arming some nomadic tribes, who then became identified as "Arabs." The following year, Sudan's newly elected leader, Sadiq al-Mahdi, embarked on his plan to forge an "Arab and Islamic Union." By emphasizing the new central government's Arab identity, this policy led the government's provincial allies to be dubbed "Arabs" too. Thus was racial polarity constructed where none had previously existed.

The trigger still needed to be pulled, however. In 2003, two insurgencies that had risen out of many "African" agriculturalists' resentment of the Khartoum-backed "Arabs" reached critical mass, killing several hundred government troops in a series of raids and skirmishes. For a regime that had fought a civil war with Sudan's south for more than 20 years, this hardly counted as a major loss, but the reaction was ferocious. Precisely because the rebels were Muslim, they were more threatening to Sudan's rulers than their Christian and animist opponents. So long as the nation divided along religious lines, the Muslims would retain control, but a split within Muslim ranks could spell the end of the Khartoum elite's dominance. So the government responded by unleashing its Arab militia allies—not only against Darfur's rebels but also against the tribes from which the rebels drew support. The result was the butchering of fathers and the rape of mothers, the tossing of children into fires, the torching of villages and the poisoning of wells: this century's first genocide.<sup>115</sup>

By early 2004, the question of whether to label the events in Darfur "genocide" had been joined.<sup>116</sup> UN Secretary-General Annan "warned of Genocide." USAID Administrator Andrew Natsios stated that "there is a review going on right now of whether or not, from the U.S. government perspective, this [Genocide] is taking place..."<sup>117</sup> Two U.S. Senators, John McCain and Mike DeWine, editorialized that "It's Happening Again," but could not manage to utter the word.<sup>118</sup> The NGO organization Physicians for

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<sup>115</sup> Sebastian Mallaby, "Darfur: Origins of a Catastrophe. Review of Gérard Prunier, *Darfur: The Ambiguous Genocide* (Ithaca, NY: Cornell University Press, 2005)," *Washington Post Book World*, February 19, 2006.

<sup>116</sup> Nicholas D. Kristof, "Dare We Call It Genocide," *New York Times*, June 16, 2004; "As Genocide Unfolds," *Washington Post*, June 20, 2004.

<sup>117</sup> Online PBS Newshour Transcript, June 24, 2004.

<sup>118</sup> Mike DeWine and John McCain, "It's Happening Again," *Washington Post*, June 23, 2004.



Human Rights choked on it as well, offering that “a ‘genocidal process’ is unfolding in western Sudan.”<sup>119</sup> Early in April 2004, speaking on the occasion of the tenth anniversary of the genocide in Rwanda, UN Secretary General Kofi Annan stated that if the Sudanese government and militia operations did not end he felt certain that the UN Security Council would have to act. After reviewing five “lessons” from international inaction in 1994 in Rwanda, the fifth of which was “the need for swift and decisive action,” Annan said in regard to the situation in Darfur province that

whatever terms it uses to describe the situation, the international community cannot stand idle...the international community must be prepared to take swift and appropriate action. By “action” in such situations I mean a continuum of steps, which may include military action.<sup>120</sup>

Unfortunately, harking back to the Canadian *Responsibility to Protect* report, Annan added that “the latter should always be seen as an extreme measure to be used only in extreme cases.” Paradoxically, in a major address in February 1998, Annan had argued that “the threat or use of force should not be regarded only as a last resort in desperate circumstances.”<sup>121</sup> In a further irony, Gareth Evans, the Co-Chair of the Commission that produced the *Responsibility to Protect* and now the President of the International Crisis Group, reported that even if the Sudanese government ceased the killing in Darfur immediately (in May 2004) an estimated 100,000 people would die in Darfur in the months to follow due to starvation caused by the Janjaweed attacks on villagers, which destroyed their homes, crops and livestock.<sup>122</sup> In subsequent months and years, the International Crisis Group was in the forefront of those calling for international

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<sup>119</sup> “Sudan: Genocide Charged,” *New York Times*, June 24, 2004.

<sup>120</sup> “Secretary-General Observes International Day of Reflection on 1994 Rwanda Genocide. Launches Action Plan to Prevent Genocide Involving UN System in Speech to Commission on Human Rights,” Press Document, United Nations, April 7, 2004.

<sup>121</sup> Kofi Annan, “The Centrality of the UN to Prevention and the Centrality of Prevention to the UN,” address to the Presentation of the Final Report of the Carnegie Commission on Preventing Deadly Conflict, New York, February 5, 1998. Annan also noted the Carnegie Commission report urged that “when employing force for preventive purposes, states should only do so with a UN Security Council resolution.” There are instances, however, when obtaining a Security Council resolution is impossible, due to a veto or threat of a veto by one of the five permanent members, exactly as occurred in the case of Bosnia. Annan pointedly corrected the Commission, noting that the UN Charter authorizes “the unilateral use of force . . . in certain circumstances.”

<sup>122</sup> Gareth Evans, “Sudan’s Darfur: An International Responsibility to Protect,” *International Herald Tribune*, May 14, 2004; “Sudan: Tens of Thousands Could Die of Hunger and Disease in Darfur,” IRIN News Network, UN Office for the Coordination of Humanitarian Affairs, May 18, 2004; “Ethnic Cleansing in Darfur: A New Front Opens in Sudan’s Bloody War,” Testimony of John Prendergast (International Crisis Group), Committee on International Relations, U.S. Congress (House), May 6, 2004.

action to halt the genocide—to no avail. Of course, the Sudanese military operations in Darfur did not end, and the Security Council neither took up the problem nor acted.<sup>123</sup>

Just one month later, by early June 2004, Evan's estimate was already superceded. USAID Administrator Andrew Natsios estimated that even if the government of Sudan were to alter all its policies immediately—which it did not do—and permit massive aid inflows to the internally displaced in western Sudan, “as many as 320,000 of those might die in 2004.”<sup>124</sup> Instead the government of Sudan did everything it could to impede the delivery of aid to Sudanese ports, the delivery of aid in Sudan to the camps of refugees, and the entry of aid workers into Sudan. At a time when the world's press and TV were full of photographs of the emaciated and dying refugees and estimates were that the first 20–30,000 people had already died, the Sudanese Foreign Minister denied that there was any hunger occurring and that hunger was being “imagined” by the media.<sup>125</sup> The Sudanese government also denied that it was aiding the Janjaweed. Natsios labeled the denial “utter nonsense.” Not only did Natsios publicly report that Sudanese military operations were continuing, but the United States took the unprecedented step of releasing satellite photographs to demonstrate that 300 out of 576 villages belonging to three black Sudanese tribes in Darfur province had been razed to the ground.<sup>126</sup> Just one week later, this number reportedly had reached 400 villages destroyed.<sup>127</sup> And in November 2004, map information provided by the U.S. Department of State indicated that since the spring of 2003 629 villages had been destroyed and another 188 damaged out of a

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<sup>123</sup> “Idle on Darfur,” *The Washington Post*, May 13, 2004.

<sup>124</sup> Statement by Andrew S. Natsios to the Joint United Nations-United States-European Union Donor Consultation on Darfur, Geneva, Switzerland, June 3, 2004. See also Colum Lynch, “Sudan Accused of Blocking Darfur Relief,” *Washington Post*, May 28, 2004; Susan Rice and Gayle Smith, “The Darfur Catastrophe,” *Washington Post*, May 30, 2004; “Darfur in Flames: Atrocities in Western Sudan,” Human Rights Watch, Update, Spring/Summer 2004; Jerry Fowles, “In Sudan, Staring Genocide in the Face,” *Washington Post*, June 6, 2004; “World Leaders Must Act on Darfur,” International Crisis Group News Release, June 6, 2004; “300,000 Deaths Foretold,” *Washington Post*, June 7, 2004; Marc Lacey, “White House Reconsiders Its Policy on Crisis in Sudan,” *New York Times*, June 12, 2004; Nicholas Kristof, “Dare We Call It Genocide,” *New York Times*, June 16, 2004; and “As Genocide Unfolds,” *Washington Post*, June 20, 2004.

<sup>125</sup> Emily Wax, “In Sudan, Death and Denial: Officials Accused of Concealing Crisis as Thousands Starve,” *Washington Post*, June 27, 2004; Tom Maseland, “Living and the Dead,” *Newsweek*, July 5, 2004, pp. 38–40; and Emily Wax, “Sudanese Refugees Told to Stay Silent on Government, Militia Abuses,” *Washington Post*, June 28, 2004.

<sup>126</sup> “Crisis in Sudan,” Interview with Andrew Natsios, USAID Administrator, and Dr. Jennifer Leaning, Physicians for Human Rights, PBS Newshour, June 24, 2004.

<sup>127</sup> Nina Shea, “General Bashir's Genocide, Again,” *National Review Online*, June 30, 2004.

larger population of “African” villages, and that “at least 79,000 Africans killed.”<sup>128</sup> UN and NGO aid personnel reported that homes were burned and destroyed, crops and animals were destroyed, village irrigation systems were destroyed, and wells were poisoned by dropping dead animals into them. The satellite photographs clearly showed that the intermingled villages belonging to the attacking Arab militias were untouched. Systematic rape of the internally displaced women both in and outside of the camps was also widely reported and has never ceased up to the present time.<sup>129</sup> Nevertheless, the U.S. government was still at this time reviewing whether the term “genocide” could be applied to the situation.

In the last week of June 2004 UN Secretary-General Annan and U.S. Secretary of State Powell traveled to Sudan’s capital to pressure the Sudanese government.<sup>130</sup> The Sudanese government completely removed the refugees from the camp that Annan was to visit before he arrived at the site, and showed Powell—in time-honored “Potemkin” style—a model camp that was functioning properly.<sup>131</sup> Given the circumstances surrounding the U.S. and UK involvement in Iraq in 2004 it was inconceivable that these countries would become engaged in the situation in Sudan, and Secretary Powell rejected the suggestion that a peacekeeping force be authorized by the UN Security Council. “The solution has to rest with the [Sudanese] government doing what’s right ... [the] government to provide the security that these people need.” On the very day in July that Sudanese aircraft bombed and helicopter gunships attacked villages, Powell “said that he had given the Sudanese a timetable of specific tasks to be fulfilled within days or weeks; otherwise the international community would consider tabling a UN resolution condemning Sudan’s actions.”<sup>132</sup> Sudanese officials promised to “cooperate” with the UN and with the United States.<sup>133</sup> It was difficult to assume that this ambiguous sanction would much impress a Sudanese government that made and undid analogous promises over and over again in its genocidal war in the preceding decades in Southern Sudan—unless it considered its military operations in Darfur province completed to its own

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<sup>128</sup> Emily Wax, “For a Small Girl in Darfur, a Year of Fear and Flight,” *Washington Post*, November 26, 2004.

<sup>129</sup> Emily Wax, “‘We Want to Make a Light Baby’: Arab Militiamen in Sudan Said to Use Rape as Weapon of Ethnic Cleansing,” *Washington Post*, June 30, 2004.

<sup>130</sup> Christopher Marquis, “Powell to Press Sudan to Ease the Way for Aid in Darfur,” *New York Times*, June 30, 2004; Christopher Marquis, “Death in Darfur,” *New York Times*, July 3, 2004; Christopher Marquis and Marc Lacey, “Powell and Annan See Hints of Disaster in Darfur,” *New York Times*, July 1, 2004; and Glenn Kessler, “Powell, in Sudan, Presses for Action,” *Washington Post*, July 1, 2001.

<sup>131</sup> Marc Lacey, “Sudan Camp is Moved before UN Visit,” *New York Times*, July 2, 2004; and Emily Wax, “Refugees Moved before Annan Visit; U.N. Leader Arrives to Find Sudan Camp Emptied of Residents,” *Washington Post*, July 2, 2004.

<sup>132</sup> IRIN, “Sudan: Rebel-held Villages in Southern Darfur Reportedly Bombed,” July 2, 2004.

<sup>133</sup> Emily Wax, “Sudan Pledges to Disarm Militias, Protect Refugees,” *Washington Post*, July 3, 2004.

satisfaction. Sudanese President Omar el-Bashir had already “ordered” the disarmament of the Janjaweed two weeks earlier on June 19, 2004. And the Sudanese government had made a similar promise to “neutralize” the Janjaweed militias as part of a ceasefire agreement on April 8, 2004. But the government disregarded the ceasefire, and the Janjaweed continued destroying African villages.<sup>134</sup> The Sudanese government correctly felt confident of its ability to drag out the process in the coming months and years, and suffer no penalty and no impediment to continuing genocide. UN Secretary-General Annan informed African Union leaders that “urgent action” was needed in Darfur, and so the AU, which heretofore had not even provided an interposition force on the border between Chad and Sudan, now proposed sending a “protection force” of all of 300 men.<sup>135</sup>

By this time, one million people had already been internally displaced, 130,000 had fled to Chad, and at least 30,000 were reportedly killed.<sup>136</sup> Nevertheless, not a single African country supported military intervention despite the fact that the African Union has a constitutional commitment to intervene in a member state in the face of war crimes, genocide, or crimes against humanity. The chairman of the African Union, Nigeria’s President Obasanjo, claimed that the minute AU force “will protect civilians as well as peace monitors and humanitarian workers,” and that it would be “a protection force.”<sup>137</sup> Jan Egeland, the United Nations Under-Secretary-General for Humanitarian Affairs, offered the opinion regarding the Janjaweed militias, that “I believe they will start to demobilize, and we will very clearly speak out if we do not see such disarmament.”<sup>138</sup> Two days later, a UN spokesperson reported that “Armed men, some in military uniform, have continued to attack . . . clearly marked convoys of humanitarian workers in . . . Darfur region.”<sup>139</sup>

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<sup>134</sup> “Sudan: Darfur Atrocities Spill Into Chad; Despite Ceasefire, Sudanese Troops and Militias Continue to Kill, Rape and Loot,” *Human Rights Watch News*, June 22, 2004.

<sup>135</sup> IRIN, “Africa: Annan Tells AU Leaders of the Need for ‘Urgent Action’ on Darfur,” July 6, 2004; IRIN, “Sudan: African Union to Send Protection Force to Darfur,” July 6, 2004. The AU estimated at this time that Africa had witnessed some 30 conflicts “since the 1960s...claiming a total of seven million lives and costing U.S. \$250 billion.” It is clear from the numbers in Table 1 of this monograph (see page 15) that this is a gross underestimate. Totaling the numbers for Africa in Table 1 and adding 3.5 million for the Congo one reaches 12.25 million killed counting only the largest sums.

<sup>136</sup> “Vicious Attacks in Western Sudan Uproots 1 Million, Critical Aid Supplied by International Rescue Committee,” *The IRC At Work*, Summer 2004, pp. 1,4; Erin Patrick, *How Many People Have to Die in Darfur Before We Care; The Role of the International Community in Darfur*, Policy Brief no. 5, Washington, DC: Migration Policy Institute, July 2004.

<sup>137</sup> “African Union Says Darfur Force Will Shield Civilians,” Reuters, July 8, 2004.

<sup>138</sup> “Sudan: Interview with UN’s Jan Egeland on the Situation in Darfur,” *IRINNews*, July 5, 2004.

<sup>139</sup> “Sudan: Militias Attacking Humanitarian Convoys, Says U.N.,” *IRINNews*, July 7, 2004.

Early in July, the U.S. circulated a draft Security Council resolution “that would impose immediate sanctions on the government-supported militia, known as the Janjaweed, and would leave open the possibility of tough measures if they did not take significant steps to halt the violence after 30 days.”<sup>140</sup> When UN Secretary-General Annan was asked why, “There are no teeth in the Security Council resolution, and there seems to be no teeth elsewhere,” he replied that “The Council is fully seized of this . . . unless the Sudanese do not perform, the Council I am sure will take action—and action that will go beyond what is in the current resolution.”<sup>141</sup> When he had been in Sudan in June, Annan had expressed a rather different opinion: “Tactically, I think it is better not to rush into a resolution, but to hold it over their heads.” The journalist attributed to Annan the opinion that “The world is not prepared to send troops to intervene,” and added that “once the Council has played the sanctions trump card, there is no leverage left.”<sup>142</sup> Human Rights Watch reported that it had obtained Sudanese Government documents “showing that Sudanese government officials had directed the recruitment, arming and support for Janjawid militias.”<sup>143</sup>

The press reported that Sudanese refugee camp commanders were closing refugee camps and forcing the refugees “into the torched countryside, where there is no food, no protection and no foreign witnesses,” and that the government was “obstructing humanitarian access to the camps, denying aid workers visas, impounding their equipment in customs.” NGOs reported that the janjaweed militias had added poisoning of water supplies and destroying crops to their burning of villages and looting.”<sup>144</sup> With

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<sup>140</sup> Maggie Farley, “U.S., U.N. Raise Pressure; World Leaders Weigh Sanctions on Sudan and Say that Khartoum Has Little Time to Stop Ethnic Violence,” *Los Angeles Times*, July 3, 2004.

<sup>141</sup> “Secretary-General’s Press Conference,” July 21, 2004. See also Maggie Farley, “Sudan Works Angles to Avoid U.N. Sanctions,” *Los Angeles Times*, July 18, 2004; John Prendergast, “Sudan’s Ravines of Death,” *New York Times*, July 15, 2004; James Traub, “Never Again, No Longer? Post-9/11, Humanitarian Intervention Has Gone Out of Fashion, and the People of Darfur are Paying the Price,” *New York Times Magazine*, July 18, 2004, and Daniel Wolf, “Death and Deception in Darfur,” *Washington Post*, July 31, 2004.

<sup>142</sup> Maggie Farley, “Sudan Works Angles to Avoid U.N. Sanctions; Its envoy shows savvy in his dealings at the world body. Some say the regime is trying to string out its commitment to ending strife in Darfur,” *Los Angeles Times*, July, 18, 2004.

<sup>143</sup> “Sudan: Government Officials Implicated in Supporting Janjawid Militias,” *IRINNews*, July 19, 2004; Human Rights Watch, *Darfur Documents Confirm Government Policy of Militia Support*, Briefing Paper, July 19, 2004; Warren Hoge, “Rights Group Says Sudan Aids Abuses,” *New York Times*, July 20, 2004.

<sup>144</sup> “Mr. Powell’s Mistake,” *Washington Post*, July 25, 2004; Marc Lacey, “Sudan Memo: In Darfur, Appalling Atrocity, But Is That Genocide?,” *New York Times*, July 23, 2004; and “The Stakes in Darfur,” *Washington Post*, July 22, 2004. See also “How Many More Deaths,” *Washington Post*, July 28, 2004; Daniel Wolf, “Death and Deception in Darfur,” *Washington Post*, July 31, 2004; and “Sudan: More Civilians Displaced in Continuing Attacks by Militias in Darfur,” *IRINNews*, July 30, 2004.

all this, the European Union finally also called for sanctions. The Dutch rotating EU President said that “They know very well the threat of sanctions is imminent if they don’t comply. We have made that crystal clear to them,” and that “It’s almost certain the international community will take further measures if the situation does not improve.” German Foreign Minister Fischer agreed that Sudan should face international sanctions if it did not disarm the janjaweed, and the French Foreign Minister visited Darfur, Chad, Senegal and South Africa “to show French support for African Union efforts to effect a cease fire.” The Sudanese Foreign Minister traveled to The Hague and “insisted that his country would prosecute the militias,” although denying that the attacks amounted to genocide. In Khartoum, the President of Sudan claimed that “The international concern over Darfur is actually a targeting of the Islamic State of Sudan, and Sudanese officials stated that they would reject any (UN) “military” mission.<sup>145</sup>

However, eight of the fifteen members of the UN Security Council objected to the explicit use of the word “sanctions” in the resolution, and the U.S. agreed to the deletion of the word in order to obtain a thirteen to zero vote for a resolution which maintained “an implicit threat of diplomatic and economic penalties if Sudan fails to disarm militias in Darfur within 30 days.”<sup>146</sup> Sudan’s UN ambassador had lobbied all month to persuade different regional groupings to oppose the imposition of sanctions with the result that the Organization of the Islamic Conference (OIC) and the African Group and the UN formally requested the Security Council not to impose sanctions. To the OIC and the Arab Group the ambassador argued that the United States was vilifying Muslims. To the African Group he argued that Security Council sanctions were a means to undermine the influence of the African Union and its mediation efforts. “Let’s not be hasty. Let’s give the Africans a chance to prove we can solve our own problems. . . . This is a test case for the African Union. Their success in this case will bring them credibility and success in other issues.”<sup>147</sup>

On the day before the UNSC vote the press reported that “Arab militias chained civilians together and set them on fire in Sudan’s Western Darfur Region . . . according to a report by an African Union monitoring team.”<sup>148</sup> On July 30, 2004, the UN Security Council passed Resolution #1556, promulgated under Chapter 7 of the UN Charter. In its preambular paragraphs the resolution “Determin[ed] that the situation in Sudan constitutes a threat to international peace and security and to stability in the region.” It

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<sup>145</sup> Paul Casciato, “Europe Joins U.S. in Demand for Action in Crisis in Sudan,” *Washington Post*, July 25, 2004, and Paul Geitner, “E.U. Threatens Sanctions on Sudan if Crisis Persists,” *Washington Post*, July 26, 2004.

<sup>146</sup> Maggie Farley, “U.S. Eases Its Stance on Sudan Resolution; It Agrees to Drop Term ‘Sanctions’ from a U.N. Draft on Conflict, Paving Way for U.N. Vote Today,” *Los Angeles Times*, July 30, 2004.

<sup>147</sup> Maggie Farley, “U.S. Eases Its Stance on Sudan Resolution.”

<sup>148</sup> “Report: Sudanese Burned Alive,” Associated Press and CBS, July 29, 2004.

“demand[ed] that the Government of Sudan fulfil its commitments to disarm the Janjaweed militias and apprehend and bring to justice Janjaweed leaders and humanitarian law violations and other atrocities. . . .” It gave Sudan 30 days to stop janjaweed attacks and “express[ed] its intention to consider further actions under Article 41” of the UN Charter, implying the potential of economic and diplomatic penalties. It also required the UN Secretary-General to report “progress or lack thereof by the government of Sudan . . . in 30 days, and monthly thereafter.”<sup>149</sup> China and Pakistan abstained, arguing that Sudan needed more time to stop the killings. A Human Rights Watch official noted that “Khartoum has zero credibility left when they say ‘Give us more time.’ They have played the international community for fools over and over, and have used every ceasefire and every diplomatic initiative to continue the killing.” The U.S. Ambassador proclaimed that “the Council’s intention to impose sanctions was clear.”<sup>150</sup>

The UNSC resolution also imposed an arms embargo on all non-government forces in Darfur, and in March 2005 it expanded the embargo to include government forces as well. However, in April 2006 a panel of United Nations experts advised the UN Security Council that

the government of Sudan continues to violate the arms embargo by transferring equipment and related weapons into Darfur; supplying some militia groups with arms and ammunition; and providing support to militia groups in their attacks against villages. . . . The absence of strong and decisive sanction measures for violation of the ceasefire . . . has contributed to the ongoing violations, as parties acts with relative impunity.<sup>151</sup>

Russia and China continued to supply arms to Sudan, despite the prohibition on arms transfers in the UNSC resolution. Of course, the Sudanese government never disarmed the janjaweed militia. Janjaweed attacks continued all through 2005, and between November 2005 and April 2006 Sudanese government military forces, including aircraft, and janjaweed militia carried out a joint campaign against villages in Southern Darfur.<sup>152</sup>

In a response pattern that became standard, the Sudanese government first stated that it rejected the UNSC resolution: “Sudan expresses its deep sorrow that the issue of Darfur has quickly entered the Security Council and has been hijacked from its regional arena.”<sup>153</sup> Sudan also organized a protest in the

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<sup>149</sup> United Nations, Security Council, Resolution 1556 (2004), S/RES/1556(2004), July 30, 2004.

<sup>150</sup> Warren Hoge, “U.N. Council Threatens to Punish Sudan Over Militia Killings,” *New York Times*, July 31, 2004; and Colum Lynch and Christopher Lee, “U.N. Adopts Resolution on Sudan; Nation May Face Sanctions If Atrocities Persist in Darfur,” *Washington Post*, July 31, 2004.

<sup>151</sup> “Sudan: Stronger Arms Embargo Needed in Darfur—UN Experts,” *IRINNews*, April 28, 2006.

<sup>152</sup> “Sudan: UN Humanitarian Chief Visits Strife-Torn Darfur,” *IRINNews*, May 7, 2006.

<sup>153</sup> “Sudan Rejects UN Ultimatum,” CBS News, July 30, 2004.

Sudanese capital of Khartoum by 100,000 people to protest the UN action.<sup>154</sup> Simultaneously it reached an agreement with UN Special Envoy Jan Pronk on August 4 on “a plan to begin disarming Arab militias in the next 30 days.”<sup>155</sup> Pronk ridiculously rewarded Sudan on the following day by stating that the Sudanese government had halted militia attacks.<sup>156</sup> While the U.S. Congress passed declarations labeling the events in Darfur as “Genocide,” stipulating exactly which of the provisions of the United Nations Genocide convention had been violated in Darfur,<sup>157</sup> a European Union mission in contrast returned from the area saying that “it had found no evidence of genocide.”<sup>158</sup> Western press reporting and editorials throughout this period and for many months to come was plentiful, vigorous, and explicit—providing detailed descriptions of what was taking place on the ground and condemning international inaction.<sup>159</sup> Later in 2004 the European Union Parliament still stopped short of endorsing the word but inched a bit further, describing the events in Darfur as “tantamount to genocide.”

By the end of the 30 days, of course nothing had changed,<sup>160</sup> but Russia, sitting as rotating President of the UN Security Council, opposed any threatened sanctions, which reportedly “reflected a ma-

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<sup>154</sup> Warren Hoge, “Protesters in Sudan Oppose U.N.’s Demands,” *New York Times*, August 4, 2004; and CBS News, “Sudan Protests U.N. Ultimatum,” August 4, 2004.

<sup>155</sup> CBS News, “U.N., Sudan, Settle on Darfur Plan,” August 6, 2004.

<sup>156</sup> Robyn Dixon, “U.N. Sees Positive Actions in Sudan: A Special Envoy Says the Government Has Stopped Militia Attacks on Villages in Darfur and Improved Security,” *Los Angeles Times*, August 5, 2004.

<sup>157</sup> Senate Concurrent Resolution 133 ES, 108<sup>th</sup> Congress, 2<sup>nd</sup> Session, July 26, 2004. The House passed a parallel resolution as well.

<sup>158</sup> “Europe Sees No Genocide in Sudan Region,” *New York Times*, August 11, 2004.

<sup>159</sup> “Sudan Can’t Wait; The World Must Act Now to Stop the Death Toll in Darfur From Exploding,” and “Sudan, The World Notices Darfur; Why Has it Taken so Long? And What Will be Done to Stop the Killing?” *The Economist*, July 31, 2004; “Realism and Darfur,” *Washington Post*, August 1, 2004; “As Darfur’s People Die,” *Washington Post*, August 8, 2004; Marc Lacey, “Sudanese Suffer as Militias Hide in Plain Sight,” *New York Times*, August 6, 2004; Human Rights Watch, *Empty Promises: Continuing Abuses in Darfur, Sudan*, New York, August 11, 2004; and Bob MacPherson, “Stop the Slaughter,” *Washington Post*, August 8, 2004.

<sup>160</sup> Human Rights Watch, “Sudan: Janjaweed Camps Still Active: Sanctions Urged for August 30 Deadline,” August 27, 2004; Robyn Dixon, “Group Calls for Sudan Sanctions: Human Rights Watch Says the Government Has Broken its Pledge to Disarm Arab Militias,” *Los Angeles Times*, August 29, 2004; and International Crisis Group, *Darfur Deadline: A New International Action Plan*, Africa Report no. 83, Brussels, Belgium, August 23, 2004.



majority view . . . at this time.”<sup>161</sup> The pattern of action developed by the Sudanese government was to do everything that it could diplomatically at the last moment to diffuse and water down whatever international action was being contemplated, marshal its supporters on the UN Security Council and perhaps offer a minimal concession sufficient to ward off sanctions, and then totally disregard any provisions that had been applied or that it had agreed to.

Early in September 2004, the first reports appeared that United Nations officials had drawn up plans for an expanded AU force of around 4,500 troops to protect refugees.<sup>162</sup> Rwanda and Nigeria had contributed the 300 monitors for a ceasefire which did not exist, and only the same two countries and Tanzania initially offered troops for the projected force of 4,500.<sup>163</sup> At the same time the United States resolved its internal policy discussion begun in June, with testimony by Secretary of State Powell to the U.S. Senate that “the United States viewed the killings, rapes and destruction of homes in the Darfur region of western Sudan as Genocide.” The U.S. Department of State released a report based on its own investigations supporting the charge.<sup>164</sup> Powell called on the UN Security Council “to recognize that the situation required urgent action.” The UN Secretary-General’s press spokesman noted that the statement “could be viewed as tantamount to invoking Article 8 of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide—the first time that any nation had invoked that provision calling on the United Nations to take action.”<sup>165</sup> President Bush also referred to “ongoing genocide” while speaking

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<sup>161</sup> Evelyn Leopold, “Russia: Time Not Ripe for UN Sanctions on Sudan,” Reuters, August 31, 2004.

<sup>162</sup> Jeff Sallot, “UN Plots Sudan Peace Force,” *Globe and Mail*, September 1, 2004; Maggie Farley, “U.N. Sees Meager Progress in Darfur; A Report Says Sudan Has not Done Enough to Stop the Militias or Help Refugees and Calls for a Larger Monitoring Force,” *Los Angeles Times*, September 2, 2004; and Peter Gantz, “Military Intervention and Peacekeeping in Darfur,” Refugees International, September 1, 2004.

<sup>163</sup> Samantha Power, “It’s Not Enough to Call It Genocide,” *Time*, October 4, 2004, p. 63.

<sup>164</sup> Emily Wax, “U.S. Report Finds Sudan Promoted Killings; Use of Term ‘Genocide’ Debated Ahead of Powell Testimony on Darfur Activities,” *Washington Post*, September 8, 2004; Steven R. Weisman, “Powell Says Rapes and Killings in Sudan are Genocide,” *New York Times*, September 10, 2004; and U.S. Department of State, *Documenting Atrocities in Darfur*, Publication 11192, Washington, DC, September 2004. See also Public International Law and Policy Group, *Genocide in Darfur: A Legal Analysis*, Washington, DC, September 2004; and Amy Costello, “Chad/Sudan: A Question of Genocide,” Frontline/World transcript, PBS Television, September 16, 2004.

<sup>165</sup> Weisman, “Powell Says Rapes and Killings in Sudan are Genocide.” A *Washington Post* editorial pointedly repeated the fact that it was “the first time a government has leveled such an accusation at a sitting counterpart since the U.N. Convention on the Prevention and Punishment of Genocide was adopted in 1948.” “Mr. Bush and Genocide,” *Washington Post*, February 12, 2006.

at the United Nations at the end of the month.<sup>166</sup> Secretary-General Annan's office was perhaps voicing its hopes, but late in 2004 the U.S. Department of State's senior representative on Sudan, Charles R. Snyder, told a *Washington Post* reporter that "the word 'genocide' was not an action word; it was a responsibility word."<sup>167</sup> The reporter noted that "Perhaps most counterproductive, the United States has failed to follow up with meaningful action. . . . And Sudan's government has used the genocide label to market itself in the Middle East as another victim of America's anti-Arab and anti-Islamic policies." Speaking to the BBC as late as May 2006, ministerial-level Sudanese officials openly laughed at and derided the designation of genocide.

Although Powell also stated that "no new action is dictated by the [genocide] determination," on the very same day the United States distributed a draft UN resolution that threatened "consideration of sanctions on Sudan's oil industry if Khartoum fails to stem violence in the Darfur region of Sudan or blocks the deployment of thousands of African monitors."<sup>168</sup> The Nigerian AU Chairman sent a letter to the Security Council stating the AU's "intention to send more troops to do 'proactive monitoring.' The actual number could range from 3,000 to 5,000. Their mandate will be negotiated, but could include protecting refugees, disarming the janjaweed . . . and assuring the delivery of aid supplies," and UN Special Envoy Pronk stated that "sanctions were a last resort whose time had not come."<sup>169</sup> The World Health Organization stated that death rates in the refugee camps were actually rising at this time. Their estimates were between 6,000 and 10,000 people per month, a rate which implied 72,000 to 120,000 deaths per year.<sup>170</sup> Nevertheless, once again the resolution, UNSC 1564, omitted the word "sanctions" and passed,

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<sup>166</sup> See also Jim VandeHei, "In Break With U.N., Bush Calls Sudan Killings Genocide," *Washington Post*, June 2, 2005.

<sup>167</sup> Emily Wax, "5 Truths About Darfur," *Washington Post*, April 23, 2006; and "Extended Interview: State Department on Sudan" (Interview with Charles Snyder, U.S. Department of State), PBS Newshour, September 23, 2005.

<sup>168</sup> Colum Lynch, "U.S. Drafts Resolution on Sudan Sanctions," *Washington Post*, September 9, 2004; Maggie Farley, "Ambassador Tries to Spur U.N. to Action on Sudan," *Los Angeles Times*, September 9, 2004; Evelyn Leopold, "US Threatens Oil Sanctions on Sudan at UN," Reuters, September 9 2004; and "EU to Warn of Sanctions Against Sudan Over Darfur," Reuters, September 13, 2004.

<sup>169</sup> Maggie Farley, "Ambassador Tries to Spur U.N. to Act on Sudan. John C. Danforth, a former U.S. envoy to the African nation, is pushing a resolution threatening sanctions if abuses in Darfur go on," *Los Angeles Times*, September 9, 2004.

<sup>170</sup> "Up to 10,000 Dying a Month in Darfur Camps-UN," Reuters, September 13, 2004; Colum Lynch, "Death Rates in Darfur Rising, WHO Says; U.N. Agency Cites Disease and Sudanese-based Militia as Cause of Increase," *Washington Post*, September 15, 2004; "UN Reports More Darfur Violence, Displaced Camps on Edge," Reuters, September 21, 2004; and "Sudan: Renewed Fighting Reported in South Darfur," *IRINNews*, September 29, 2004.

this time with China, Russia, Pakistan, and Algeria abstaining.<sup>171</sup> Reportedly at the request of UN Secretary-General Annan, the resolution also called for establishing a commission to investigate whether the atrocities in Darfur met the legal definitions of Genocide.

The Sudanese government's response this time was varied and contradictory. The Foreign Minister claimed that the Darfur crisis was "a 'smoke screen' to hoodwink the international community." He warned that disarming pro-government militias, if done hastily and carelessly, could cause a violent ethnic war: "if we are not cautious on that we will be igniting ethnic and tribal conflagration in the country."<sup>172</sup> He also attributed U.S. policies to electioneering to obtain black and Jewish votes in the November elections. The head of the ruling government party argued that Sudan "would try to arrest the militia-men but emphasized that they were outside its control."<sup>173</sup> Elsewhere the government had already claimed that it was incorporating militia members into its own security forces, which was consistent with NGO reports that in some cases janjaweed militiamen simply continued their attacks dressed in new military and police uniforms supplied by the Sudanese government, which even facilitated their entry into refugee camps.<sup>174</sup> Finally, the deputy speaker of the Sudanese parliament explained that "Sudan is not afraid of the threat of sanctions by the United States, which is using the crisis in Darfur to weaken and destroy the government of Sudan in a similar fashion in which they devastated Iraq and Somalia."<sup>175</sup>

Obviously emboldened by its ability with the aid of China to hold off any serious UN Security Council action, Sudan initiated a set of attacks on refugee camps in early November 2004, simultaneously forcibly relocating refugees from camps which were being monitored by African Union observers or at which NGOs were providing assistance. Sudan also blocked access to the refugee camps by UN organizations and NGOs, preventing the delivery and distribution of food, water, and medical assistance. Senior Sudanese government officials blandly denied these activities, even though they were filmed by BBC and

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<sup>171</sup> United Nations Security Council, Resolution 1564, S/Res/1564(2004), September 18, 2004; Colum Lynch, "U.N. Puts Sudan Sanctions Into Play; Security Council Adopts Resolution," *Washington Post*, September 19, 2004; and "Sudan: EU Welcomes Security Council Resolution on Darfur," *IRINNews*, September 23, 2004.

<sup>172</sup> Somini Sengupta, "Sudan Official Calls Darfur a 'Smoke Screen' for Plotters," *New York Times*, September 29, 2004.

<sup>173</sup> Emily Wax, "Sudanese Decry U.N. Threat of Sanctions; 'Resentful' Reaction Predicted in Capital," *Washington Post*, September 20, 2004.

<sup>174</sup> Emily Wax, "Weary Darfur Villagers Tell of Attack; Men in Government Uniforms Backed by Aircraft, Force Hundreds from Homes," *Washington Post*, September 30, 2004.

<sup>175</sup> Ophera McDoom, "U.N. Steps Up Pressure on Sudan Over Arab Militias," Reuters, September 7, 2004.

shown internationally.<sup>176</sup> At the same time this was taking place, the Sudanese government and the groups fighting it in Darfur signed an accord in which the government agreed once again to disarm the janjaweed militias and, more significantly, to halt military flights over Darfur. Additionally, “both sides agreed to reveal the location of their forces to African Union cease-fire monitors.” In a separate accord, the Sudanese government agreed “to allow free access to aid for the nearly 2 million people displaced.”<sup>177</sup> The blatant contradictions between commitments in “agreements” and actions on the ground and in the air over Darfur were typical.

In November 2004, yet another UN Security Council Resolution (#1574) was passed, this time unanimously, but for that reason it was a sharp regression. As in the perambulatory paragraphs of all UN Security Council resolutions, it began by “recalling” its relevant precedents, in this case UNSC Res. 1556 of July 2004 and 1564 of September 2004. Nevertheless, those paragraphs *omitted* the explicit demand in the previous two resolutions for Sudan to disarm and prosecute the government-backed janjaweed militias, and it omitted the language in both previous resolutions “that specifically threatened ‘further measures’ including the possibility of sanctions. Instead, it included a much milder warning to ‘take appropriate action against any party failing to fulfil its commitments’.”<sup>178</sup> China’s ambassador to the United Nations reportedly fought to weaken all three resolutions and obviously succeeded to the greatest degree in his third effort. China entered into extensive oil export agreements with Sudan during the 2003 to 2006 period of the genocide, and of course China holds veto power in the UN Security Council. Later in November, the UN General Assembly’s Committee on Social, Humanitarian and Cultural Affairs refused to vote on a resolution that denounced human rights violations in Sudan. The resolution not to vote was

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<sup>176</sup> Finbarr O’Reilly, “Sudan Army Surrounds Darfur Camps, Aid Agency Says,” Reuters, November 2, 2004; United Nations High Commission for Refugees, “UNHCR Concerned About Security Incidents in Darfur and Chad Camps,” November 2, 2004; “Sudan Army Raids Camps in Darfur. Sudanese troops have raided two refugee camps near Nyala in Darfur, denying aid agencies access to the inhabitants inside, the United Nations says,” BBC News, November 2, 2004; “Darfur Camp Clearances ‘Illegal.’ The forcible relocation in Sudan of more than 30,000 refugees from camps by security forces in Darfur was a breach of international law, the UN says,” BBC News, November 9, 2004; “Sudan: UNHCR Moves Staff from South Darfur,” *IRINNews*, November 12, 2004; “Sudan Denies Refugee Camps Siege,” CBS News, November 2, 2004; and “Sudan: Security Council Concerned Over Darfur,” *IRINNews*, December 8, 2004. See also “Sudan, Crisis in Darfur,” *Refugees* 3: 136 (2004): 3-14; Eric Reeves, “The Rapidly Growing Security Crisis in Darfur, Now Dramatically Obstructing Humanitarian Operations and Access,” Smith College, Massachusetts, manuscript, November 2, 2004.

<sup>177</sup> Emily Wax, “Sudan, Rebels Reach Accord on Darfur. Government Approves No-Fly Zone, Access to Aid,” *Washington Post*, November 10, 2004.

<sup>178</sup> Human Rights Watch, “Darfur: U.N. Backtracks in Sudan Resolution,” New York, November 19, 2004.

proposed by South Africa. U.S. Ambassador Danforth remarked that “one wonders about the utility of the General Assembly on days like this.”<sup>179</sup>

The end of 2004 saw the fulfillment of the worst fears—or beyond them—that one could have entertained in the spring and summer of that year. Duplicity by the Sudanese government continued at the highest diplomatic levels, together with no diminution of its organized campaign of destruction in Darfur. It was clear that the campaign against the overwhelming majority of the population of Darfur carried out by regular Sudanese military forces and irregular surrogates was intended either to kill them or by destroying their homes, possessions, crops, and livestock to force them to migrate. The purpose was to prevent any further demands for access to resources of the state and political power as had occurred as part of the peace agreement that ended the 20 years of war in Southern Sudan. An NGO estimate of 300,000 dead appeared for the first time at the end of 2004. The estimate of deaths widely used by the press is unquestionably undercounted. It *excludes* deaths that occurred prior to March 2004, most killings and deaths in camps to which UN and NGO relief workers lack access, deaths in Darfur’s three major towns as well as in isolated locations, and at times, deaths in camps in Chad. The figure of 200,000 dead (or at times “more than 200,000 dead”) remained unchanged in the press and media all through 2005 and 2006, which is obviously implausible.<sup>180</sup>

Under the circumstances that no one was willing to send troops or aircraft even to the Sudanese border in Chad, and certainly not to go to war in order to stop the events in Darfur, nor to force Chinese and Russian vetoes in the UN Security Council, Sudan and the UNSC process together were able to make a mockery of UN Secretary-General Kofi Annan, of the African Union, and of U.S. Secretary of State Powell. All tolerated the deception and did nothing, or in the case of Annan, could do nothing. All the external parties essentially attempted to bluff Sudan into changing its policies, and in the event that failed, were prepared to do no more. The UN Secretary-General perhaps hoped to hector—or shame—the Security Council to action, but Annan must have understood as well as Sudan that Russia and China would not agree to that.

The narrative in the preceding pages of nearly a full year’s events were provided in sufficient detail to demonstrate that the routine dithering and ineffectual manner of international politics has not the slightest chance of stopping a genocide. And due to a coincidence, Darfur virtually disappeared from international attention for a period of months. One press report noted that “stung by the charges of ineffectiveness over Iraq, Darfur, and other conflicts, the UN has thrown the majority of its resources into

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<sup>179</sup> Warren Hoge, “Danforth Faults UN Assembly on Sudan Ruling,” *New York Times*, November 24, 2004.

<sup>180</sup> Sebastian Mallaby, “Marketing Darfur; Can a professor’s struggle lessen the death toll,” *Washington Post*, January 31, 2005.

tsunami relief.”<sup>181</sup> The international community put roughly \$7 billion into recovery assistance for the Indian Ocean region (and pledged a total of \$13.05 billion). Here none of the regional recipients were interested in impeding its arrival or use.<sup>182</sup> One thousand people were buried in a mudslide in the Philippines and here too a dozen countries sent rescue teams and tens of millions of dollars. In Sudan, the government was killing its own citizens at an apparent average rate of 1,500 to 2,000 people per week for two and one half years, but it was impossible to mobilize international intervention—and not even international sanctions.

In January 2005 on the 60<sup>th</sup> anniversary of the liberation of Nazi death camps in 1945, the UN General Assembly held its first-ever special commemorative session. The rhetoric was heavy, not least from the African General Assembly President, the Foreign Minister of Gabon. Secretary-General Annan noted recent past failures to stop genocide in Cambodia, Rwanda and former Yugoslavia, and that “terrible things” were now happening in Darfur. On the very next day, Annan was to release a report, the contents of which he obviously already knew, determining whether those “terrible things” constituted genocide. Speaking for the African states, the Special Envoy of Guinea, certainly without any intended irony, said that “The Africa Group hoped that the special session would serve as a framework for more intensive thinking on ways to draw lessons from the Holocaust, as well as to address genocide (and) human rights abuses.”<sup>183</sup> No one said that every delegate present, the UN Security Council and its permanent members in particular, and the African Union, were disgraced for having permitted yet another “again” to take place, with all the evidence of it visible and broadcast worldwide all year.

One day later, the report of the Secretary-General’s International Commission of Inquiry was released. Among its three assigned tasks, the second was “to determine also whether or not acts of genocide have occurred.” The report documented violations of international human rights law, incidents of war crimes by the government-supported janjaweed as well as the insurgents, and evidence of “crimes against humanity.” It stated that contrary to Sudanese government claims, “attacks carried out by Government armed forces in Darfur . . . were deliberately and indiscriminately directed against civilians.” It agreed that the government was supporting the janjaweed and that government air strikes and janjaweed raids were coordinated. But miraculously, it stated that “the Government of Sudan has not pursued a policy of genocide . . . directly or through the militias under their control.” If individual government officials committed “acts with genocidal intent,” the commission felt that was only “a determination that a compe-

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<sup>181</sup> Michael J. Jordan, “UN Chief Tries to Bridge Gap with US,” *Christian Science Monitor*, January 24, 2005.

<sup>182</sup> United Nations Office of the Special Envoy for Tsunami Recovery, “Financial Update. FAQ: Financing the Tsunami Recovery Effort,” May 15, 2006.

<sup>183</sup> United Nations News Service, “General Assembly Marks 60<sup>th</sup> Anniversary of Liberation of Nazi Death Camps,” January 24, 2005.

tent court can make on a case by case basis.” However the commission stated that “International offenses such as the crimes against humanity and war crimes that have been committed in Darfur may be no less heinous than genocide.”<sup>184</sup> Be that as it may, the Commission’s non-finding regarding genocide can only be considered bizarre. Its assigned task was “to determine,” but it reported back that only a court could make such a determination. However, the massive evidence available unquestionably demonstrates that at least four of the five criteria of Article II of the UN Convention on Genocide, as well as all five circumstances of Article III (see page 16 of this study), occurred in Darfur, making the determination an extremely simple one.

The Commission was composed of five individuals: its chairperson from Italy, and the other members from Egypt, Pakistan, South Africa, and Ghana. The distribution is clearly non-random among UN member states. Two are members of the Organization of the Islamic Conference, and Pakistan in particular constantly opposed any Security Council pressure on the government of Sudan. Three are members of the African Union, and as noted previously, South African diplomacy had been unhelpful at the end of November 2004. The preparation of the Commission’s report was carried out by the United Nations Office of the High Commissioner for Human Rights, and contains extensive detailed documentation in its 176 pages. However, responsibility for the non-determination of genocide must be attributed to the five members of the Commission.

One month later, almost to the day, several examples of an archive of thousands of photographs and reports gathered by African Union monitors was leaked to the press. One was a document dated August 2004 obtained from a janjaweed official that explicitly outlines the Sudanese government’s program for genocide: It called for the “execution of all directives from the president of the republic. . . . Change the demography of Darfur, and make it void of African tribes.” It encouraged “killing, burning villages and farms, terrorizing people, confiscating property from members of African tribes and forcing them from Darfur.”<sup>185</sup> The document was judged to be authentic by the AU, and given the description in

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<sup>184</sup> *Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General, Pursuant to Security Council Resolution 1564 of 18 September 2004*, Geneva, January 25, 2005; Maggie Farley, “U.N. Report Says Darfur Violence is Not Genocide,” *Los Angeles Times*, January 29, 2005; and Warren Hoge, “U.N. Finds Crimes, Not Genocide in Darfur,” *New York Times*, February 1, 2005. This was a headline carried in various close approximations around the world. See also David Bosco, “Crime of Crimes: Does It Have to Be Genocide for the World to Act,” *Washington Post*, March 6, 2005; and “Increments That Kill,” *Washington Post*, March 10, 2005.

<sup>185</sup> Nicholas D. Kristof, “The Secret Genocide Archive,” *New York Times*, February 23, 2005. Early in 2004 one of the very first press commentaries that drew attention to the events in Darfur—and also explicitly referred to genocide—included anecdotal evidence directly mirroring the contents of the apprehended Sudanese government document. It appears that janjaweed militia members who attacked various villages and went about their work of destroying the village and evicting the inhabitants often taunted the inhabitants with phrases almost verbatim to those in the document. See Eric Reeves, “Unnoticed Geno-

its report of how the Commission went about its work, the entire archive must have been available to it. In March Human Rights Watch released an interview with the senior janjaweed leader, identifying the Sudanese military chain of command that provided him with his orders and commanded his units in the field.<sup>186</sup> And in the following month an ex-U.S. Marine captain, one of three U.S. military observers assigned to the African Union's observer force between September 2004 and February 2005, released his own photographic documentation of burning villages in Darfur taken from low-flying helicopters and on the ground.<sup>187</sup> These photographs would presumably also have been in the AU documentation archive available to the Secretary-General's Commission. At that moment Sudan was also blocking a UN team from visiting Sudan to make a new estimate of mortality levels.

In a press conference in April 2006 dealing largely with Darfur, Juan Mendez, the UN Secretary-General's Special Adviser on the Prevention of Genocide, argued that the "discussion of whether something constituted genocide or not had been 'sterile and paralyzing.' . . . [He] did not believe that just calling the situation [in Darfur] genocide would help. . . .the element of intent, of whether it was genocide or not, should be left to a court of law—the International Criminal Court." He reiterated that "in legal terms, it was not only genocide that required the international community to act. The International Commission of Inquiry had stated that war crimes and crimes against humanity also required the international community to act."<sup>188</sup>

For the purpose of this monograph, the same detail in the narrative of events at the United Nations and in Darfur for the remainder of 2005 and 2006 is not necessary. The points are clear, remorseless, ugly, and indisputable. The parallels with the previous case studies are obvious. A *New York Times Magazine* cover on April 2, 2006 read "The U.N. is not going to stop the genocide in Darfur. The African Union is not going to stop the genocide in Darfur. The US is not going to stop the genocide in Darfur. The

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cide," *Washington Post*, February 25, 2004. See also Tony Judt, "The Stakes in Darfur," *New York Review of Books*, 52:1 (January 13, 2005): 12–15.

<sup>186</sup> Human Rights Watch, "Musa Hilal in His Own Words: Human Rights Watch Interview, Khartoum, Sudan, September 27, 2004," [http://hrw.org/english/docts/2005/03/02/darfur10234\\_txt.htm](http://hrw.org/english/docts/2005/03/02/darfur10234_txt.htm); and Maggie Farley, "Sudan Militia Leader Links Regime to Crisis; Musa Hilal's interview with a rights group contradicts Khartoum's claim that it is not involved in violence against Darfur villages," *Los Angeles Times*, March 3, 2005. See also Human Rights Watch, "Darfur: New Atrocities as Security Council Dithers," New York, February 25, 2005.

<sup>187</sup> Brian Steidle, "In Darfur, My Camera Was Not Nearly Enough," *Washington Post*, March 20, 2005.

<sup>188</sup> United Nations, Department of Public Information, "Press Conference by UN Special Adviser on Prevention of Genocide," New York, April 7, 2006. See also *Report of the Special Adviser on the Prevention of Genocide: Visit to Darfur, Sudan, 19-26 September 2006*. Note to the Secretary-General, 2005.



European Union is not going to stop the genocide in Darfur.”<sup>189</sup> Arab nations disregarded genocide of a Muslim population by a Muslim state. The African Union continued to accommodate Sudan with the policy of “African Solutions for African Problems,” and would not and could not by itself upgrade its force in Sudan to protect rather than just to monitor. And as long as Sudan’s permission remained necessary for any changes, they were obviously out of the question, since such changes were not going to be accepted by Sudan. Monitoring meant recording and reporting events to the AU, a documentary record that was never made public and was only rarely leaked.

Samantha Power asked: “The real question—on Darfur and on atrocity prevention in general—is: Where are the Europeans? Where is the public pressure in various European countries? Why don’t they mobilize? Why don’t the French or the Belgians—with their guilt over Rwanda—harness that guilt to do more for Africa today?”<sup>190</sup> The U.S. and U.K. militaries were occupied in Iraq and Afghanistan. Canada and Germany claim that they have all the troops that they can spare in Afghanistan, a dubious claim at least for Germany. France was strongly opposed to European units going to Darfur despite the fact that it had contingents of its own military forces based in Chad. France rejected informal suggestions that its aircraft based in Chad monitor the “no flight” prohibitions against Sudanese government helicopter gunships and strike aircraft. At least some other NATO and EU countries also opposed involvement, allegedly on the grounds that European countries should not go to Africa, at least not if a U.S. ground contingent is not part of the proposed force. The Dutch Secretary General of NATO was adamant that no NATO ground forces would go to Darfur.<sup>191</sup> Sudan, of course, lobbied all through the latter half of 2005 and early 2006 against either a NATO or a UN force being sent to Darfur, even suggesting that al Q’aida would attack Western countries that contributed troops destined for Darfur.

At the World Summit in September 2005, Heads of State “had adopted the norm of the responsibility to protect vulnerable populations, not only from genocide but from ethnic cleansing and massive violations of human rights.” By April 2005 the most detailed compilation of deaths in Darfur reached

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<sup>189</sup> Elizabeth Rubin, “If Not Peace, Then Justice,” *New York Times Magazine*, April 2, 2006, pp. 42–49, 66, 74–75.

<sup>190</sup> Samantha Power, in *Beyond The ‘Never Again’s*, Government of Sweden, Stockholm, 2005, p. 32. See also Kenneth Jacobson, “Where is Europe’s Voice Against Genocide,” *International Herald Tribune*, March 21, 2006.

<sup>191</sup> “NATO’s Role in Darfur,” PBS Online Newshour, March 22, 2006; Bradley Graham and Colum Lynch, “NATO Role in Darfur on Table; U.S. Backs Move to Send Advisors,” *Washington Post*, April 10, 2006; Eric Reeves, “Bush, NATO, and Darfur, Political Persuasion,” *The New Republic Online*, March 8, 2006; “NATO Proposes UN Role in Darfur,” CBC News, March 20, 2006; International Crisis Group, *The EU/AU Partnership in Darfur: Not Yet A Winning Combination*, Africa Report no. 99, Brussels, Belgium, October 25, 2005; and David E. Sanger, “Bush Sees Need to Expand Role of NATO in Sudan,” *New York Times*, February 18, 2006.

400,000.<sup>192</sup> In the course of the year the size of the African Union's observer force, the African Mission in Sudan (AMIS), was increased to 7,000 personnel with financial and logistical support from the United States and the EU, but it was no more able to impede Sudanese and janjaweed military operations than it had been before.<sup>193</sup> In the judgment of the Secretary-General's special adviser, Mendez, the situation early in 2006 had gotten progressively worse over the preceding twelve months. He pointed out that the government of Sudan "was 'playing games' with the consent that it originally gave to the African Union mission, by, for example, refusing from time to time to give them jet fuel and in effect grounding their helicopters and planes, as well as refusing for months to let them import the armored personnel carriers that had been donated."<sup>194</sup> Thus, the "African solution."

This situation led to an unsuccessful six-month effort to convince Sudan to permit a larger UN-authorized international mission with a strengthened mandate to enter Darfur to replace the AU force.<sup>195</sup> The United States used the opportunity of holding the chair of the Security Council to press for the proposal. President Bush spoke of "NATO stewardship" of the proposed enhanced peacekeeping mission, but the U.S. certainly did not have NATO support for the proposal. In any case, Sudan's President Bashir rejected the proposal.<sup>196</sup> Sudan's chief negotiator at the Darfur peace talks in Abuja "accused African governments that supported a UN deployment of wanting to create 'masters in the West and slaves in Afri-

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<sup>192</sup> Coalition for International Justice (CIJ), "New Analysis Claims Darfur Deaths Near 400,000; Experts Estimate 500 People a Day Are Dying," Press Release, April 21, 2005; and "Darfur's Real Death Toll," *Washington Post*, April 24, 2005.

<sup>193</sup> International Crisis Group, *The AU's Mission in Darfur: Bridging the Gaps*, Policy Briefing: Africa Briefing No. 28, July 6, 2005; "African Troops Extend Darfur Mission," *Washington Post*, March 11, 2006; and Warren Hoge, "Darfur Attacks Overwhelm Peace Force, U.N. Reports," *New York Times*, March 22, 2006.

<sup>194</sup> United Nations, Department of Public Information, "Press Conference by UN Special Adviser on Prevention of Genocide," *op. cit.*

<sup>195</sup> "Annan Wants US, Europe to Consider Force in Darfur," Reuters, January 13, 2006; Evelyn Leopold, "U.S. Britain Move to Get U.N. Troops Into Darfur," Reuters, February 1, 2006; Colum Lynch, "U.N. Seeks Plan for Peace Force in Sudan. U.S. Pushes Contingency to Stop Violence in Darfur," *Washington Post*, February 4, 2006; Ingrid Melander, "EU, U.S. Push Sudan for U.N. Mandate in Darfur," Reuters, March 8, 2006; "Sudan: AU Discusses Proposed Transfer of Peacekeepers to UN," *IRINNews*, March 10, 2006; Tim Cocks, "U.N. Hopes Sudan Will Allow Peacekeepers to Darfur," Reuters, March 19, 2006; "Sudan: UN Envoy Urges 'Robust' Peacekeeping Force in Sudan," *IRINNews*, March 22, 2006; and Irwin Arief, "UN to Speed Planning for Peacekeepers in Darfur," Reuters, March 23, 2006.

<sup>196</sup> Colum Lynch, "Sudan's Bashir Rebuffs U.N. on Peacekeepers. U.S. Backed Plan to Replace African Force," *Washington Post*, April 27, 2006.

ca’,” and that a UN authorized force would be a “neocolonialist infringement of Sudanese sovereignty.”<sup>197</sup> Some of Sudan’s neighbors subscribed to the rhetoric: Libya, Ethiopia, and Egypt opposed an enhanced UN force. China opposed any application of sanctions against Sudan, and in 2005 it supported strong Sudanese opposition to replacing the African Union observer force in Sudan by a larger UN force with a stronger mandate.<sup>198</sup> As for the U.S. Congress, after resolutions labeling the events in Darfur as genocide, Congress refused the U.S. Department of State’s request of \$50 million to support the African Union mission in Darfur in a defense budget authorization bill totaling \$453 billion—or 0.01 percent of the total.<sup>199</sup>

One further travesty played itself out in the course of a full year. A UN Security Council resolution adopted in March 2005 authorized an asset freeze and travel ban “on individuals who defy peace efforts, violate international human rights law or are responsible for military overflights in Darfur,” and the resolution requested that an expert panel draw up a list of individuals to whom sanctions might be applied.<sup>200</sup> The panel presented a list in December 2005, which reportedly included the Sudanese Minister of Defense, Minister of Interior, and head of the Sudanese intelligence agency, among others.<sup>201</sup> Qatar and China blocked the transmission of the recommendation to the UN Security Council. Several months of debate ensued until an apparent list of ten names was whittled to four, with Chinese and Algerian opposition to the imposition of the minimalist “targeted” sanctions against anyone. Within the U.S. government, the Department of State favored more than four individuals being targeted, while the Department of the Treasury and “other U.S. agencies”—almost certainly the CIA (because of U.S.-Sudanese intelligence cooperation on anti-terrorism)—opposed. UN Resolution 1672 came to a vote on April 25, 2006, and was passed, with China, Russia, and Qatar abstaining.<sup>202</sup> The list of four individuals named were the Sudanese general commanding all military forces in the West of Sudan, the senior janjaweed leader, and the heads

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<sup>197</sup> “Genocide’s Neighbors,” *Washington Post*, March 24, 2006.

<sup>198</sup> Nicholas D. Kristof, “China and Sudan, Blood and Oil,” *New York Times*, April 23, 2006; Joshua Eisenman and Joshua Kurlantzick, “China’s Africa Strategy,” *Current History*, (May 2006): 223; and Emily Wax, “5 Truths About Darfur,” *op. cit.*, and “Sudan’s Business Boom,” PBS Online Newshour, May 15, 2006.

<sup>199</sup> “It’s Just a Genocide,” *Washington Post*, December 25, 2005.

<sup>200</sup> Edith Lederer, “U.N. Panel Recommends Sanctions Against Sudanese Officials,” *USA Today*, January 11, 2006.

<sup>201</sup> Evelyn Leopold, “US Willing to Impose UN Bans on Sudan Officials,” Reuters, April 6, 2006.

<sup>202</sup> UN Security Council, Resolution # 1672, S/Res/1672(2006), April 25, 2006; Warren Hoge, “U.S. Envoy to Expose 4 Sudanese in U.N. Debate About Darfur,” *New York Times*, April 18, 2006; and Warren Hoge, “U.N. Council Imposes Sanctions on 4 Men in Darfur War Crimes,” *New York Times*, April 26, 2006.

of the two largest insurgent movements. None of these individuals were likely to have assets held in banks outside of Sudan or have intended to travel outside of Sudan.

At the end of 2005 tribally-affiliated dissidents in Chad's military forces began moving to Eastern Chad along the Sudanese border and joining with insurgent Chadian groups supported by Sudan which operated from bases inside Sudan. In addition, in February 2006 janjaweed units as large as 500 strong in convoys of vehicles mounted with heavy machine guns began raiding unprotected refugee camps inside Chad. Refugees from Darfur were either massacred in the camps or had to flee once more.<sup>203</sup> In March, combat between Chad's military forces and these groups broke out as the government attempted to reassert control over its eastern border region.<sup>204</sup> Sudan put together a force of 1,200 fighters in 75 pickup trucks mounted with heavy caliber weapons which fought its way to Ndjamena, the capital of Chad, in an abortive attempt to topple the government. The force was composed of a combination of rebel Chadian military, Central African mercenaries, and "child soldiers from refugee camps in the Darfur region," recruited by Sudanese security forces and trained in Sudan.<sup>205</sup> The Sudanese-instigated expeditionary force was defeated in a matter of days.<sup>206</sup>

The spring of 2006 brought yet another problem. A joint Sudanese government and janjaweed campaign against villages in Southern Sudan reduced security levels to the point that UN agencies reduced their presence in the area.<sup>207</sup> Jan Egeland, UN Emergency Relief Coordinator, said that direct "attacks against relief workers have been relentless . . . staff, compounds, trucks and vehicles are being targeted literally on a daily basis."<sup>208</sup> Reductions in UN agency presence, however, increased the vulnerability of the local population still further. The International Organisation for Migration announced that the first three months of 2006 showed the highest quarterly figure of people displaced from their homes in

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<sup>203</sup> Lydia Polgreen, "Refugee Crisis Grows as Darfur War Crosses a Border. 20,000 in Chad are Uprooted by Attacks," *New York Times*, February 28, 2006; and "Spreading Genocide Inside Chad," *Washington Post*, March 20, 2006.

<sup>204</sup> "Chad: Government Troops Clash with Rebels in East," *IRINNews*, March 21, 2006; and Betel Miarom, "Chad Army Launches Offensive Against Eastern Rebels," Reuters, March 21, 2006.

<sup>205</sup> "Sudan Aided Chad Attack, Captured Rebels Say," *Washington Post*, April 24, 2006.

<sup>206</sup> "Rebels Push Deep Into Chad From Bases Set Up in Sudan," *New York Times*, April 13, 2006; Emily Wax, "Rebels Fight Troops in Chad Capital, Analysts See No Fast Resolution to Crisis," *Washington Post*, April 14, 2006; and Emily Wax, "Chad Cuts Ties to Sudan, Saying it Backed Assault," *Washington Post*, April 15, 2006.

<sup>207</sup> United Nations Mission in Sudan, Office of the Spokesperson, "UN Security Level in Parts of Darfur Raised to Phase 4," Press Release no. 011/06, January 5, 2006; and Irwin Arieff, "Violence Surges in Both Southern Sudan, Darfur-UN," Reuters, March 21, 2006.

<sup>208</sup> Warren Hoge, "Relief for Darfur Is Near Collapse, U.N. Envoy Says," *New York Times*, May 20, 2006.

Darfur over a period of three years.<sup>209</sup> The Sudanese government also took the opportunity to prevent Egealand from entering Darfur to assess conditions in the refugee camps.<sup>210</sup> Aggravating this problem, international donations to relief assistance agencies had dropped sharply in the preceding months. The World Food Programme announced that it was lacking 80 percent of the funds that it needed and would have to cut food deliveries in Darfur by half. UNICEF reported that it had only one third of the funds that it needed.<sup>211</sup> The Sudanese government refrained from releasing grain from its own very large strategic reserve. It was estimated that 750,000 people were beyond the reach of aid workers.<sup>212</sup>

At the end of April and in early May 2006, the seventh negotiating session between the Sudanese government and insurgent groups from Darfur was held in the Nigerian capital of Abuja under conditions of unusual pressure from the international community. The interventions of Nigerian President Obasanjo, other senior African Union officials and intermediaries, representatives of the EU, and Deputy U.S. Secretary of State Robert Zoellick finally led to a peace agreement on May 5, 2006 between the government and the largest of the individually tribal-based insurgent factions, the Sudanese Liberation Movement (or Army, SLA) backed by the Fur tribe. The Justice and Equality Movement (JEM) and a third group, a break-away faction of the SLA based in the herding Zaghawa tribe, refused to sign the agreement, ostensibly over issues of power-sharing in the Sudanese government.<sup>213</sup> The two parties that did sign the agree-

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<sup>209</sup> “Darfur Violence ‘As Bad as Ever’,” BBC News, March 30, 2006.

<sup>210</sup> “Sudan: Government Denies U.N. Humanitarian Chief Permission to Visit Darfur,” *IRINNews*, April 3, 2006; Evelyn Leopold, “Sudan Denies Visas to Darfur for UN Military Group,” Reuters, April 19, 2006; Marc Lacey, “Sudan Blocks U.N. Official From Visiting Darfur Region,” *New York Times*, April 4, 2006; and Michael Melia, “Sudan Says Time Not right for U.N. Mission,” Associated Press, April 19, 2006. Sudan also refused permission for several Nobel Laureates, including Nigeria’s Wole Soyinka, to visit Darfur.

<sup>211</sup> Jeremy Lovell, “Foreign Donors Turning Backs on Darfur–UNICEF,” Reuters, April 5, 2006; “Darfur Malnutrition ‘Rises Again’ . . . where increased violence and lack of funds are hampering aid efforts, the UN has said,” BBC News, April 26, 2006; and “Security Council Calls for Smooth Transition to UN Operation in Darfur,” UN News Service, April 11, 2006.

<sup>212</sup> Lydia Polgreen, “Darfur War Rages On, With Disease and Hunger the Biggest Killers,” *New York Times*, May 31, 2006. The Sudanese government not only delayed for months providing visas and permits to international aid personnel, it then engaged in profiteering, requiring them to renew their visas every three months at “hundreds of dollars” per person.

<sup>213</sup> Joel Brinkley, “U.S. Options on Darfur Are Running Out. Peace Talks Face Sunday Deadline; Little Progress is Evident,” *New York Times*, April 27, 2006; Glenn Kessler, “U.S. Envoy Joins Negotiations on Darfur as Deadline is Extended,” *Washington Post*, May 3, 2006; Lydia Polgreen and Joel Brinkley, “Largest Faction of Darfur Rebels Signs Peace Pact. Three Years of Carnage, But 2 Other Groups Reject Accord, Posing Possible Threat to Progress,” *New York Times*, May 6, 2006; Glenn Kessler and Emily Wax, “Sudan, Main Rebel Group Sign Peace Pact,” *Washington Post*, May 4, 2006; Glenn Kessler, “Dar-

ment, the government in particular, have a very poor record in keeping previous agreements, and there are many things that may interfere with this being a final end to fighting and to genocide in Darfur.<sup>214</sup> Perhaps the most problematic provision in the agreement is that it leaves the responsibility for demobilizing the janjaweed militias solely to the Sudanese government.<sup>215</sup>

During 2005, the government of Sudan had said that it would permit a UN peacekeeping force in Darfur only when a peace agreement had been achieved. Since the agreement was signed, however, statements by Sudanese officials have varied and been ambiguous. Some senior Sudanese officials reiterated the earlier position, while others opposed it.<sup>216</sup> This is a critical issue, since few countries have expressed a willingness to offer forces as part of a UN mission, and some, such as Morocco, Pakistan, Ukraine, and Russia have made tentative offers dependent on Sudan's agreement to accept a UN force. Sudan delayed permission for a UN assessment team to visit Darfur, which was necessary before mission planning at the United Nation could proceed. It was expected that there would be "a minimum six-month delay" before a UN force would arrive in Sudan, providing sufficient opportunity for the peace accord to break down.<sup>217</sup> In the weeks before and after the signing of the agreement, major fighting broke out between the Fur and Zaghawa tribes that had previously been fighting the government due to an apparent effort by the far-better armed Zaghawa to occupy more territory.<sup>218</sup> The Zaghawa were accused of precisely the same atrocities as those the Sudanese military and janjaweed had committed before them: burning huts, killing, looting and raping. The AU monitoring force was once again left to record.<sup>219</sup> The African Union, which

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fur Peace Accord A Battle of Its Own; Rebels Balked, Bickered in Grueling Talks," *Washington Post*, May 9, 2006; and "Negotiating Peace in Darfur: Interview with Robert Zoellick," PBS Online Newshour, May 8, 2006.

<sup>214</sup> "Uncertain Peace in Darfur," PBS Online Newshour, May 12, 2006.

<sup>215</sup> An excellent brief summary of the difficulties that the peace agreement faces is provided by Suliman Baldo, "Darfur's Peace Plan: The View From the Ground," [www.opendemocracy.net/democracy-africa\\_democracy/peace\\_darfur\\_3581.jsp](http://www.opendemocracy.net/democracy-africa_democracy/peace_darfur_3581.jsp). See also Reuters, "Deal on Mission in Darfur May Presage U.N. Presence," *Washington Post*, May 26, 2006.

<sup>216</sup> "Sudan Will Now Accept U.N. Peacekeepers," CBS News, May 6, 2006; and "Sudan Appears to End Opposition to a UN Darfur Force," Reuters, May 19, 2006.

<sup>217</sup> Simon Tisdall, "Six-Month Delay for U.N. Darfur Force; Khartoum blamed for blocking deployment. Food agency forced to cut rations for 3 million," *Guardian*, May 11, 2006.

<sup>218</sup> Lydia Polgreen, "Truce Is Talk, Agony Is Real in Darfur War," *New York Times*, May 15, 2006; Xan Rice, "Darfur's Rebel Forces Turn on Each Other. Tribal turf war erupts as peace process stalls. Victims of Arab militia now face new attackers," *Guardian*, May 18, 2006; and Lydia Polgreen, "Violent Rebel Rift Adds Layer to Darfur's Misery," *New York Times*, May 19, 2006.

<sup>219</sup> Lydia Polgreen, "Obstacles Test African Force in Grim Darfur," *New York Times*, May 17, 2006.

has extended the mandate for its current force only until September 30, therefore quickly authorized a transition to a UN peacekeeping force. The AU's AMIS force commander urged that UN troops arrive in the region quickly, while the UN's Egeland called for an enhanced AU force in the interim until UN peacekeepers could arrive.<sup>220</sup> There were 17,000 blue-helmeted UN personnel in the Congo, another 17,000 in Sierra Leone, and 15,000 in Liberia; the area of Darfur is three times that of Liberia. Both suggestions were obviously desirable.

On May 16, 2006, the UN Security Council unanimously passed Resolution 1679 authorizing the United Nations to replace the struggling African Union force in Darfur.<sup>221</sup> It remains to be seen whether Sudan will in fact permit this to take place, whether the Sudanese government will bring the janjaweed predations to a total halt, whether tribal factions that fought the government will continue to fight each other, or whether any or all of these will renew the fighting and nullify the current peace agreement—before a UN force arrives in four, six or more months' time. At the time of this writing, it was impossible to foresee how the situation would develop. If things continue as they were prior to May 5, 2006 and if the motivations and actions of the parties remain the same as they were for the previous three years, fighting and genocide will continue.

### **More Harm Than Good**

Despite all of the above, there are analysts who raised what they described as a “controversial dilemma: When does humanitarian action do more harm than good? When is doing nothing preferable to doing something?” Presumed negative outcomes were the overwhelming concern of the influential 1996 publication by Thomas Weiss,<sup>222</sup> as well as an important consideration in a volume by John Prendergast,

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<sup>220</sup> “Nigeria-Sudan: AU Calls for UN Troop Support in Darfur,” *IRINNews*, May 9, 2006; “Sudan: Egeland Urges Support for AU Darfur Mission Ahead of UN Peacekeepers,” *IRINNews*, May 7, 2006; and “Darfur Needs U.N. Peacekeepers Now,” *New York Times*, May 11, 2004.

<sup>221</sup> United Nations Security Council Resolution 1679, S/Res?1679(2006); Colum Lynch, “U.N. Council Approves Mission to Darfur,” *Washington Post*, May 17, 2006; “Sudan: UN Prepares to Deploy Peacekeepers in Darfur,” *IRINNews*, May 17, 2006; Warren Hoge, “U.N. Gets Proposal to Speed New Darfur Force,” *New York Times*, May 16, 2006; David White, “Annan Urges Immediate Funding for Darfur,” *Financial Times*, May 14, 2006; David R. Sands, “Nations Asked for Gear, Troops,” *The Washington Times*, May 18, 2006; and Anthony Lake and Francis Fukuyama, “Darfur’s Fleeting Moment,” *New York Times*, May 21, 2006.

<sup>222</sup> Thomas G. Weiss and Cindy Collins, *Humanitarian Challenges and Intervention: World Politics and the Dilemmas of Help* (Boulder: Westview Press, 1996). The same basic concern is dealt with in Ben Barber, “Feeding Refugees or War? The Dilemma of Humanitarian Aid,” *Foreign Affairs* 76, no. 4 (July–August 1997): 8–14; and in John Pomfret, “Aid Dilemma: Keeping it From the Oppressors. UN Charities Find Crises Make Them Tools of War,” *Washington Post*, September 23, 1997.

also published in 1996,<sup>223</sup> not to speak of others who consistently argue against intervention in all cases. We can look at one clear case, in which policies taken toward the end of one crisis strongly contributed to a second crisis. That is the sequence of events at the end of 1994 and in 1995 when the “Genocidaires” and the Hutu refugees from Rwanda fled to the Congo. They subsequently were harbored, protected, and even supplied by Mobutu—as well as by international aid agencies. Both before and after Mobutu’s overthrow by Laurent Kabila, the ex-Interamwhe renewed incursions from the Congo into Rwanda, contributing to the debacle in the Congo, which after five or six years cost an additional 3.5 million lives.

When the Hutu refugees fled from Rwanda to the Congo in 1994 the United Nations High Commissioner for Refugees (UNHCR) decided against returning them to Rwanda from the refugee camps in Goma and elsewhere in Zaire. Instead, food and shelter were provided to the refugees through a camp system openly managed and dominated by the Hutu Interamwhe who had carried out the genocide. These military camp guardians even confiscated much of the food for their own use. International aid thus *maintained* those who had perpetrated the Rwandan genocide. The decision was knowingly made by UNHCR despite a warning only the month before by the Director of Médecins Sans Frontières not to repeat the same pattern of behavior that had maintained the Khmer Rouge for years in camps located in Thailand.<sup>224</sup> The UNHCR then repeatedly asked the UN Security Council, over a period of two years, to provide forces to separate combatants from non-combatants in the refugee camps, commensurate with all refugee assistance guidelines. This was a task that the UNHCR could not itself carry out, having neither the mandate nor the capability to use force. The UN Security Council, and those powers which were capable of doing this—the United States, France, Belgium—refused the repeated UNHCR requests.

However, faced with the situation in Goma, several major private humanitarian assistance organizations—for example, the International Rescue Committee—directly understood the implications of what those arrangements would lead to, and pulled out of the camps by August 1994. In other words, they clearly understood the problem that Weiss and Prendergast emphasized, and they understood its solution as well. Fred Cuny also had understood these problems a decade earlier and had quite a different answer to them: “We are dealing with the problems, not with the solutions,” and he bemoaned the “wasted lives” resulting from “dealing with the problems.”<sup>225</sup> At the time of the massive exodus of starving Ethiopians in 1985 into Sudan and their concentration in Sudanese camps, Cuny recommended and carried out a suc-

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<sup>223</sup> John Prendergast, *Frontline Diplomacy: Humanitarian Aid and Conflict in Africa* (Boulder: Lynne Reiner, 1996).

<sup>224</sup> Alain Dexteche, “Genocide and Justice,” *The Economist* 331 (July 23, 1994): 7873.

<sup>225</sup> “The Lost American,” PBS/Frontline documentary, October 14, 1997. Cuny published very little in the academic literature, but one source is Frederick C. Cuny, “Dilemmas of Military Involvement in Humanitarian Relief,” pp. 52–81 in L. Gordienker and Thomas G. Weiss, *Soldiers, Peacekeepers and Disasters* (New York: St. Martin’s Press, 1991).



cessful return of large numbers of the refugees to their home areas in Ethiopia. Starvation in Ethiopia at that time was caused at least in part by food denial programs of the Ethiopian government as part of its war policies. The withholding, confiscation, or denial of food figured as major factors in the wars in Nigeria (Biafra), Ethiopia, Sudan, and Angola.

There are basic questions that follow from unquestionably mistaken policy choices:

- (1) Is it correct to lay the fault at humanitarian intervention, rather than to say that the particular policies chosen were at fault, and that instead other approaches to delivering the same humanitarian assistance should have been taken? Not the least of these would have been international application of force under Chapter 7 of the United Nations charter and the rapid eradication of the situations described. It is an alternative that neither Weiss nor Prendergast discuss, but it is explicit in the report of the generals convened in 1998 to look at what might have been done in Rwanda in 1994. That is, choose the solution that ends the problem, at least its acute phase.
- (2) Are even the mistaken policies ever worse than doing nothing?

Obviously, it is not humanitarian intervention per se that is at fault. As for the second question, millions died in Sudan between 1955 and 1972; and between 1993 and 1994, 800,000 to one million died in the Rwandan genocide, 350,000 died due to starvation and warfare in Somalia, and estimates were that perhaps two million additional deaths might have followed without the intervention that began in December 1992. There is no evidence, from any source, which indicates that humanitarian intervention produces greater mortalities than the enumerated debacles of international inaction, or that “military support seems to have caused more problems than it has solved,” as Weiss suggested in another publication.<sup>226</sup> What does the “slippery slope into humanitarian intervention” produce worse than these? As indicated earlier, others have noted that in the Bosnian case humanitarian assistance delivered under the cover of a UN force did nothing more than permit the Serbs to continue killing for four years, and that it was functionally a policy that the European powers chose so as to avoid forceful action to stop the carnage. However, that is certainly not an insight that either Weiss or Prendergast offer in their respective books.<sup>227</sup> In short, they lay the blame for the wrong problem at the wrong door: it is not humanitarian assistance that has exacerbated or fueled conflict in particular instances. Conflicting political interests of the major states, and a weak, reluctant, and ineffectual United Nations Security Council impeded the actions that would have prevented the continuation of conflict, only one consequence of which—and not the greatest one—was the misapplication of humanitarian assistance.<sup>228</sup> One of these authors, Prendergast, has apparently modified his views substantially since 1996. He has been the lead spokesperson for the International Crisis

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<sup>226</sup> Thomas G. Weiss, “A Research Note about Military-Civilian Humanitarianism: More Questions than Answers,” *Disasters* 21, no. 2 (1997): 95–117.

<sup>227</sup> In addition to the several earlier quotations, see James Gow, *Triumph of the Lack of Will: International Diplomacy and the Yugoslav War*, op cit.; and Samantha Power, “A Problem From Hell”, op. cit.

<sup>228</sup> See the massive report, *The Responsibility to Protect*, report of the International Commission on Intervention and State Sovereignty (Ottawa: International Development Research Center, December 2001).

Group between 2003 and 2006 in alerting the international community to the Genocide taking place in Darfur, Sudan. In that role, he has successively called for increases in forceful international action under Chapter 7 provisions in order to force the government of Sudan to end its genocide.

These contrasting positions were perfectly mirrored by Michael Ignatieff in 2002 in a review of another book that found humanitarian intervention at fault, David Rieff's *A Bed for the Night: Humanitarianism in Crisis*.

Calling the Kosovo campaign a "humanitarian intervention" made some aid workers blanch. How could a word supposed to stand for impartial delivery of assistance to populations in danger end up justifying air strikes? Yet for every aid worker who thought humanitarian intervention was an Orwellian contradiction in terms, there were others who had witnessed the Serbian military assault on Kosovar villages during the summer of 1998 and had come to the conclusion that delivering humanitarian aid had just become a way of helping the population endure more suffering. For these aid workers, the only solution was a war to defeat the Serb forces and drive them out of Kosovo. Even so, calling for intervention made them uneasy: it meant abandoning neutrality and impartiality. Moreover, the idea that war can ever be justified in humanitarian terms is and ought to be problematic.

As humanitarian space is attacked from without, by states and warlords, the watchwords of "impartiality" and "neutrality" are being questioned from within, by the aid workers themselves. What actually is the point of remaining neutral between the people of a state and its oppressive government or impartial between a victim population and an ethnic cleanser? Neutrality and impartiality here may quickly shade into collusion with evil . . . Bosnia was the Waterloo of the international aid business, an attempt to create a humanitarian space in the middle of a three-cornered ethnic war, while Western governments stood by and did nothing effective to stop the killing, at least not between 1992 and 1995.<sup>229</sup>

Ignatieff noted that Rieff attempted to have it every which way, excoriating "the idea of humanitarian military intervention . . . while also supporting NATO's use of force in Bosnia and Kosovo." David Rieff's 1995 book, *Slaughterhouse: Bosnia and the Failure of the West*, severely criticized Western reticence to intervene in that instance. There is little that better exemplifies the irrationality of the argument for "neutrality." Would anyone suggest being "neutral" and not intervening to stop an Auschwitz, a Buchenwald, or a Bergen-Belsen? "Neutrality" may be a necessity for the ICRC and other NGOs operating without protection in a war zone in circumstances where they choose not to identify the sole or major perpetrator of killing, but it should not be for any interventionary force. Where there are multiple perpetrators of killing, evenhanded suppression of all of them is not the same thing as "neutrality," and there are exceedingly few historical examples where the responsibility for killing is divided 50:50.

Afterwards there are always the regrets: a reporter who covered the Yugoslav wars and afterwards wrote a biography of Slobodan Milosevic wrote: "I was haunted by the failure of the world to stop Bosnia's cosmopolitan heritage from being pounded into dust by Serb gunners, its people murdered and scat-

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<sup>229</sup> Michael Ignatieff, "Mission Possible?," Review of David Rieff, *A Bed for the Night: Humanitarianism in Crisis* (New York: Simon & Schuster, 2002), *New York Review of Books*, 49:20 (December 19, 2002): 73–74.

tered. The more I witnessed, the less I understood how this could happen in Europe at the end of the 20<sup>th</sup> century.”<sup>230</sup> And in 1999 Kofi Annan added that “Srebrenica crystallized a truth understood only too late by the United Nations and the world at large: that Bosnia was as much a moral cause as it was a military conflict: the tragedy of Srebrenica will haunt our history forever.”<sup>231</sup>

### **Concluding Discussion**

April 2003 saw the 40<sup>th</sup> anniversary of Pope John Paul’s encyclical, “Pacem in Terris,” whose dual message was to urge for the peaceful resolution of conflicts by dialogue and negotiations, as well as to recognize certain basic human rights. When the report was released, the theologian Paul Tillich, a refugee from Nazi Germany, stated that there were, however, “situations in which nothing short of war can defend or establish” such rights. It is also a quarter-century since the release of the Palme Commission’s report, *Common Security*.<sup>232</sup> Wars are decided on, consciously chosen, always. Alternative choices, such as the itemized recommendations in the Palme Commission report, or simply the general notion of common security, have always been available. Those choices are rejected. The concept of common security assumes that all conflicts and wars occur because nations fear threats. It is an extremely small sample of cases for which that is the case, and certainly not for the nation that is the aggressor. The Dominican Republic and Vietnam did not threaten the United States. East Timor did not threaten Indonesia. Tanzania did not threaten Uganda. Afghanistan did not threaten the Soviet Union. Chad did not threaten Libya. Pol Pot, Idi Amin, Milosovic, Khadafi, Savimbi, Renamo, Unita, the Tamil Elam, Sendero Luminoso, the Nepalese Maoists, and many many others never wanted “common security.” Over a period of two decades Col. Khadafi fomented or supported insurgencies in more than half a dozen different African states, culminating in his instigation of the horrendous bloodbaths in Liberia and Sierra Leone. Between 1947 and 2003 India and Pakistan were not interested in “common security” in regard to Kashmir: each wanted Kashmir, period. They went to war over the region several times already, and seemed likely to do so again, despite having risked the involvement of nuclear weapons in their most recent encounters in 1999 and 2003.

In June 1998 UN Secretary General Kofi Annan went far beyond what were essentially the preachments and the homilies of Pacem in Terris and the Palme Commission’s Common Security, which were appeals to actors, state and non-state, that had quite contrary interests and intentions. He recognized “that there will always be some tragic cases where peaceful means have failed, where extreme violence is

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<sup>230</sup> Adam LeBor, “The Dictator Who Got Away,” *New York Times*, March 15, 2006.

<sup>231</sup> Quoted in Chris Hedges, “The Battle of Srebrenica, in Its Operating Rooms,” *New York Times*, December 22, 2003.

<sup>232</sup> *Common Security, A Programme for Disarmament: The Report of the Independent Commission on Disarmament and Security Issues under the Chairmanship of Olof Palme* (London, Pan Books, 1982).

being used, and only forceful intervention can stop it.” Though elsewhere in his presentation he discussed what had taken place in Bosnia and Rwanda, and what was taking place in Kosovo at that very time, he surprisingly used as examples Vietnam’s invasion of Cambodia to topple Pol Pot, and Tanzania’s toppling of Idi Amin in Uganda. He noted that both were entirely unilateral actions without any international sanction, but “what justified their action in the eyes of the world was the internal character of the regimes they acted against.”<sup>233</sup> This was a remarkable statement by the head of the United Nations and one not anchored in the tenets of conventional diplomacy or international law. But in relation to the ongoing events in Kosovo, Annan stated that after the international experience of Bosnia, “I feel confident that this time, if peaceful means fail to achieve this (a peaceful solution), the Security Council will not be slow to assume its grave responsibility.” Secretary General Annan was mistaken. The Security Council did not “assume its responsibility” at all, not even slowly. Russia’s threat to use its veto in the Security Council led instead to the use of force by NATO against Serbia.

No wars take place by accident, as Richard Ned Lebow’s book *Between Peace and War* demonstrated.<sup>234</sup> Government leaders, and insurgents as well, make war by calculation—though the events they unleash don’t always run according to the pattern that they might have preferred. Years ago, Bernard Brodie called into question the notion that any large-scale conflict could be the result of “accident,” pointing out that there had been no such thing as an “accidental war” for 300 years. He also did not think that nuclear weapons would make an accidental war any more likely than it had been. It is not a subject dealt with in this paper, but in the substantial number of cases when nuclear weapons were used as instruments of threat and coercion during U.S.-USSR Cold War international crises and alerts between 1945 and 1992, not one of the occasions of such use was accidental. They may have been ill-considered, foolish, catastrophically dangerous, and provocative—but they were not “accidents.” The problem with ideas like “common security” is that they represent hopes, and this has never been enough. They neither address why the situation they hope for doesn’t exist at present, nor why the belligerent policies of states or insurgents who choose to threaten states are unlikely to change. When specific proposals are presented which suggest how to arrive at a different future, as in the report of the Palme Commission, and when these recommendations are virtually ignored, there are no means to force states or non-state actors to attend and consider the recommendations.

As for the present and the future, much discussion is, as always, far removed from hard political reality. In May 2002, a conflict prevention project of the Woodrow Wilson International Center for Scholars in Washington, DC organized a working group with the following two objectives:

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<sup>233</sup> “Secretary General Reflects on ‘Intervention’ in Thirty Fifth Annual Ditchley Foundation Lecture,” United Nations Press Release SG/SM/6613/Rev.1, June 26, 1998.

<sup>234</sup> Richard Ned Lebow, *Between Peace and War: The Nature of International Crisis* (Baltimore: Johns Hopkins University Press, 1981).

- C To characterize and assess the seriousness of non-traditional threats to global stability and national security;
- C To understand how foreign and national security policies should be adapted to respond more effectively to emerging non-traditional threats.

A Briefing Note prepared for the working group listed five “non-traditional threats to security and stability”:

- C Economic and Social Isolation
- C Governance
- C Demographic shifts
- C Natural resources scarcity and environmental degradation
- C Health

If one lists some of the wars in the past two and a half decades, selected at random, and not excluding any of any particular character:

Bosnia	Afghanistan	Falklands
Kosovo	Colombia	Liberia
Timor	Somalia	Eritrea-Ethiopia
Cambodia	Iran-Iraq	Sierra Leone
Mozambique	Gulf War	Chechnya
Angola	Congo	Azerbaijan-Armenia
Sudan/South	Nepal	Georgia-Abkhazia
Rwanda	Israel-Palestinians	Sudan/Darfur
Burundi	India-Pakistan	Iraq

it seems clear that—with the exception of Chechnya, Congo, Burundi, and the Sudanese, conflicts in which “governance” could be considered the primary issue—none were caused by any of the five factors which the Briefing Note lists.<sup>235</sup> For the two major international armed conflicts that have lasted for decades, Israel-Palestinians and India-Pakistan/re Kashmir; one dates back in its direct and immediate causes to 1947, and the second to 1949.

In addition, if one lists groups referred to as “terrorists,” again selected at random:

PKK (Turkey)	Red Brigades (Italy)
Tamil Elam (Sri Lanka)	Baader-Meinhoff (Germany)
IRA	Black Wolves (Turkey)
Hamas	PFLP (Palestine)
Hezbollah	Black September (Palestine)
Harkat-Al Aksar and others (Kashmir)	several Muslim separatist groups in the Philippines
ETA (Spain)	Sendero Luminoso (Peru)
Al Q’aida	

the motivations behind not a single one of these is “poverty.” “Poverty” has not been a “root cause” of terrorism, despite the most certain existence of poverty in many of the countries in which these organiza-

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<sup>235</sup> See also “The Economics of War: An Intersection of Need, Creed and Greed,” A Conference Report, Woodrow Wilson International Center for Scholars, Washington, DC, September 10, 2001.

tions operate.<sup>236</sup> The same holds for every other “terrorist” group that one can mention. Only in the case of the several Palestinian organizations fighting the state of Israel is it meaningful to refer to “a struggle for resources,” since the single basic issue between the Palestinians and Israel is the disputed occupation of land. But this holds for none of the other groups, nor for any of the other wars. It is of questionable utility to refer to a “struggle for resources” as a cause for war, since that is equally the motive for political processes in every country on earth, and it tells one nothing about decisions made by either national political leadership, insurgent groups, or external instigators, to wage war.

The United Nations was founded “to save succeeding generations from the scourge of war.” But the role of the United Nations in war and conflict between 1945 and the present bears little relation to the provisions of the UN Charter. The United Nations had been intended to act—as the League of Nations did not—in every case “with respect to the peace, breaches of the peace, and acts of aggression.” The means to do this was to be provided by the provisions of Chapter VII of the UN Charter, Articles 39 to 51. The 1947 “Report of the Military Staff Committee” elaborated the technical requirements for enforcement actions: trained units earmarked for UN service and provided with adequate support, with the capacity to deter war and enforce peace. But the “cold war” was already on, the Military Staff Committee report was not accepted, and its recommendations were never enacted. In the words of Edward Luck, “It wasn’t supposed to be this way. By combining muscle and legal authority, Chapter VII of the United Nations Charter promised to set the United Nations apart from the feckless League.”<sup>237</sup> Only in the two cases of the North Korean invasion of South Korea in 1950 and Iraq’s invasion of Kuwait in 1990 did the UN Security Council mandate a military response to an aggressor.

Instead, the more limited endeavor of “peacekeeping” evolved, with numerous qualifications and constraints. Peacekeeping missions could only be deployed once a cease-fire was agreed to in an ongoing war. Their function was to maintain that cease-fire between the two warring sides along the line established as a result of fighting. They could not be initiated except with the consent of the warring parties. They required the mandate of the Security Council, which was vulnerable to the veto of any of the five permanent members, most often the USSR and the United States.

“International law” develops out of the practices that actually transpire in the world. The forced “norms” of international behavior between 1945 and 1990—the absence of international intervention—were the result of the perverted conditions of the cold war. International law would appear very different from what it currently is if the provisions of the UN Charter had been consistently acted upon during

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<sup>236</sup> A.P. Schmid and A.J. Jongman (with the collaboration of Michael Stohl et al.) *Political Terrorism. A New Guide to Actors, Authors, Concepts, Data Bases, Theories, and Literature*, revised, expanded and updated ed., prepared under the auspices of the Center for International Affairs, Harvard University (Amsterdam: North-Holland Publishing Company, 1988).

<sup>237</sup> Edward C. Luck, “Making the World Safe for Hypocrisy,” *New York Times*, March 22, 2003.

these years. Since 1990 UN practices have been in substantial evolution. The UN authorized more peace-keeping operations in the four years between 1990 and 1994 than it had in its previous forty years. And while those operations still fell for the most part within the old constraints and took place only in post-conflict circumstances, they expanded in their authority and in the complexity of their tasks. Two of those events—the response to the flight of Iraq’s Kurds in 1991 following the reversal of Iraq’s invasion of Kuwait, and the UN intervention in Somalia in December 1992—produced significant changes in international behavior. Together with the proposals in UN Secretary General Boutros-Ghali’s mid-1992 *Agenda for Peace* they were expected to have a major impact on the assumption of the right of intervention by the international community, and perhaps begin the process of moving the United Nations back towards the original provisions of Chapter VII of the Charter.

Nevertheless, international temporizing and inaction in the face of aggression, even during this transition phase, eroded the ability to act in comparable situations in the future. The 1992 report of UN Special Human Rights representative Tadeusz Mazowiecki stated that the Serbian practices of “ethnic cleansing” in Bosnia-Herzegovina in the face of UN cease-fire and human rights agreements undermined the credibility and authority of the United Nations:

The continuation of this practice presumes the inability or unwillingness of the international community to enforce compliance with solemn agreements adopted under the auspices of the United Nations, and this undermines the credibility and authority of international institutions.<sup>238</sup>

Months of systematic massacres, pillage, destruction, and concentration-death camps reminiscent of World War II led many to see the situation as analogous to 1938, Munich, and a gross case of appeasement:

An inability to face down Serbs engaged in such obvious war crimes would demoralize the West. So reminiscent would it be of the failure of the League of Nations to meet the challenges posed by Germany and Japan that it would destroy the credibility of the United Nations just when post-cold war efforts were underway to build it up. The very notion of sanctions would be discredited by their failure.<sup>239</sup>

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<sup>238</sup> Trevor Rowe, “UN Report: Serb Actions Undermining World Body; Rights Agreements ‘Systematically’ Violated,” *Washington Post*, November 25, 1992.

<sup>239</sup> William Colby and Jeremy J. Stone, “Break the Siege of Sarajevo,” *Washington Post*, January 15, 1993. Almost the same position was taken by other commentators: “The West’s failure to confront this evil is worse than a blunder . . . if we allow evil to triumph in ex-Yugoslavia, we will breed a cynicism so pervasive and profound as to corrode the very basis of Western liberty and smash every hope of fashioning a better world,” Leslie Gelb, “Never Again,” *New York Times*, December 13, 1992. “The murder of Bosnia’s Deputy Prime Minister last Friday symbolized the inadequacy of present international efforts to counter Serbian-sponsored violence. Serbian gunmen simply bullied aside a United Nations escort . . . Bosnian Serb militias, backed by Serbia’s Government, shot and raped their way to these negotiations [in January 1993] while the rest of the world acquiesced through its shameful passivity. Worse, the UN still hobbles Bosnia’s ability to defend itself,” “What Kind of Peace for Bosnia?” *New York Times*, January

The failure of the UN and of European regional security organizations—CSCE, WEU, NATO—to respond to the murderous debacle in the former Yugoslavia risked undoing in one event more than all the simultaneous peacekeeping missions had achieved. Several of the other “peacekeeping” missions did not in fact succeed in keeping the peace. The key issue is the reluctance of nations to fight on behalf of maintaining peace and reversing aggression. Durch and Blechman point out that if the UN “cannot use force in such situations or is unwilling to do it, or if it does not revisit its handiwork when political backsliding occurs, then the era of UN peace-building may turn out to be rather short . . . the organization can afford neither the political nor the financial costs of sustained fighting.”<sup>240</sup> In fact, reversals in the developments of the early 1990s were quick to follow. Rwanda was the first of these, as already indicated. Following that, the first U.S.-led NATO intervention in Bosnia, and three years later in Kosovo, had to be taken without authorizing resolutions by the UN Security Council because of Russia’s threat in both instances to veto any use of military force against Serbia.

Just as in the decade of the 1990s, the fashioning of a global security system is the central issue for the future. But that cannot be achieved by temporizing, play-acting, sham protestation, and hypocrisy. Yugoslavia demonstrated that the UN could fail as miserably and abjectly as Europe, and as Europe had in 1937–1939. In 1992 a commentator wrote, “Aggression rages unanswered in the Balkans while Europeans dither over what they are willing to do about making ‘collective security’ more than hollow rhetoric.”<sup>241</sup> The UN is clearly capable of managing tasks that local forces are willing to permit, but not yet those that it must fight its way through to achieve. The two exceptions noted previously, the reversal of North Korea’s 1950 invasion of South Korea and of Iraq’s 1990 invasion of Kuwait, required the massive investment of military forces contributed overwhelmingly by the United States. So long as the heads of UN member states and UN peacekeeping officials demonstrated that instead of stopping Serbian aggression they were concerned only with preventing the Bosnian population from starving while it was being killed, there will be more Bosnias to come. It was exactly what happened in Darfur between 2003 and 2006.

Between the resolution of the Bosnian debacle in 1995–96 and Darfur (2003), the lesson seemed to come and to go. An overdue British military intervention in Sierra Leone at the very last moment in 2001 ended a ruinous civil war and brought peace to the country. Only two years later, in June 2003, a civil war in Liberia that produced 250,000 dead was coming to a head. It had been going on for fourteen

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12, 1993. See also George D. Kenney, “Bosnia-Appeasement in Our Time,” *Washington Post*, August 30, 1992; Anthony Lewis, “Beware of Munich,” *New York Times*, January 8, 1993; and Edward C Luck and Toby T. Gati, “Whose Collective Security,” *Washington Quarterly* 15, no. 2 (Spring 1992): 43–56.

<sup>240</sup> William J. Durch and Barry Blechman, *Keeping the Peace: The United Nations in the Emerging World Order* (Washington, DC: The Henry L. Stimson Center, March 1992).

<sup>241</sup> “Debate the Real European Issues,” *New York Times*, July 30, 1992.



years. In its second half, the country's reigning autocrat, Charles Taylor, had fomented rebellions in three neighboring West African countries, including Sierra Leone. Speaking for the International Crisis Group, John Prendergast stated that "There is compelling argument on humanitarian grounds for US intervention," and U.S. allies, such as the British ambassador to the United Nations, UN Secretary-General Kofi Annan, and regional African leaders publicly pressed for U.S. intervention in Liberia.<sup>242</sup> President Bush was to leave for a trip to Africa, and "a senior Bush administration" official admitted that "Certainly there's a perception in the region that expects American involvement."<sup>243</sup> But as Liberia's African neighbors were raising a meager intervention force of 1,500 men, President Bush told the Nigerian President only that the U.S. would "be active. The definition of that will be when we understand all the parameters."<sup>244</sup> "All the parameters" were very well known to everyone, including U.S. officials, for five full years preceding President Bush's remark.

The world does change, but not enough, and then it forgets as well. Once again, as in the 1930s, it seemed to have gone deaf. Look back to the quotation by Robert Jackson, U.S. Chief Prosecutor in Nuremberg in November 1945, on the epigraphs page, "that civilization cannot tolerate [the crimes] being ignored, because it cannot survive their being repeated." But the Western democracies have "survived" continuous repetitions: Somalia, Bosnia, Rwanda, Congo, Darfur. They survive morally degraded, shamed in the eyes of a few of their inhabitants, disregarded by most of them, and subverted by many in positions of political power. The reluctance and disinterest to intervene on each occasion makes it easier to do nothing in the next instance that occurs, and so on. Even the shock of concentration camps in Europe in 1992 and the indiscriminate murder of civilians had no effect. The frequent reference to "lack of political will" as an explanation for why states fail to carry out a needed course of action is not only a euphemism, it is extremely misleading. It implies that country "x" or "y," or its political leadership actually desires a particular outcome, but simply cannot wrest itself out of some sort of neutral state of inertia to change course. That is a mistaken understanding of the political processes at work. What it almost always means is that state "x" or "y" is *actively disinterested*, that it has other and contrary interests to "common security," and it is—again—explicitly deciding to pursue those other interests. States still have not taken the lesson that it is "in the national interest" of every state to construct a global security system that protects all nations and their peoples. The "national interest" is international peace, without aggression, genocide, massacre, death camps, and tyranny. Aggression unopposed and unpunished anywhere will encourage aggression elsewhere, and the United Nations will not be able to mobilize its membership

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<sup>242</sup> Somini Sengupta, "Rebels in Liberia Strike Capitol; Shell Refugees," *New York Times*, June 26, 2003.

<sup>243</sup> *Ibid.*

<sup>244</sup> Declan Walsh, "Bush Bullish on AIDS and Trade, But Resists Appeal from Liberia," *The Independent*, July 13, 2003.

to oppose aggression if it does not do this on all occasions uniformly, and at the earliest moment, rather than “as a last resort.” That holds as well for intrastate conflict.

On January 26–28, 2004—dates selected to bracket Holocaust Remembrance Day, which fell on January 27—the Swedish government convened an international diplomatic conference titled “Preventing Genocide: Threats and Responsibilities,” which was held at the level of Heads of State, Foreign Ministers, and other ministerial-level representatives plus 14 international or UN agencies. The sole outcome of this event took place on July 12, 2004, when UN Secretary-General Kofi Annan announced that he had opened a new position on his staff, “a Special Adviser on Genocide Prevention,” and launched an “Action Plan to Prevent Genocide” aimed at:

- 1) preventing armed conflict which usually provides the context for genocide,
- 2) protection of civilians in armed conflict including mandates for UN peacekeepers to protect civilians,
- 3) ending impunity through judicial action in both national and international courts,
- 4) information gathering and early warning through a UN Special Advisor for Genocide Prevention making recommendations to the UN Security Council, and
- 5) swift and decisive action along a continuum of steps, including military action.<sup>245</sup>

The role of the first Special Adviser for Genocide Prevention, Juan E. Mendez, was “to act as an early-warning mechanism to the Secretary-General and the Security Council about potential situations that could develop into genocide, and to make recommendations to the Council about how the UN can prevent these events.”

In 2003, UN Secretary General Annan had also convened a “High-level Panel on Threats, Challenges and Change” that directly addressed the conflict between “Sovereignty and Responsibility”—put simply, international practice in confronting genocide or massive violations in human rights in recent decades. Its report appeared in 2004.

In signing the Charter of the United Nations States not only benefit from the privileges of sovereignty but also accept its responsibilities. Whatever perceptions may have prevailed when the Westphalian system first gave rise to the notion of State sovereignty, today it clearly carried with it the obligation of a State to protect the welfare of its own peoples and meet its obligations to the wider international community. But history teaches us all too clearly that it cannot be assumed that every State will always be able, or willing, to meet its responsibilities to protect its own people and avoid harming its neighbours. And in those circumstances, the principles of collective security mean that some portion of those responsibilities should be taken up by the international community, acting in accordance with the Charter of the United Nations and the Universal Declaration of Human Rights, to help build the necessary capacity or supply the necessary protection, as the case may be. . .

Collective action often fails, sometimes dramatically so. Collective instruments are often hampered by a lack of compliance, erratic monitoring and verification and weak enforcement. Early warning is only effective when it leads to early action for prevention. Monitor-

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<sup>245</sup> “Juan E. Mendez appointed first Special Advisor on the Prevention of Genocide by UN Secretary-General Kofi Annan,” UN News Service, Press Release SG/SM/9245, July 12, 2004.

ing and verification work best when they are treated as complements to, not substitutes for, enforcement.

Collective security institutions have proved particularly poor at meeting the challenge posed by large scale, gross human rights abuses and genocide. This is a normative challenge to the United Nations: the concept of State and international responsibility to protect civilians from the effects of war and human rights abuses has yet to truly overcome the tension between the competing claims of sovereign inviolability and the right to intervene. It is also an operational challenge: the challenge of stopping a Government from killing its own civilians requires considerable military deployment capacity.

After referring to “successive humanitarian disasters in Somalia, Bosnia and Herzegovina, Rwanda, Kosovo and now Darfur, Sudan” the report continued:

The Security Council so far has been neither very consistent nor very effective in dealing with these cases, very often acting too late, too hesitantly or not at all. But step by step, the Council and the wider international community have come to accept that, under Chapter VII and in pursuit of the emerging norm of a collective international responsibility to protect, it can always authorize military action to redress catastrophic internal wrongs if it is prepared to declare that the situation is a “threat to international peace and security,” not especially difficult when breaches of international law are involved.

We endorse the emerging norm that there is a collective international responsibility to protect, exercisable by the Security Council authorizing military intervention as a last resort, in the event of genocide and other large-scale killing, ethnic cleansing or serious violations of international humanitarian law which sovereign Governments have proved powerless or unwilling to prevent.<sup>246</sup>

The rhetoric and generalities were all very obvious. No one knew how to, cared to, or was able to square the circle. And as the two years of UN inability to act in the case of genocide in Darfur displayed once again, some UN member states and some permanent members of the UN Security Council actively did not want to resolve these issues. There had been no real advance in dealing with the essential problem in roughly fifteen years. It would lead to yet another failure. As a consequence, the tally of deaths that the world sat and watched during the 20<sup>th</sup> century continued into the 21<sup>st</sup> century. The years 2004 to 2006 in the Darfur province of Sudan were that first instance.

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<sup>246</sup> United Nations, *A More Secure World: Our Shared Responsibility*. Report of the Secretary-General’s High-level Panel on Threats, Challenges and Change, New York, 2004, para. 29, 35, 36, 202, 203, pp. 17, 18, and 66.

**Table 2**  
**Deaths in Wars and Conflicts Since the End of World War II: 1945 to 2000**

<b>Region</b>	<b>Conflict</b>	<b>Deaths<sup>a</sup></b>		<b>Total</b>
		<b>Civilian</b>	<b>Military</b>	
<b>Latin America</b>				
Argentina				
1955	armed forces vs. Peron	2,000	2,000	4,000
1976–79	“disappearances”	15–30,000	...	15–30,000
1982	Falklands/Malvinas	0	1,000	1,000
Bolivia				
1952	revolution vs. government	1,000	1,000	2,000
1955–67	guerrilla insurgency	...	...	200,000
Brazil				
1980	rightist terrorism	...	...	1,000
Chile				
1973	military coup vs. Allende government	...	...	5,000
1974	executions by military junta	20,000	0	20,000
Colombia				
1948	conservatives vs. government	...	...	1,000
1949–62	liberals vs. conservatives	200,000	100,000	300,000
1980–89	government vs. left opposition	8,000	0	8,000
Costa Rica				
1948	National Union vs. government	1,000	1,000	2,000
Cuba				
1958–59	Cuban revolution	2,000	3,000	5,000
Dominican Republic				
1965	civil war/U.S. intervention	1,000	2,000	3,000
El Salvador				
1979–89	FMLN vs. government	50,000	23,000	73,000
Guatemala				
1954	conservatives vs. government/ U.S. intervention	...	...	1,000
1966–89	government vs. URNG vs. military opposition	200,000	17,500	212,500
1990–95	slaughter of indigenous peoples <sup>b</sup>	10,000	...	10,000
Honduras				
1969	Soccer War with El Salvador	3,000	2,000	5,000
Jamaica				
1980	election violence	1,000	0	1,000

<b>Region</b>	<b>Conflict</b>	<b>Deaths<sup>a</sup></b>		
		<b>Civilian</b>	<b>Military</b>	<b>Total</b>
Nicaragua				
1978–79	civil war vs. Somoza government	25,000	10,000	35,000
Peru				
1980–92	Sendero Luminoso vs. government	62,000	7,000	69,000
<b>Middle East</b>				
Cyprus				
1974	National Guard/Turkish invasion	3,000	2,000	5,000
Egypt				
1955	Suez invasion/France, Israel, UK	1,000	3,000	4,000
1967–70	Six-Day War; War of Attrition	50,000	25,000	75,000
Iran				
1979–89	Government vs. opposition (esp. Kurds)	...	0	17,000
1980–88	Iran-Iraq war	0	1,000,000	1,000,000
Iraq				
1959	Shammar tribe vs. government	1,000	1,000	2,000
1961–74	Kurds vs. government	...	...	200,000
1980–88	Iran-Iraq War <sup>b</sup>	...	800,000	800,000
1988	“Anfall” killings of Kurds	100,000	0	100,000
1980–89	government vs. Kurds (KDP, PUK)	...	...	67,000
1991	Gulf War <sup>b</sup>	...	...	75,000
1991–95	Shia/South <sup>b</sup>	50,000	...	50,000
1982–2002	additional political killings by Iraq government	350,000	...	350,000
Israel				
1948	Arab League vs. Israel	0	8,000	8,000
1973	Yom Kippur War vs. Egypt, Syria	0	16,000	16,000
1987–2000	Intifada <sup>b</sup>	13,000	0	13,000
Jordan				
1970	Palestinians/Syrians vs. government	1,000	1,000	2,000
Lebanon				
1958	civil war	1,000	1,000	2,000
1975–89	civil war/Syrian and Israeli interventions	...	...	131,000
Syria				
1981	government massacre of Muslim Brotherhood at Hamah	10,000	0	10,000
Turkey				
1984–2000	government vs. Kurdish Workers’ Party (PKK)	30,000	0	30,000

Region	Conflict	Deaths <sup>a</sup>		
		Civilian	Military	Total
<b>Yemen, Republic of</b>				
1948	Yahya family vs. government	2,000	2,000	4,000
1962–69	civil war, including Egyptian intervention	...	...	10,000
1994	Border war vs government of Yemen PDR <sup>b</sup>	...	4,000	4,000
<b>Yemen, (former) People's Democratic Republic of</b>				
1986	civil war	...	...	10,000
<b>South Asia</b>				
<b>Afghanistan</b>				
1978–89	civil war/Soviet intervention <sup>b</sup>	...	...	1,000,000
1990–2000 <sup>b</sup>	civil war	...	...	1,000,000 <sup>c</sup>
<b>Bangladesh</b>				
1971	civil war/Indian intervention	1,000,000	500,000	1,500,000
1975–89	autonomy struggle in Chittagong	...	...	1,000
<b>India</b>				
1946–48	partition-related strife	800,000	0	800,000
1947–49	India vs. Pakistan over Kashmir	1,000	2,000	3,000
1948	India vs. Hyderabad	1,000	1,000	2,000
1962	Sino-Indian war	1,000	1,000	2,000
1965	India vs. Pakistan/Rann of Kutch war	13,000	7,000	20,000
1971	India vs. Pakistan (associated with Pakistani civil war)	0	11,000	11,000
1983	Assam election violence	3,000	...	3,000
1983–2000	Sikh autonomy campaign <sup>b</sup>	...	...	25,200
1990–2000	Kashmir <sup>b</sup>	9,000	20,000	29,000
<b>Nepal</b>				
1996-	Maoist insurgency vs. government	...	...	5,000
<b>Pakistan</b>				
1973–77	Baluchis vs. government/Afghan intervention	6,000	3,000	9,000
<b>Sri Lanka</b>				
1971	Maoists vs. government	1,000	1,000	2,000
1983–89	Government vs. Tamil Elam separatists/Indian... intervention/Singhalese People's Liberation Front intervention	...	...	15,000
1990–2002	Government vs Tamil Elam (LTTE) <sup>b</sup>	...	...	50,000
<b>Far East</b>				
<b>Burma</b>				
1948–51	Karens vs. government/Chinese intervention	...	...	8,000
1980	Burma Communist Party vs. government	...	...	5,000
1981–93	Government vs. opposition (mostly Karen)	0	9,000	9,000

Region	Conflict	Deaths <sup>a</sup>		
		Civilian	Military	Total
<b>Cambodia</b>				
1970–75	Civil war/Indochina conflict	...	...	156,000
1975–78	Pol Pot government vs. civilians	1,770,000	...	1,770,000
1978–90	Vietnamese invasion and civil war	20,000	50,000	70,000
1990–94	government vs Khmer Rouge <sup>b</sup>	...	...	25,000
<b>China</b>				
1946–50	Civil war <sup>b</sup>	5,000,000	1,200,000	6,200,000
1950–51	takeover of Tibet	0	1,000	1,000
1951–53	Chinese PLA mortality in Korean war listed together with Korean war			
1956–59	Tibetan revolt <sup>b</sup>	...	...	200,000
1983–84	government executions	5,000	0	5,000
1989	Tiananmen Square	1,000	0	1,000
<b>Indonesia</b>				
1945–46	independence struggle	4,000	1,000	5,000
1950	Moluccans vs. government	...	...	5,000
1953	Darul Islam vs. government	...	...	1,000
1956–60	Communists vs. government	...	...	30,000
1965–66	massacres following attempted coup	500,000	0	500,000
1975–89	annexation of East Timor	120,000	11,000	131,000
2000	post-Timor plebiscite <sup>b</sup>	2–3,000	...	2–3,000
2000	Aceh province insurgency <sup>b</sup>	2,000	...	2,000
<b>Korea (North and South)</b>				
1948	Yosu Rebellion	0	1,000	1,000
1950–53	Korean War <sup>b</sup> (includes Chinese PLA, U.S. and UN mortality)	2,828,000	1,672,000	4,500,000
<b>Laos</b>				
1960–73	civil war/Indochina conflict	12,000	12,000	24,000
1975–87	government/Vietnam vs. National Liberation Front	30,000	10,000	40,000
<b>Malaya (now Malaysia)</b>				
1950–60	UK intervention in civil war	...	...	13,000
<b>Philippines</b>				
1950–52	Hukbalahop vs. government	5,000	4,000	9,000
1972–2000	Muslims (MNLF, MILF), and New People's Army vs. government; Muslims (MNLF, MILF), and New People's Army vs. government <sup>b</sup>	100,000	20,000	120,000
<b>Taiwan (China)</b>				
1954–55	civil strife	...	...	5,000

Region	Conflict	Deaths <sup>a</sup>		
		Civilian	Military	Total
<b>Vietnam</b>				
1945–54	independence struggle vs. France <sup>b</sup>	300,000	300,000	600,000
1960–75	N. Vietnam vs. S. Vietnam/United States <sup>b</sup>	1,200,000	1,158,000	2,358,000
1979	China vs. Vietnam	0	56,000	56,000
1979	Vietnamese invasion of Cambodia	...	25,300	25,300
1980–88	China vs. Vietnam/border	0	1,000	1,000
<b>Sub-Saharan Africa</b>				
<b>Angola</b>				
1961–75	Independence struggle vs. Portugal	300,000	300,000	600,000
1980–95	Civil war/Cuban-South African intervention <sup>b</sup>	...	...	1,000,000
1995–2000	Civil War continued <sup>b</sup>	...	...	100,000
<b>Burundi</b>				
1972	Hutus vs. government/massacre	80,000	20,000	100,000
1988	civil strife	200,000	0	200,000
10–12/1993 <sup>b</sup>	civil strife	200,000	0	200,000
<b>Cameroon</b>				
1955–60	independence struggle vs. France	...	...	32,000
<b>Chad</b>				
1965–89	government vs. opposition/Libyan intervention	...	...	28,000
<b>Ethiopia</b>				
1978	Somalian invasion <sup>b</sup>	...	...	150,000
1962–89	Eritrean and other opposition vs. government <sup>b</sup>	...	...	1,000,000
1998	Ethiopia-Eritrea War	...	100,000	100,000
<b>Ghana</b>				
1981	Konkomba vs. Nanumba	...	...	1,000
<b>Guinea-Bissau</b>				
1962–74	independence struggle vs. Portugal	5,000	10,000	15,000
<b>Kenya</b>				
1952–63	independence struggle vs. UK	...	...	100–300,000
<b>Liberia</b>				
1990–95	civil war <sup>b</sup>	100,000	...	100,000
<b>Madagascar</b>				
1947–48	independence struggle vs. France	3,000	2,000	5,000
<b>Mozambique</b>				
1965–75	independence struggle vs. Portugal	...	...	30,000
1981–88	civil war <sup>b</sup>	...	...	900,000



Region	Conflict	Deaths <sup>a</sup>		
		Civilian	Military	Total
Namibia				
1967–89	SWAPO independence vs. South Africa	...	...	13,000
Nigeria				
1967–70	civil war	1,000,000	1,000,000	2,000,000
1980–81	fundamentalist Muslims vs. government	...	...	5,000
1984	fundamentalist Muslims vs. government	...	...	1,000
1999-	regional civil unrest	10,000	...	10,000
Rwanda				
1956–65	Tutsis vs. government/massacre	102,000	3,000	105,000
1990–95 <sup>b</sup>	civil strife and genocide	...	...	1,000,000
Sierra Leone				
1991–2000	government vs. insurgents <sup>b</sup>	50,000	...	50,000
Somalia				
1980–90	civil strife	5,000	5,000	10,000
1990–93 <sup>b</sup>	civil strife	...	...	300,000
South Africa				
1985–89	African National Congress vs. Inkatha <sup>b</sup>	5,000	0	5,000
Sudan				
1955–72	civil war <sup>b</sup>	...	...	750,000
1983–90	civil war <sup>b</sup>	500,000	10,000	510,000
1990–95	civil war <sup>b</sup>	...	...	500,000
1995–2000	civil war <sup>b</sup>	...	...	1,000,000
Uganda				
1966	Bungandans vs. government	1,000	1,000	2,000
1971–78	Idi Amin massacres	300,000	0	300,000
1978–79	Tanzanian invasion	...	3,000	3,000
1981–85	Obote government massacres <sup>b</sup>	300,000	0	300,000
1981–88	National Resistance Army vs. government/NRA vs. opposition	100,000	6,000	106,000
1990	Lord's Resistance Army vs. government	50,000	...	50,000
West Sahara				
1975–89	Polisario vs. Morocco	4,000	8,000	12,000
Zaire/Congo				
1960–65	civil war	...	...	100,000
1996–97	Hutu refugees in Zaire	200,000	0	200,000
1998–2000	civil war <sup>b</sup>	...	...	1,500,000
Zambia				
1964	civil strife	...	...	1,000

Region	Conflict	Deaths <sup>a</sup>		
		Civilian	Military	Total
<b>Zimbabwe</b>				
1972–79	struggle for majority rule	...	...	12,000
1979–87	government vs. ZAPU, MNR	2,000	0	2,000
<b>Northern Africa</b>				
<b>Algeria</b>				
1954–62	independence struggle vs. France	...	...	1,000,000
1962–63	rebel leaders vs. government	1,000	1,000	2,000
1990–95	government vs Muslim extremists <sup>b</sup>	...	...	30,000
1993–2000	government vs Muslim extremists <sup>b</sup>	...	...	100,000
<b>Morocco</b>				
1953–56	independence struggle vs. France	3,000	0	3,000
<b>Tunisia</b>				
1952–54	independence struggle vs. France	3,000	0	3,000
<b>Russia, Balkan and CIS States</b>				
<b>Armenia/Azerbaijan</b>				
1992–94	war over Nagorno-Karabakh <sup>b</sup>	...	10,000	10,000
<b>Chechnya</b>				
1994–96	Russia vs. Chechen insurgents <sup>b</sup>	...	...	(Chechens) 80,000
		...	15,000	(Russians) 15,000
1999–2000	Russia vs. Chechen insurgents <sup>b</sup>	...	...	(Chechens) 15,000
		...	3,500	(Russians) 3,500
<b>“Former Yugoslavia” (Serbia, Croatia, Bosnia, Herzegovina)</b>				
1991–96	civil war <sup>b</sup>	...	...	300,000
<b>Georgia</b>				
1994	Civil War vs. Abkhazia <sup>b</sup>	...	2,500	2,500
<b>Kosovo</b>				
1998–99	Serbia vs Kosovo insurgents <sup>b</sup>	10,000	...	10,000
<b>Tajikistan</b>				
1992–96	civil war <sup>b</sup>	...	...	100,000
<b>Total</b>		<b>approximately 40,968,000, rounded to 41 million</b>		

*Notes for the table:* Wars are defined as conflicts that result in the death of at least 1,000 individuals by any cause and include inter- and intrastate conflicts. While every attempt has been made to include all relevant conflicts, some events meeting the criterion for inclusion may inadvertently have been excluded. Where data is not available, the notation of “...” has been used.

a. The data on war and war-related deaths must be considered approximate. In some cases, particularly those in which large numbers of people have been killed, the estimates can vary substantially. Although data published by the Stockholm International Peace Research Institute attempt to *exclude* war-related deaths due to famines and diseases, as indicated in the text, an effort has been made to include all war-related deaths wherever possible in this list.

- b. The estimates for these conflicts have been derived from the private archives of Milton Leitenberg, University of Maryland (see below).
- c. There are no available figures for tabulated combat and excess mortality estimates in Afghanistan for the entire decade 1990 to 2000. Some approximations apparently reached 1 million, and there is a possibility that an NGO may produce an excess deaths estimate analogous to the one that the IRC released for the Eastern Congo at the end of April 2001, and again in early 2003, but this has not yet appeared.

It may at times be difficult for readers to grasp the meaning of the mid-range level of deaths when the numbers do not appear to be extremely high. The following example is helpful. Between 1967–68 and 1972, deaths in Laos caused by local combat and daily U.S. bombing from the air averaged 30 people per day, or around 11,000 per year. That level of killing was maintained for at least four years. However, if one compares the size of the Laotian population and that of the United States and applies a proportionate rate of deaths to the U.S. population at the time, that would amount to 3,000 people per day, or 4.38 million people in four years.

*Source:* The table, as of 1990, was compiled by Nicole Ball with the assistance of Milton Leitenberg, with Milton Leitenberg responsible for the years since 1990, from the following sources:

The private archives of Milton Leitenberg, University of Maryland, which include hundreds of individual items. The following examples are provided because they may be the more accessible for readers, or simply to indicate the range of sources used: William Eckhardt's table, "Wars and War-Related Deaths, 1700–1987," in *World Military and Social Expenditures: 1987–1988*, ed. Ruth Leger Sivard (Washington, DC: World Priorities, 1987), pp. 29–31; the annual compilations of major armed conflicts published by the Stockholm International Peace Research Institute since 1987, which are produced by a group of researchers at the University of Uppsala in Sweden; R.J. Rummel, *China's Bloody Century: Genocide and Mass Murder Since 1900* (New Brunswick: Transaction Books, 1991), chapters 7, 9, 10, 12, and appendix II; Joseph Eaton, "35 Years After Warsaw, and Genocide is Thriving," *New York Times*, April 19, 1978; United Nations, Africa Recovery Programme/Economic Commission for Africa, *South African Destabilization: The Economic Cost of Frontline Resistance to Apartheid* (New York, October 1989), p. 6; Bernard Brodie, "The Test of Korea," *War and Politics* (New York: Macmillan, 1973), p. 106; Jon Halliday and Bruce Cumings, *Korea: The Unknown War* (New York: Pantheon Books, 1988), p. 200; Larry Minear, "Civil Strife and Humanitarian Aid: A Bruising Decade," in *World Refugee Survey, 1989* (Washington, DC: U.S. Committee for Refugees, 1990).

After the first edition of this study was published in 2003, a reader supplied the reference to a series of web-based compendia produced by Matthew White. The link to these is supplied below without implying that specific entries among the data that they contain are being endorsed. In fact, White's figures frequently differ from the values appearing in this study in Table 2. However, since White's data set is so ambitious, it may be of interest for the reader: <http://users.erols.com/mwhite28/war-1900.htm>.

The literature on genocide, particularly individual genocide, is of course also enormous. Several references are listed here to provide a general introduction for readers: Leo Kuper, *Genocide: Its Political Use in the Twentieth Century* (Middlesex: Penguin, 1981); Israel W. Charny, *The Widening Circle of Genocide*, vol. 1 in *Genocide: A Critical Bibliographic Review* (New Brunswick: Transaction Publishers, 1994); Israel W. Charny, ed., *Encyclopedia of Genocide*, 2 vols. (Santa Barbara: ABC-CLIO, 1999); Eric D. Weitz, *A Century of Genocide: Utopias of Race and Nation* (Princeton: Princeton University Press, 2003); Kristian Gerner and Klas-Goran Karlsson, "Genocide: A Background Paper," prepared for the Stockholm International Forum, January 26–28, 2004, Stockholm, Sweden (<http://www.preventinggenocide.com/>); Samuel Totten, William S. Parsons, and Israel W. Charny, eds., *Century of Genocide: Eyewitness Accounts and Critical Views* (New York: Garland, 1997); Steven B. Jensen and Gwynneth Llewellyn, eds., *Genocide: Cases, Comparisons and Contemporary Debates*

(Copenhagen: Danish Center for Holocaust and Genocide Studies, 2003); Norman Naimark, *Fires of Hatred: Ethnic Cleansing in Twentieth-Century Europe* (Cambridge: Harvard University Press, 2001).

### **A further note on specific aspects of “structural violence”**

If one accepts the concept of “by political decision” for relatively large-scale events or policies such as gulags, enforced starvation during peace time and so on, then a crucial question becomes to what extent can that be extended to “structural violence,” or to some portions of it, and whether it could be feasible to disaggregate that portion so as to add it to “by political decision.” The problem was demonstrated quite bluntly in a Nicholas Kristof column in the *New York Times* on October 1, 2003, which dealt with the policies of South African president Thabo Mbeki and his government regarding the viral cause of AIDS and its treatment. Kristof wrote that “Mr. Mbeki’s know-nothing obstructionism has killed incomparably more South Africans than any apartheid leader ever did,” and quoted Stephen Lewis, the United Nations Special Envoy for AIDS in Africa: “It’s mass murder by complacency. . . . This pandemic cannot be allowed to continue, and those who watch it unfold with equanimity must be held to account.”<sup>247</sup> Indeed, South African demonstrators protesting the government policy of withholding medications prior to 2003 sometimes carried large placards reading “STOP MBEKI GENOCIDE.” One organization of protestors, Treatment Action Campaign (TAC), pressed a judicial charge of “culpable homicide” against government officials.<sup>248</sup>

Of course, the UN official’s use of the word “complacency” was incorrect—or it was a polite euphemism. President Mbeki’s policies were deliberate and considered, and persisted for years, despite the vociferous opposition of his predecessor, President Nelson Mandela, as well as virtually the entire public health infrastructure and professional medical personnel that staffed South African hospitals. Nevertheless, Mbeki’s policies were dutifully imposed and supported by his Ministers. Until mid-2003 South Africa’s most senior officials minimized the AIDS epidemic, questioned whether the HIV virus was the cause of AIDS, and labeled antiretroviral drugs that could be used to block the progression of the disease as being “poisons.” Such policies certainly fit the category of “by political decision.” Mortality due to AIDS in South Africa was estimated at around 1.2 million by mid-2003, and continued to increase between 2003 and 2006 at the rate of about 220–250,000 per year.<sup>249</sup> These sums are, however, under

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<sup>247</sup> Nicholas A. Kristof, “As Millions Die,” *New York Times*, October 1, 2003. For background information see: Helen Epstein, “The Mystery of AIDS in South Africa,” *New York Review of Books* 47:12 (July 20, 2000), <http://www.nybooks.com/articles/9>; Helen Epstein, “AIDS in South Africa: The Invisible Cure,” *New York Review of Books* 50:12 (July 17, 2003), [http://www.nybooks.com/articles/article-preview?article\\_id=16499](http://www.nybooks.com/articles/article-preview?article_id=16499); and “AIDS in South Africa: The Invisible Cure,” Exchange of Letters, *New York Review of Books* 50:18 (November 20, 2003), <http://www.nybooks.com/articles/16809>; Alan Whiteside, “Through the Glass Darkly: The Economics of HIV/AIDS,” Briefing, Health Economics and HIV/AIDS Research Division, University of Natal, South Africa, July 9, 2003; Beverly Peters, “HIV/AIDS: Uniting and Dividing South Africa and the United States,” in *The Reality Behind the Rhetoric: The United States, South Africa, and Africa*, G. Mills and J. Stremlau, eds. (Pretoria: South African Institute of International Affairs, 2000), pp. 97–109; Andrew Price-Smith, “Pretoria’s Shadow: The HIV/AIDS Pandemic and National Security in South Africa,” Special Report #4, Health and Security Series, Chemical and Biological Arms Control Institute, Washington, DC, 2002.

<sup>248</sup> Public Broadcasting Service/Point of View, “State of Denial,” first aired September 16, 2003, <http://www.pbs.org/pov/pov2003/stateofdenial/index.html>; and Samantha Power, “The AIDS Rebel,” *The New Yorker*, May 2003.

<sup>249</sup> Rob Dorrington et al, *The Impact of HIV/AIDS on Adult Mortality in South Africa: Technical Report* (Tygerberg, South Africa: Burden of Disease Research Unit, Medical Research Council, September 2001); and “Actuarial Projection of the Epidemic: Summary Statistics,” extracted from the ASSA2000

stood to be underestimates since many deaths due to AIDS are attributed to other causes, particularly in rural areas. The most recent demographic estimates are that 19 percent of the population—5.5 million people—are now infected with the HIV virus.<sup>250</sup> Without regression in the current rate of infection, there are estimates that 38 percent of adults in South Africa could be HIV-positive by 2010, which would result in 900,000 AIDS-related deaths per year.<sup>251</sup> That would mean the death of roughly 2 percent of the population per year.

China's political leadership bears an equivalent responsibility, at least in principal if not yet in the magnitude of the consequences. For years the Chinese leadership denied that there was any AIDS problem in China, hounded the few doctors who attempted to publicize the actual magnitude of the disease in China, and even denied treatment to thousands of poor rural villagers who had become infected with the HIV virus during state-run blood purchasing campaigns that were carried out under grossly incompetent conditions.

Kristof's column drew a reply which admitted that "President Mbeki was wrong to deny the link between HIV and AIDS and obstruct access to treatment," but argued that "apartheid. . . killed and maimed untold millions, mostly through hunger and preventable diseases in ghettos and open-air concentration camps called bantustans."<sup>252</sup> This is certainly true, but it in no way cancels out post-apartheid government policies. There is no question that the policy decisions of the apartheid administrations contributed to deaths that are attributable to "structural violence" during the entire period in which they ruled South Africa (1948 to 1994), and certainly even in the years since. The methodology is available that allows one to arrive at estimates of those sums year by year, and to see to what degree they differed from those in Senegal, Kenya, or in any other Sub-Saharan state, excluding those that were involved in extended periods of internal warfare such as Angola, Mozambique, or the former Southern Rhodesia.<sup>253</sup> For the sake of discussion, assume that one can arrive at this estimate and add it to the sum for "by political decision" together with some fraction of AIDS mortality in South Africa since 1999.

One then confronts the difficult question: how much mortality due to "structural violence" in a large number of developing countries is directly attributable to the policies of their governments, and if not formal "policy," perhaps even more significantly, by their *practice*. An example would be by *corruption* at the Presidential or Ministerial level. One does not have to look far for examples: Mobutu in Zaire, Moi in Kenya, Taylor in Liberia, Mugabe in Zimbabwe, Bokassa in the Central African Republic, Marcos in the Philippines, Suharto in Indonesia, Saddam in Iraq, and *many many* others. In February 2003 the African Union reported that no less than "*148 billion dollars leaves Africa each year* for secret bank ac-

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AIDS and Demographic Model of the Actuarial Society of South Africa, January 7, 2004 and January 12, 2004.

<sup>250</sup> Lawrence K. Altman, "Report Shows 2005 To Be 'Least Bad Year' of AIDS Epidemic," *New York Times*, May 31, 2006.

<sup>251</sup> "South Africa: Controversy Over New AIDS Projections," UN Office for the Coordination of Humanitarian Affairs (IRIN), October 22, 2003.

<sup>252</sup> Mark Mathabane, "Letter to the Editor," *New York Times*, October 6, 2003. Even if one accepts Mathabane's additional claim that Mbeki's "argument that black poverty which apartheid policies created and exacerbated, was an important factor in the spread of AIDS" are valid—which is arguable—the overwhelming burden of responsibility for AIDS mortality since he took office is certainly Mbeki's.

<sup>253</sup> Charles Zimmerman and Milton Leitenberg, "Hiroshima Lives On: Deaths Caused by Lack of Development," *Mazingira* [UNEP] no. 4 (1979): 60–65.

counts in Europe and elsewhere.”<sup>254</sup> One can compare that sum—for one year, five years, or ten years—with the amount that the WHO estimates is needed for a measles vaccination campaign in Africa, to fight river blindness or schistosomiasis, for TB and malaria medication, for AIDS retroviral drugs, to provide clean water in all developing countries, or to pay for school fees which the governments of many developing countries still require of their impoverished populations. All these together would amount to less than \$148 billion per year. What level of *legislated* (viz. “policy”) decision versus endemic corruption would be needed in order to move “structural violence” mortality from that category into the “by political decision” column?

This exact issue has been presented in the most explicit form in the policy decisions taken by Robert Mugabe, the President of Zimbabwe. In 1993, average life expectancy in Zimbabwe, with a population of roughly 12 million, was 56 years. In 2006, it is 36 years, apparently the lowest in the world. The economy of the country has shrunk by 50 percent in the last six years. Unemployment is approximately 80 percent, and the inflation rate is well over 1,000 percent. The national HIV rate is 25 percent, and 1.6 million children—roughly one in three—are orphans. Agriculture has collapsed, and the government has both hoarded food stocks and rejected international food donations in various years. The government carried out a massive population eviction program to remove inhabitants who favored the political opposition from the capital. The campaign, which the government named “Operation Drive Out Trash,” displaced over 700,000 people by physically destroying their homes and places of business and work. As many as two million additional people were indirectly affected. Roughly 3.5 million people have emigrated from the country.<sup>255</sup> It is incontrovertible that nearly all of these circumstances result from Mugabe's policy decisions. However, no one has yet produced an estimate of the mortality increase in Zimbabwe resulting from Mugabe's policies.

The heads of state who maintain a political system in which they and/or their ministers and deputies wallow in corruption and plunder the nation's resources and wealth are certainly carrying out a conscious decision. It may differ somewhat from executive or legislative policy that is formally announced and acted on—which one can unquestionably call “by political decision”—but it differs more in form than in basic attributes. In the real world of consequences, there may be a very thin line between these two—or none at all—in very many developing countries.

There are then two answers to the question raised here. For processes like the only recently reversed—or partly reversed—South African and Chinese government policies on AIDS, one could arrive at a number, and add that sum to the “by political decision” category. For the remainder of structural violence, the very great majority of it, except for cases such as the former South African apartheid system in which the policy was legislated and was official government policy, as well as the very explicit policy decisions taken by President Mugabe in Zimbabwe, it would be much more difficult, if at all possible, to arrive at a numerical estimate of the fraction that one could attribute to “by political decision.”

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<sup>254</sup> “Kenya Said ‘Not Doing Enough’ to ‘Hasten’ Resumption of Blocked World Bank Funds,” World Bank Development News (Electronic), February 27, 2003, <http://www.worldbank.org>.

<sup>255</sup> Roy Carroll, “Behind a face of normality, Zimbabwe is visibly falling apart,” *Guardian* (London), April 24, 2006. For background information, see: Robert Rotberg, Africa's Mess, Mugabe's Mayhem,” *Foreign Affairs* 79: 5 (September-October 2000): 47–61; U.S. Senate, Committee on Foreign Relations, Hearing: *Zimbabwe's Political and Economic Crisis*, June 28, 2001; International Crisis Group, *Zimbabwe: Time for International Action*, Africa Briefing, Brussels, October 12, 2001, <http://www.crisisgroup.org>; International Crisis Group, *Zimbabwe: What Next*, Africa Report no. 47, Brussels, June 14, 2002, <http://www.crisisgroup.org>; International Crisis Group, *Zimbabwe: the Politics of National Liberation and International Division*, Africa Report no. 52, Brussels, October 17, 2002, <http://www.crisisgroup.org>; Martin Meredith, *Our Voters, Our Guns: Robert Mugabe and the Tragedy of Zimbabwe* (New York: Public Affairs, 2003); and Craig Timberg, “Zimbabweans Pay Dearly for Cost of Health Care; Hyperinflation Pushes Medical Treatment Beyond Means of Most,” *Washington Post*, May 11, 2006. Amnesty International, “Africa: Zimbabwe,” *Report 2006*, May 31, 2006.