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“The Escalating Crisis in Darfur”
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Thank you, Peter, for the opportunity to speak at SAIS on the vitally important issue of the escalating crisis in Darfur. It is gratifying to see so many students in the audience, since student groups have been at the forefront of the grassroots movement to stop the genocide. I hope that your generation will do better than the current one at taking actions of conscience when our conscience demands it. Based on the dedication that so many of your fellow students have shown, I am hopeful you will.

Where’s Plan B?

I feel compelled to begin with a simple observation: today is the 21st of February, 2007. The genocide in Darfur has lasted four years and counting. An estimated 450,000 people are dead. More than 2.5 million have been displaced or rendered refugees. Every day, the situation worsens. Fifty-two days have come and gone since the expiration of the very public deadline the President’s Special Envoy Andrew Natsios set at my own Brookings Institution. Last year, on November 20th, Natsios promised that harsh consequences would befall the Government of Sudan, if by January 1, 2007, it failed to meet two very clear conditions. First, Khartoum must accept unequivocally the full deployment of a 17,000 person UN-African Union “hybrid” force. And, second, it must stop killing innocent civilians.

In spite of this threat – the so-called “Plan B” -- the Government of Sudan continues to kill with impunity. Last week, President Bashir reneged on his commitment to admit UN human rights monitors. And, Khartoum still has not accepted UN troops as part of a hybrid force. Bashir sent a letter late last December to Kofi Annan implying his acquiescence to UN troops – but offering no explicit acceptance. The next day Sudan’s ambassador to the UN ruled out any UN forces. Sudan keeps playing this bait and switch game to its advantage, and the U.S. keeps being played. And, still, no Plan B.

A couple of weeks ago, the Washington Post reported, and Natsios confirmed, a leaked story that the President had finally approved “Plan B” – a three stage punitive package that could begin with the United States blocking Sudan’s oil revenue. If this is “Plan B”, it should be implemented swiftly, not leaked. This kind of leak gives Sudan advance warning, enabling it to try to evade sanctions.

Still, it remains unclear what the “three tiers” of the administration’s Plan B are. In his long-awaited testimony this month before the House Committee on Foreign Affairs, Special Envoy Natsios revealed nothing of the substance or timing of Plan B. Despite China’s gift of a palace to Bashir, Natsios asked us to take heart from the fact that we don’t know what President Hu may have said to Bashir in private. One cannot

help but wonder: is there any substance to the Administration's repeated threats? We have no idea if any penalties will ever be implemented and, if so, whether they would be powerful enough to change Khartoum's calculus.

The sad truth is: the United States continues to be taunted, and our conditions continue to be flaunted by the Sudanese Government. Plan B is long past its sell-by date and getting staler by the day.

Last month, a bipartisan group of 26 U.S. Senators wrote to President Bush saying "We appreciate your Administration's efforts at aggressive diplomacy and negotiation, but it seems clear that the Sudanese are not responding to such tactics." The Senators insist "...the time has come to begin implementing more assertive measures." Yet, when asked repeatedly over the past weeks when "Plan B" will be implemented, the State Department spokesman has been, to put it politely, evasive.

Worse *still* is the Administration's latest tactic -- asserting that Sudan has accepted, in principle, so-called Phase III -- the full deployment of the hybrid force, including its UN elements. In fact, the Sudanese have made no such commitment, not even in principle. A month later, they have failed even to respond to the UN Secretary General's letter laying out the specifics of the proposed hybrid. Nonetheless, according to State's spokesman, the Administration will defer further consideration of any punitive measures until *after* the UN is ready to deploy all its forces for the hybrid mission. In other words, the new due date for consideration of Plan B is, at the earliest, months away, and would occur only if the Sudanese block deployment of UN forces once they are fully ready to go.

In testimony before the Senate this month, Secretary Rice went even further in ratcheting down the pressure on Khartoum. In response to Senator Biden who argued "I think we should use force now and we should impose [a no fly zone]", Rice took the option of unilateral U.S. military action off the table, noting its "considerable downsides." She made no mention of the "considerable downsides" of allowing genocide to continue unabated.

Perhaps that is because the Administration has reversed itself and decided that genocide is not happening in Darfur. Quoted in the Georgetown Voice, Natsios told a student group that: "The ongoing crisis in Darfur is no longer a genocide situation" but that "genocide had previously occurred in Darfur." President Bush conspicuously failed to use the term genocide when speaking of Darfur in his latest State of the Union address. Such language games shock the conscience, especially given recent escalating attacks on civilians and aid workers. Reflect on what's at stake. If any progress at all has been made on the subject of Darfur, it is that we in the United States have gotten past the debate about whether this is, or is not, a genocide. To regress, to re-open this issue, is to further slow-roll any action, to reduce any sense of urgency, and to allow more and more people to continue dying. Make no mistake: Darfur has been a genocide. It continues to be a genocide. And unless the United States leads the world in halting the killing, it will remain a genocide.

Why do you suppose the Administration is equivocating and temporizing? Why would it re-open old debates? Why would it, yet again, issue threats to the Sudanese regime and fail to follow through on them? What damage is done to our interests, to our credibility, to our already diminished international standing by the Administration's seemingly empty threats?

Most importantly, how can the Administration explain to the dead, the nearly dead and the soon to be dead people of Darfur that, at the end of the day – even after we declare that genocide is occurring, even after we insist repeatedly that we are committed to stopping it – the United States will continue to stand by while killing persists. This genocide has endured now, not for 100 days, not for 1000 days, but for four long years.

Last month, the UN reported that the situation in Darfur is deteriorating rapidly. December 2006 was the worst month in Darfur in over two years. This nadir followed six months of escalating violence – a period which coincides with Khartoum's bid to expel the African Union force, to block the UN deployment, and to throw its killing machine into high gear. Rebel activity has also increased, and their violence is harming both civilians and humanitarian agents. In those six months: thirty humanitarian compounds suffered attacks; twelve aid workers were killed, and over 400 were forced to relocate. On December 18, four aid organizations were attacked at a massive refugee camp housing 130,000 at Gereida in South Darfur. All humanitarian operations there have ceased, and no food has been delivered to the camp since. In recent weeks, Sudanese aircraft have attacked rebel-held areas and killed many innocent civilians. These attacks continue, despite the Richardson 60-day ceasefire, which is merely the latest of many to be agreed only to be swiftly violated by Khartoum.

At the same time, the fighting in Darfur is destabilizing neighboring Chad and Central African Republic. Khartoum has backed rebels that seek to overthrow these governments, and the security situation along their borders is so bad that even the UN is reluctant to deploy forces there without an effective ceasefire.

Let's be honest: there is no evidence the situation in Darfur is improving. Indeed it is getting worse. Unless and until a robust United Nations force deploys to Darfur, we have no reason to hope that it will get better. But, tragically, the Bush Administration has given up pressing for such a force.

Bluster and Retreat

What we are witnessing is, in fact, part of a three year pattern. In short, the Administration talks tough and then does little more than provide generous humanitarian assistance. It blusters and, then, in the face of Sudanese intransigence or empty promises, the Administration retreats.

When the rebels started fighting in Darfur in February 2003, the Administration at first chose to ignore it. Despite the rampaging reprisals of janjaweed killers and rapists, the torching of whole villages, the wanton bombing of innocent civilians and massive humanitarian suffering, the Administration was slow to act. It seems to have calculated

that pressing the Government of Sudan to halt its customary scorched earth tactics in Darfur ran counter to our interests in getting Khartoum's cooperation on counter-terrorism, which began abruptly only *after* September 11, 2001. Confronting the genocide, the Administration calculated, might also jeopardize U.S. efforts to cajole the regime to sign a North-South peace agreement with the SPLM.

But by 2004, the human toll was mounting. On the tenth anniversary of the Rwandan genocide, many noted the contrast between the hollow pledges in many capitals of "never again" and the dying in Darfur. With, a presidential campaign underway, Congress and Democratic candidates went on the record characterizing the atrocities as genocide. This prompted the Administration to decide, belatedly, that its comparative silence was deafening. Secretary Powell and Kofi Annan visited Darfur and obtained hollow promises from Bashir that his Government would disarm the janjaweed, allow unfettered humanitarian access and permit an African Union force to deploy.

Yet, predictably, the killing and dying continued. Over the summer of 2004, Secretary Powell ordered a comprehensive investigation of the atrocities, drawing upon hundreds of first hand accounts from victims and witnesses. Faced with the evidence, Secretary Powell embraced the investigators conclusions: genocide was taking place. To his credit, he testified that effect, and the President in September powerfully repeated that judgment before the UN General Assembly. But then, again, the Administration did nothing effective to stop the killing.

With Western encouragement, the African Union mounted its first ever peacekeeping mission -- in Darfur. To seasoned analysts, this approach was clearly flawed from the start: the nascent AU could not secure millions of people at risk in an area the size of France. Hobbled by a weak mandate, perpetual troop shortages, an uncertain funding stream, and little institutional back-up at a brand-new regional organization, the AU was bound to fall short, despite its best intentions. It was slow to deploy, but deploy it did -- with U.S. and NATO logistical and financial support.

The African Union has been the target of a lot of criticism for its shortcomings in Darfur. I think unfairly so. While the United States blusters, the African Union forces have been the only ones willing to take bullets to save Darfurians. They have done so without adequate international support and under constant restrictions imposed by Khartoum. They have saved thousands of lives and we owe them our honor and gratitude. Their presence also provides the U.S. with a ready, if cynical, foil for declaring the genocide under control. It is not.

By 2005, the AU finally fielded almost 7,000 troops. It pledged to add another 6,000 within a year. It couldn't. By then, it was obvious to all: the African Union was in over its head. Many experts, I among them, pled for NATO to step in, with US support, to augment the AU force. Those calls went unheeded. Certain African leaders continued to insist on "African solutions to African problems." It was a convenient conspiracy of absolution, which enabled Washington to claim that further U.S. action was not desired. The Africans were responsible. But genocide is not and never will be an African

responsibility. It is a human responsibility, requiring the concerted efforts of all humanity to halt decisively. To date, we have not.

In 2005, Secretary Rice visited Darfur, and Deputy Secretary Zoellick began took over the U.S. negotiating effort. In early 2006, the AU itself accepted reality and recommended that the UN subsume its force and take over its mission. In parallel, Mr. Zoellick was trying to nail a peace agreement before he left the State Department. His efforts culminated in May 2006, in the signing of the Darfur Peace Agreement (DPA).

This deal was doomed before the ink on it was dry. It left out two key rebel groups. The one that signed did so under extreme duress -- one day after its leader's brother was killed by the regime. Moreover, Khartoum made little in the way of power-sharing concessions to the rebels. There was no firm requirement that the Government accept a UN peacekeeping force. The U.S. secretly pledged to reward Khartoum with the lifting of U.S. sanctions and a White House visit, but proffered no penalties for non-compliance. As many feared, the ceasefire collapsed almost immediately. The rebels fractured. The killing intensified, and the people of Darfur suffered more.

After Zoellick left State, U.S. policy foundered. But, by late August 2006, it seemed back on track. The U.S. obtained UN authorization for a robust Chapter VII force for Darfur -- 22,000 peacekeepers with a mandate to protect civilians. In September, President Bush and Secretary Rice visited the UN General Assembly. They appointed Andrew Natsios Special Envoy and promised tough consequences, if Khartoum did not accept the UN force mandated by UN Security Council Resolution 1706.

Mr. Natsios went to work. Within two short months, he had given up the ghost. In November, in Addis Ababa, Natsios joined the UN, African Union and European leaders in preemptively capitulating to Khartoum. In an effort to win Sudan's acquiescence, the U.S. and others jettisoned the robust UN force and embraced a fall-back: a smaller, weaker, AU-UN "hybrid" force. In December, the UN Security Council, with the U.S. leading the way, abandoned Resolution 1706 and endorsed the Addis agreement.

This hybrid force is to be 17,000 troops versus 22,000. It will derive its mandate from the AU, which Khartoum readily manipulates. It is to draw its troops principally from Africa. But overstretched by deployments to hotspots all over the continent, Africa has very little peacekeeping capacity to spare. The hybrid will enjoy UN funding but suffer from the same "dual-key" problems that plagued the UN and NATO in the Balkans in the 1990s.

In short, the "hybrid" is an ill-conceived, short-sighted expedient to appease, yet again, the perpetrators of genocide. How perverse is it that the U.S. is expending all of its diplomatic capital politely negotiating the terms of a hybrid force that falls well short of what is needed to halt the genocide? How cynical is it that the U.S. is deferring any possible punitive action against Khartoum until after African governments do what is plainly impossible: muster another 10,000 troops for Darfur while simultaneously

launching a new force in Somalia? How revealing is it that Natsios says it's not his job, or Secretary Rice's job, but only Assistant Secretary Frazer's job to help recruit troops for the hybrid?

As the back and forth with Sudan persists, U.S.-imposed deadlines have come and gone. Khartoum continues to lead the international community through a diplomatic dance that defies definition. Darfurians continue to die. Chadians continue to die. The region is coming unglued.

This is, by any measure, a collective shame. The American people know it. And, by all accounts, they don't much like it. A December Newsweek poll found that "65% of Americans support sending U.S. troops, as part of an international force, to Darfur."

The Way Forward

The time for fruitless negotiations has long since passed. The time for misplaced faith in Richardson's ceasefire, or Ban Ki Moon's diplomacy, or Chinese blandishments (rather than the hoped-for admonitions) has passed. These are all delaying tactics – welcomed by Khartoum so it can buy time to continue the killing.

If the U.S. were serious about halting this four year-old genocide and protecting civilians in Darfur, it would act now to show Khartoum that we are done talking and are ready to turn the screws.

It would take four steps:

Step One: The President should issue an Executive Order implementing the financial measures in Plan B immediately. The Order should include safeguards to ensure that revenue flows to the Government of South Sudan remain unaffected. Given the leak of Plan B, the President must act now or risk squandering the potentially significant impact of these measures.

Step Two: The Bush Administration should state clearly that these financial penalties will not be lifted unless and until the Sudanese Government permanently and verifiably stops all air and ground attacks and allows the full and unfettered deployment of the UN force authorized under UNSC Resolution 1706. The U.S. should declare the so-called "hybrid" force dead and take it off the negotiating table. The hybrid was an unfortunate concession to Khartoum, which Khartoum has been foolish enough not to embrace. It's time to tell Khartoum that it has a simple choice: accept the UN force as mandated by Resolution 1706 or face escalating pressure from the U.S.

Step Three: The 110th Congress should swiftly adopt new legislation on Darfur. It should build upon a bill introduced in the last Congress by Representative Payne, which garnered the bipartisan support of over 100 co-sponsors. The new legislation should:

- Authorize the President to use force to stop the genocide in Darfur, including by imposing a no-fly zone, bombing aircraft, airfields and the regime's military and intelligence assets.
- Authorize funds to upgrade Abeche airfield in Chad, with the agreement of the Government of Chad, in order to support potential NATO air operations, to facilitate a UN deployment to Chad and Darfur, and for humanitarian purposes.
- Urge the Administration to press for the deployment of UN peacekeepers to the borders of Chad and the Central African Republic to protect civilians and serve as advance elements for the UN force in Darfur authorized under UNSCR 1706.
- Impose capital market sanctions on companies investing in Sudan.
- Freeze the Sudanese Government assets and those of key Sudanese military, government and janjaweed leaders and their families. Prohibit their travel to the U.S.
- And, require the Administration to report every 30 days (in unclassified and classified form) on the financial, military, and covert steps it is prepared to take to compel the GOS to accept unconditionally a robust UN force and halt attacks on civilians.

Step Four: If within fifteen days of the issuance of the "Plan B" Executive Order, the Government of Sudan has failed to meet these conditions, the Bush Administration should use military force to compel Khartoum to admit a robust UN force and stop killing civilians.

What I wrote with Anthony Lake and Donald Payne in the Washington Post on October 2, 2006, still applies, four plus months, and thousands of lives later:

"History demonstrates there is one language Khartoum understands: the credible threat or use of force. It's time again to get tough with Sudan. The U.S. should press for a Chapter VII UN resolution that issues Sudan an ultimatum: accept the unconditional deployment of the UN force within one week, or face military consequences. The resolution would authorize enforcement by UN member states, collectively or individually. International military pressure would continue until Sudan relents. The U.S., preferably with NATO involvement and African political support, would strike Sudanese airfields, aircraft and other military assets. They could blockade Port Sudan, through which Sudan's oil exports flow. Then, the UN force would deploy -- by force, if necessary, with U.S. and NATO backing.

If the U.S. fails to gain UN support, we should act without it as it did in 1999 in Kosovo -- to confront a lesser humanitarian crisis (perhaps 10,000 killed) and a much more formidable adversary. The real question is this: will we use force to save Africans in Darfur as we did to save Europeans in Kosovo?"

Not surprisingly, our proposal has been controversial.

Some argue that it is unthinkable in the current context. True, the international climate is less forgiving than it was in 1999 when we acted in Kosovo. Iraq and torture scandals have left many abroad doubting our motives and legitimacy. Some will reject *any* future U.S. military action, especially against an Islamic regime, even if purely to halt genocide against Muslim civilians. Sudan has also threatened that Al Qaeda will attack non-African forces in Darfur – a possibility since Sudan long hosted bin Laden and his businesses. Yet, to allow another state to deter the U.S. by threatening terrorism would set a terrible precedent. It would also be cowardly and, in the face of genocide, immoral.

Others argue the U.S. military cannot take on another mission. Indeed, our ground forces are stretched thin. But a bombing campaign or a naval blockade would tax the Air Force and Navy, which have relatively more capacity, and could utilize the 1,500 U.S. military personnel already in nearby Djibouti.

Still others insist that, without the consent of the UN or a relevant regional body, we would be breaking international law. Perhaps, but the Security Council last year codified a new international norm prescribing “the responsibility to protect.” It commits UN members to decisive action, including enforcement, when peaceful measures fail to halt genocide or crimes against humanity.

Some analysts prefer the imposition of a no-fly zone over Darfur. They seem to view it as a less aggressive option than bombing Sudanese assets. It is a fine option, but let’s be clear what it entails. Rather than stand-off air strikes against defined targets, maintaining a no-fly zone would require an asset-intensive, 24 hours per day, 7 day per-week, open-ended military commitment in a logistically difficult context. To protect the no-fly area, the air cap would have to disable or shoot down any aircraft that took off in the zone. It would mean shutting down Sudanese airfields in and near Darfur to all but humanitarian traffic. In short, it would soon require many of the same steps that are necessary to conduct the air strikes we recommend, plus much more.

Finally, humanitarian organizations express concern that air strikes could disrupt humanitarian operations or cause the Government of Sudan to intensify ground attacks against civilians in camps. These are legitimate concerns.

Yet, there are ways to mitigate these risks. Targets could be selected to avoid airfields used by humanitarian agencies operating in Darfur. To protect civilians at risk, the U.S., France or other NATO countries could position a light quick reaction force in nearby Chad to deter and respond to any increased attacks against camps in Darfur or

Chad. While the risks may be mitigated, we must acknowledge they cannot be eliminated.

Yet, we must also acknowledge the daily cost of the status quo – of bluster and retreat. That cost has been and will continue to be thousands and thousands and thousands more lives each month. That cost is an emboldened Khartoum government that continues to kill with impunity. That cost is a regime that literally has gotten away with murder, while the U.S. merely remonstrates.

I would submit that this cost is too high. Too many have already died. Too many more are soon to die. When, if ever, will the Bush Administration decide that enough is finally enough?

Thank you.