THE NORDIC CENTER
FOR CONFLICT TRANSFORMATION

PREVENTING ATROCITIES IN SUDAN

Responsibility to Protect and Effective Peacebuilding : What can work

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ABSTRACT

After analyzing various sources, including international news outlets and social media posts, pertaining to the current armed conflict in Sudan, this article aims to offer critical insights into the overlooked aspects of the conflict. The purpose of this article is to propose a set of observations and reflections on the conflict, in addition to outlining practical measures that can be taken in the immediate future to prevent mass atrocities in the country. To achieve this goal, this article presents a framework that allows for a better understanding of the ongoing armed conflict, and it advances recommendations that primarily focus on protecting the Sudanese peoples.

I. The forgotten narrative of the armed conflict: the peoples of Sudan

Despite the availability of numerous articles[1] that analyze the causes of the conflict in Sudan, the majority of these articles and discussions have adopted a predominant narrative that centers around the power struggle between two military generals: Abdel Fattah al-Burhan, the de facto ruler of Sudan, and former warlord Mohamed Hamdan Dagalo, also known as Hemedti.

The current crisis in Sudan is more than just about the military commanders and the dynamics that triggered the recent armed conflict. It is a crisis that is rooted in the struggle of the Sudanese peoples to uphold their rights and freedoms in a country that has been plagued by conflict and violence for decades. Despite these challenges, the civilian populations have not resorted to violence in their demands for political transition to democracy and the commitment to human rights.

Historically, Sudan has been at the epicenter of identity contestations, with its linkages to the Arab region from one side, and Africa from another. These linkages have been shaping the identity and agency of Sudanese peoples. The socio-political history of the country has been defined by two notions that continue to shape its political landscape: Arabism and Islam[2]. This distortion emerged from a kind of an «Islamic activism» that challenged the foundation of a legitimate state in the Arab region where a mostly secular movement, Arabism (or Pan-Arabism), failed in upholding its promises to peoples in the region by bringing about democratic regimes and protecting rights and freedoms in the region. This position has formed the basis for competing political discourses that translated into an uprising against established regimes and formed a basis for a revolutionary rationale calling for change.

[1] Examples of these media articles: The Guardian 27 April 2023, "Sudan conflict: why is there fighting and what is at stake in the region?", , https://www.theguardian.com/world/2023/apr/27/sudan-conflict-why-is-there-fighting-what-is-at-stake. CNN 26 April 2023, "Rival generals are battling for control in Sudan. Here's a simple guide to the fighting", https://edition.cnn.com/2023/04/26/africa/sudan-conflict-explained-intl/index.html . DW 24 April 2023, "Sudan: What can Europe do to stem the violence?", https://www.dw.com/en/sudan-what-can-europe-do-to-stem-the-violence/a-65422080 . Reuters 24 April 2023, "What is happening in Sudan? Fighting in Khartoum explained", https://www.reuters.com/world/africa/whats-behind-sudans-crisis-2023-04-17/ . Al Jazeera 3 May 2023, "Could an old tribal foe undercut Sudan's Hemedti?" https://www.aljazeera.com/news/2023/5/3/could-an-old-tribal-foe-undercut-sudans-hem dti

In Sudan, there existed a contestation also within the Islamic faith, demonstrated by the rivalry between what was referred to as 'official' Islam, adopted by the regimes, and that of some Islamic scholars. The former served as a basis for the consolidation of the existing power structure and the elimination of perceived political opposition, while the latter represented a scholarly pool of knowledge. This rivalry was exemplified by the execution of Sudanese scholar Mahmoud Mohamed Taha on the orders of President Gaafar Nimiery in 1985 for the crime of blasphemy (and apostasy). Mahmoud Taha, who was considered an Islamic reformist by many other scholars, had published a book in 1967 titled «The Second Message of Islam: Contemporary Issues in the Middle East.» In the book, he proposed a contextualization of the verses of the Quran and called for a reform of the oppressive regimes in the Muslim world.

Several other executions were carried out in Sudan, and as a result, the country witnessed the flight and self-imposed exile of many scholars, including Professor Abdullahi Ahmed An-Na'im. Professor An-Na'im translated the book of his former professor, Mahmoud Mohamed Taha, into English. In addition, he published a book in 1990 titled «Toward an Islamic Reformation: Civil Liberty, Human Rights and International Law,» which was based on the ideas of Mahmoud Mohamed Taha.

It is now evident that extremist distortions regarding the concepts of Arabism and Islam, as well as the specific rivalry within the Islamic faith, have played a significant role in Sudan's current status as a' stateless' nation.

The crisis in Sudan has been widely viewed through the lens of its visible consequences rather than its underlying causes. An in-depth examination of the perspectives of key players, the challenges facing democratic transition, the ongoing socio-economic catastrophe, and the violence perpetuated by the so- called «legitimate state» exemplifies how pessimism can impede progress from aggression to cooperation. Governments and non-governmental organizations at regional and global levels have missed to identify the root causes of the violence in Sudan. As long as their understanding remains confined to the symptoms of the crisis; to the military commanders and their power struggles, they will continue to fall short of assisting the peoples of Sudan. Addressing the crisis requires a profound comprehension of the historical, socio-political, and cultural factors that have shaped Sudan's identity, the peoples' struggle to uphold their rights and freedoms, and how the distortion of two notions, Arabism and Islam, has fueled debates about the nature of the state in the country, ultimately leading to the statelessness of the nation.

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This article utilizes the term «peoples of Sudan» in its plural form to amplify voices of the diversity in the Sudanese populace. Sudan is a country that comprises multiple ethnic, linguistic, and religious groups. This diversity poses a significant challenge in the representation of the Sudanese populations in various spheres such as politics, media, international forums, and most crucially, in cease-fire and peace talks, which have been continuously unsuccessful.

[2] Noufal Abboud (& L. Ghose edt) "Regenerating the State in the Arab World: The Role Of the European Union in Democracy Building", 2010, International IDEA. https://www.idea.int/sites/default/files/publications/chapters/the-role-of-the-european- union-in-democracy-building/eu-democracy-building-discussion-paper-26.pdf

The challenge of representing Sudan's diversity is evident in electoral processes, where the results are often disputed and marred by allegations of fraud and manipulation[3]. Furthermore, political discourse in Sudan tends to be polarized along ethnic and religious lines, with the dominant Arab and Islamic identity often overshadowing the diverse identities of other Sudanese groups. This polarization has resulted in the marginalization of non-Arab and non-Muslim groups, contributing to conflict and violence in the country. An example of marginalized groups is the Nuba peoples, a non-Arab ethnic group living in the Nuba Mountains located in southern Sudan. Although often referenced as a singular group, the Nuba peoples encompass over 50 distinct ethnic communities, each with specific languages and cultural particularities. Several of Sudan's governments have subjected the Nuba peoples to tough marginalization and discrimination, particularly through Arabization policies. In the 1990s, the government launched brutal violent operations against the Nuba people.

Similarly, the Beja people, who are non-Arabs and based in the Eastern region of Sudan, practice their own traditions and cultures. They have been facing marginal representation in governments and limited access to essential services such as health and education, as example. Small Christian and Jewish religious minorities who are left in the country also continue to live in fear, insecurity, and discrimination[4].

In the international arena, the representation of Sudan's diversity has often been limited to the conflict in Darfur, which has been widely reported by the global media. However, this narrative ignores the complexity of Sudan's conflicts and does not represent the diverse experiences and aspirations of the Sudanese peoples. Similarly, in conferences and debates on the crisis in Sudan, the voices of marginalized groups are often overlooked, and their perspectives are not adequately represented.

Cease-fire agreements and peace talks have also been unsuccessful in Sudan due to the limited representation of the country's diversity. The dominant political and military actors who have been involved in these negotiations have failed to include marginalized groups in the discussions, leading to the exclusion of their perspectives and interests.

II. Sudan: through the lens of the responsibility to protect (R2P)

The observed surge in states active engagements to repatriate citizens from Sudan is a notable phenomenon, particularly in comparison to similar situations in Iraq and Syria. This engagement is reflected in the efforts made by members of European Union, the United Kingdom, Japan, Russia, China, India, Canada, South Africa, France, the Netherlands, Switzerland, Chad5 and other countries such as the United States of America, Morocco, Indonesia, Saudi Arabia… to direct their citizens to Port Sudan and provide logistical support for their evacuations. The urgency and scale of this repatriation efforts are unprecedented and suggest, at a first glance a significant shift in state priorities and policies towards the protection of their citizens in situations of armed conflicts.

[3] Reuters 8 November 2009, "Sudan politicians report widespread electoral fraud", https://www.reuters.com/article/idINIndia-43784120091108

[4] For more details: Minority Rights Group International. (2019). Sudan: Overview of minorities and indigenous peoples. https://minorityrights.org/country/sudan/ , Human Rights Watch. (2016). Sudan: New attacks on civilians in Jebel Marra. https://www.hrw.org/news/2016/09/12/sudan-new-attacks-civilians-jebel-marra , United States Department of State. (2021). Sudan: International religious freedom report. https://www.state.gov/reports/2021- report-on-international-religious-freedom/sudan/, Minority Rights Group International. (2014). The Beja of Sudan: marginalization continues. https://minorityrights.org/2014/01/09/the-beja-of-sudan-marginalisation-continues/ , United Nations. (2021). Sudan: Humanitarian situation report. https://reliefweb.int/report/sudan/sudan- humanitarian-situation-report-january-2021 , Aleksi Ylonen (October 2009). Marginalisation and violence Considering origins of insurgency and peace implementation in the Nuba Mountains of Sudan. Institute for Security Stidies (ISS) 201. https://www.files.ethz.ch/isn/111690/P201.pdf

The repatriation of citizens from conflict zones has long been a topic of interest for policymakers and scholars, particularly in the context of humanitarian interventions and Responsibility to Protect (R2P). The repatriation of citizens is often complicated by a range of factors, including security concerns, logistical challenges, and political considerations. In the case of Sudan, the conflict has been characterized by multiple armed groups and sporadic violence, which further complicates the repatriation process.

The increased engagement of states in the repatriation of their citizens from Sudan can be understood in the context of evolving norms and practices in the field of humanitarian intervention. The Responsibility to Protect (R2P) framework, which was endorsed by the United Nations General Assembly in 2005, places an emphasis on the protection of civilians in situations of armed conflict, including the repatriation of citizens to their home countries. This norm has gained increasing traction in recent years, particularly in the aftermath of the Arab uprisings and the Syrian civil war.

The repatriation efforts in Sudan are also reflective of the changing nature of conflict in the contemporary world. The proliferation of armed groups and the rise of non-state actors have made it increasingly difficult for states to protect their citizens in conflict zones. As a result, states are now more willing to engage in repatriation efforts, recognizing that the protection of their citizens is a key responsibility.

While the surge in state engagements to repatriate their citizens from Sudan is a positive development, it also highlights some limitations in the implementation of the Responsibility to Protect (R2P) framework. Specifically, the focus on protecting one's own citizens can lead to a neglect of the needs and well-being of the local populations in conflict-affected areas.

The lessons learned from previous conflicts, such as the conflict between the Hutus and Tutsis in Rwanda, the war crimes during the Kosovo war, the massacre of Rohingya in Myanmar, and the Yazidis in Iraq and Syria, highlight the importance of protecting vulnerable civilian populations regardless of their nationalities or citizenships. These experiences demonstrate the devastating consequences of failing to protect civilian populations in conflict-affected areas, including mass displacement, loss of life, and widespread human suffering.

Furthermore, the selective focus on repatriation raises questions about the true commitment under international law to protecting civilians within the framework of the R2P. If states are only willing to act to protect their own citizens, the Responsabilty to Protect is reduced to a tool for protecting national interests rather than a mechanism for promoting human security and preventing mass atrocities. Until today, the way states are dealing with repatriating their own citizens only from Sudan cannot be framed within the responsibility to protect but rather under protecting national interests.

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To address these limitations, it is important for states within their commitment to International humanitarian law to adopt a more holistic approach to the implementation of the R2P in Sudan before it's too late. This includes supporting efforts to address the root causes of conflict, promoting respect for human rights and the rule of law, and providing assistance to those in need, regardless of their nationalities.

[5] Reuters 25 April 2023, "Factbox: Countries rush to evacuate foreign citizens from Sudan."
https://www.reuters.com/world/africa/countries-scramble-evacuate-foreign-citizens-sudan-2023-04-25/

While the surge in state engagement to repatriate citizens from Sudan is a positive development, it also highlights the limitations of the current implementation of the R2P framework. A more holistic approach that addresses the needs of both citizens and local populations is necessary to truly promote human security and prevent mass atrocities.

III. Prevention of atrocities is better than cure the wounds

According to United Nations Secretary-General Antonio Guterres, there are concerns about possible double standards and the selective use of the Responsibility to Protect (R2P) principle in the past[6], as stated during his remarks on the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing, and crimes against humanity at the 99th plenary meeting of the General Assembly (72nd session) in 2018. This observation complements the ideas that were developed in the above section.

In cases where states are unable to fulfill their responsibilities, other states may be authorized to intervene under Chapter VII of the UN Charter, which pertains to the use of force. However, such interventions should be considered only after all peaceful means have been exhausted and national authorities have failed to protect their populations. It is noteworthy that collective actions should be a measure of last resort, given that certain interventions have served only to exacerbate the atrocities of war. We must all remember the human toll of collective interventions in Kosovo, Iraq, Afghanistan, Yemen, etc.

As emphasized by Guterres, the best way to prevent the atrocities of wars is to prevent wars from happening. This can be achieved through diplomacy, mediation, and conflict prevention efforts that aim at addressing the root causes of conflicts.

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The aforementioned observations align with the normative framework known as the Responsibility to Protect (R2P) principle. The R2P principle outlines the duties of states in preventing and addressing mass atrocities. It acknowledges that the primary responsibility for safeguarding populations from mass atrocities rests with states, but if they are unable or unwilling to fulfill this responsibility, collective state action can provide assistance and intervention to protect affected populations from mass atrocities.

The current situation in Sudan serves as a pertinent example of the significance of the Responsibility to Protect (R2P) principle and the necessity of preventing mass atrocities. The country has been afflicted by persistent violence, resulting in extensive human suffering and displacement. Various states have been rushing to evacuate their citizens while expressing concern that the situation is bound to deteriorate. The Sudanese populations have implored external parties to intervene in order to safeguard the civilians within their country. However, there have been questions about the selective application of the R2P principle and potential double standards in the case of Sudan, as evidenced until the time of writing this article. It is critical to approach any collective military action cautiously to avoid compounding the atrocities of war, as exemplified by prior interventions in numerous countries.

The imperative of preventing wars and addressing the root causes of conflicts cannot be overstated as the most effective way to avoid the atrocities of wars. In the specific case of Sudan, the collective intervention under the mandate of the UN to protect the civilian populations is crucial. However, the situation has also highlighted the need to prioritize diplomatic, mediation, and violence prevention efforts to prevent further suffering and displacement of the Sudanese peoples.

[6] Secretary-General's remarks to the General Assembly debate on the responsibility to protect [as delivered], 25 June 2018, https://www.un.org/sg/en/content/sg/statement/2018-06-25/secretary-generals-remarks-general-assembly-debate-responsibility

Conclusion

It is essential to recognize that the costs of inaction in the face of potential crises can be catastrophic, as demonstrated so far in the case of Sudan. Instead, it is imperative to proactively engage in peacebuilding efforts to prevent armed conflicts from arising in the first place. This requires sustained and consistent efforts to build peace on an everyday basis, addressing the underlying issues that lead to conflicts and promoting understanding among communities beyond the politics of division, walls and separations. This article demands a comprehensive approach that addresses the root causes of the crisis and empowers the Sudanese peoples to realize their aspirations for a democratic, peaceful, and prosperous future.

It is imperative to proactively engage in peacebuilding efforts[…], addressing the underlying issues that lead to conflicts and promoting understanding among communities beyond the politics of division.

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