

KHARTOUM BOMBS AND THE WORLD DEBATES:

How to Confront Aerial Attacks in Darfur

Terror from the sky

As part of its continuing effort to crush Darfur's rebellion by attacking civilian populations purported to be supportive of the rebels, the Sudanese regime has again stepped up its aerial bombing campaign, the most definitive tactical advantage the government possesses.

The vast majority of displaced and refugee Darfurians have at some point experienced some form of government aerial assault. During 2007, government aircraft have also repeatedly disrupted the efforts of A.U. and U.N. envoys to foster coherent rebel participation in the political process by bombing locations where rebel field commanders have been assembled to forge a unified negotiating process.

Controlling the skies in wartime is a fair use of a tactical advantage, but when those air assets are used to terrorize civilian targets and soften them up for ground attack, or to obstruct international efforts to advance the internal political dialogue by bombing the sites of rebel unification conferences, it understandably invokes great passion on the part of those seeking to end this conflict and deliver protection and peace for the people of Darfur.

The Debate

Because the regime continues to bomb indiscriminately and because frustrations deepen around glacial forward movement in the peace process and in deploying the proposed A.U.-U.N. hybrid force, voices from across the political spectrum are clamoring for some kind of action.

Ultimately, while the reasons so many advocate military enforcement of a stand-alone no-fly zone are understandable, and while the bombing problem is urgent, we conclude that military enforcement of a stand-alone no-fly zone is **not** the right approach for the following reasons:

Inflame tense Sudan-Chad relations – Carrying out no-fly zone operations from the eastern Chadian airstrip of Abeche (the base most advocates agree would be ideal) could inflame the simmering proxy war between the governments of Chad and Sudan and likely hinder efforts to improve security and promote peace processes in and between both countries.

Changed nature of conflict – The nature of the conflict has changed since its outbreak in early 2003: while bombing continues to be used by Khartoum as a part of its military strategy, the vast majority of attacks are executed by forces on the ground. Thus a militarily enforced no-fly zone would only weaken a very small piece of Khartoum's killing machine.

Retaliation – In the eyes of the Sudanese government, a no-fly zone would likely be considered tantamount to an act of war. Humanitarian aid agencies have expressed grave concern that the regime might retaliate by grounding all aid agency flights to and from Darfur and possibly further constraining humanitarian operations. If aid operations were shut down or greatly hindered, either because of flight groundings or increased government or rebel attacks, 2.5 million Darfurians dependent on aid for survival would be left to fend for themselves.

No planning for collapse of humanitarian aid – No plans or resources are in place to supplant the crucial international humanitarian lifeline for millions in Darfur should the humanitarian agencies be unable to sustain their activities.

Does a no-fly zone balance out?

In accordance with the U.N.-adopted “responsibility to protect” doctrine, the “balance of consequences” test must be applied. If, as in the case of a militarily enforced stand-alone no-fly zone, it appears that many more negative than positive effects would result from the non-consensual deployment of external forces, then this intervention option should be shelved until the balance begins to tip the other way. Debating military enforcement of a stand-alone no-fly zone distracts attention from development of other, more effective initiatives to resolve the crisis.

No-Fly Zone

A no-fly zone may mean either a prohibition on all aircraft or only unauthorized aircraft, such as those used in offensive military operations. The Security Council has already imposed a ban on “offensive military flights” under Resolution 1591 (OP 6) but no significant efforts toward implementation or enforcement have been actively pursued.

Action Items for Change

The only way Khartoum will stop bombing civilians, allow the unconditional deployment of the A.U.-U.N. hybrid, and make necessary concessions in a revitalized peace process is if the political calculation in key security Council countries is changed by citizen pressure advocating for a real response to the human suffering in Darfur.

A Better Way to Address the Bombing – Monitor, Name, Shame and Sanction

There are non-military options that could give traction to the Security Council’s authorized but un-enforced ban on offensive military flights in Darfur: monitor, name, shame, and sanction. AMIS, the proposed U.N.-A.U. hybrid force, concerned governments and the Security Council could and should do more to enforce the ban on offensive military flights set out in Resolution 1591, which has been routinely violated without repercussions.

1. An African Union or UN observer should be present on all military flights over Darfur, with any violations immediately reported to the UN Security Council.
2. Governments with technological capabilities should coordinate intelligence to monitor and publicize violations of the UN ban on offensive military flights.
3. The Council should impose targeted sanctions on the violators.

Support Congress

We agree with Senator Clinton that rigorous official study of the operational feasibility and parameters of an effective no-fly zone, as well as analysis of the potential consequences and ways to address them, should be undertaken immediately. Until the results of such a study are known and assessed to bode positively for ending the conflict in Darfur while protecting the welfare of the vulnerable displaced, we would recommend that advocates and policy-makers shift their focus from the proposal to militarily enforce a no-fly zone to other pressure mechanisms that offer a surer prospect of bringing durable peace to Darfur and its people.

Peace Process and Deploying the Hybrid Force

Instead of being distracted by debates—in a vacuum of analysis and planning—over military enforcement of a stand alone no-fly zone (which raises serious concerns that outweigh its benefits, and which no capable state is currently prepared or willing to implement), the focus of both policy-makers and activists now must be on measures with more demonstrable potential to solve the crisis in Darfur:

- Greater leverage and urgency must be brought to bear around a revitalized peace process with a clear end-state and rational division of international labor (see ENOUGH Strategy Briefing #3 “An Axis of Peace for Darfur”).
- More effective multilateral advocacy and pressure in support of the unconditional deployment of the hybrid force is needed, especially as familiar signs multiply that Khartoum is once again using its “cat and mouse” tactics to evade its most recent commitment (See ENOUGH Strategy Briefing #4 “Peacekeeping for Protection and Peace in Darfur”).