

# The Women's Foreign Policy Group Presents

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## *Dealing with Darfur*

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**Maxine Isaacs:** Our next speaker is Oliver Ulich. He's been with the Office for Coordination of Humanitarian Affairs since July 2001. He's been desk officer for several different emergencies, including those in Afghanistan, Iraq and, since early 2004, the Sudan. Obviously today, an issue that's on everybody's mind is what's happening in Darfur, and Mr. Ulich today will discuss the subject of dealing with Darfur. So, please join me in welcoming Oliver Ulich, thank you.

**Oliver Ulich:** Thanks very much. I will try to describe how we're trying to deal with Darfur, which is of course, a very broad and challenging topic and I could go on for probably about ten hours. It's an important week this week, as you probably saw in many of the press reports. It's crunch time in Abuja where the parties that are doing most of the fighting in Darfur, the government and the two rebel forces the SLA and the JEM, have been negotiating for about two years now. A lot of senior officials from the US, the UK the EU the UN etc., including some African leaders, are descending on Abuja as we speak, Mrs. Ellic is there, Hilary Benn from the UK is there. We are trying, we are hoping very very much, that something will come out of this in the form of a comprehensive peace agreement in the next 24-48 hours. It was supposed to be done by Sunday, they keep getting small extensions, but hopefully something will come out of it after all this time.

I, as was mentioned, cover the humanitarian angle of the Darfur crisis and from a humanitarian angle we could not be more desperate for political solution to this crisis. My immediate boss, Jan Egeland has been very vocal on the need for political and security action in addition to humanitarian assistance for two years plus now. I think it's fair to say that we, as humanitarians, haven't been this worried for a very long time. The tide is really turning against us at the moment on the ground.

We have had, by and large, a very successful humanitarian operation, that started slowly but then expanded dramatically over the course of 2004. With now about 14,000 relief workers on the ground — most of them Sudanese but also about 1000 international colleagues from the UN and from the NGO community delivering. Last year alone, [there was] about 5000 tons of food and mounting, really a heroic and very effective relief operation that has reduced mortality rates by two thirds to a level below what is generally accepted to be the emergency threshold. So we've managed to cut the number of deaths and malnutrition rates really quite dramatically over the past year and a half or so.

All of that is now being threatened, and it's unfortunately, as Mr. Egeland described to the Security Council just last week, a bit of a *déjà vu* of what happened in early 2004, because of three factors. One is the level of insecurity is rising again. The level of attacks again on civilians [has risen], the humanitarians are being attacked and there's significant new displacement — 200,000 people in the last few months additionally displaced. We already have 1.8 million [displaced persons] internally and 200,000 across the border, but the numbers are rising again which of course is posing a major challenge to us because we have to respond to additional needs on the ground.

Secondly, the government, as it did in 2004, is imposing a whole range of access restrictions on the UN and its NGO partners. The importance of the NGOs in this effort cannot be overstated. About 85-90% of the actual people on the ground are actual NGO staff, not UN staff, so when the NGOs are denied access the whole operation is threatened immediately. One of the reasons why you haven't been hearing about these recent access restrictions is that the NGOs have been intimidated by the government to such an extent, and this is a climate of fear and intimidation. In Khartoum and Darfur, virtually none of the NGOs do public advocacy work any more, except for the human rights NGOs that have more presence on the ground. But you haven't seen press releases from OXFAM, Save the Children, UNICEF etc. saying the government is denying us access, because that would potentially result in them being kicked out completely, like the Norwegian counsel was quite recently from the largest camp in Darfur in Kalma camp near Jama in South Darfur.

So, you have insecurity, increased government restrictions and then the third factor that's really threatening this operation in its entirety is funding shortfalls. We had massive funding problems in early 2004, again now donor fatigue has clearly set in. A lot of European donors are way behind what they were giving last year, and we are now trying to reach out to a lot of those in a more targeted manner, which is always more sensitive. We're trying to name names to shame some of them and make clear that this operation is not going away, it's bigger than ever, and we need money to sustain it.

To give you a sense of the amount of money involved, we need about 650 million dollars this year for Darfur alone, that's half of what we need for Sudan overall, and we've only received in the neighborhood of 150 or so. So we have 20% funding, 80% shortfall- more than 500 million dollars still required. Those countries that have been generous so far include the UK, which has given more than last year, the US has a large supplemental coming and should be within broadly the range of what it was last year, hopefully by the

end of this year. The problem with US funding is that it comes late because of the way the fiscal year works in the US and unfortunately, that fiscal year in the US is not very well timed with the rainy season in Sudan which starts in May i.e. in the next couple of weeks, and we always run into huge problems because we tell donors at the end of the previous year that we need your money early and then by April or May we run out of time to pre-position supplies before the rainy season comes, because the funding comes in May, June or July which de facto means we can't do much with that money in South Sudan until the Fall. So those are the three concerns we have and, taken together, I think we, as we have been saying for a few months now, strongly believe that this operation, the humanitarian operation is just not sustainable, without a political and security solution to this crisis.

Even on the security side, just a quick word, even if we have an agreement in Abuja this week, which we're all praying for, we still need a very strong security presence on the ground. Many of the people doing the fighting are not in Abuja. The militia that are attacking a lot of the villages are in part controlled by the government, but many of them are also going to continue to cause problems and many of the rebel forces are split fighting each other etc. so no one expects the level of security to suddenly improve dramatically, because someone puts a signature on a piece of paper in Nigeria. And going forward, to implement whatever agreement is signed we need a strong security presence that is significantly larger than the current AU force on the ground, which is about 7000 people.

Which brings us to the sticky issue of the transition to a UN force. Everybody in the Security Council including the US government agrees that the solution to having a larger and more sustainable force on the ground is to have it essentially re-hatted, and expanded and strengthened as a UN peacekeeping force. The government of Sudan is strongly opposed to that at this stage, and is taking the position that until there's an agreement in Abuja, we won't even discuss it.

We got a mandate in February from the Security Council to plan for a transition. We wanted to send in assessment missions, we wanted to be in Darfur planning on the ground, doing logistics assessments etc. The government has not agreed to let anyone in for that purpose and not thought to change that position one iota despite two Security Council resolutions, presidential statements, significant pressure from the US and others. So we're a bit stuck and we're in this dilemma.

On the one hand we need to maintain a significant amount of pressure on the government to procure access to those in need, and at the same time, need the support and cooperation of that same government to plan for a transition and ultimately deploy what could be a force of, no one has put any definitive numbers on this, but between 10 and 20 thousand lets say UN troops in Darfur. Everybody recognizes that cannot be done without the agreement of the government, if it's done without the agreement of the government it's a different kind of operation. It's a MNF, it's a de facto. They would call it an invasion of that part of the country and there's no appetite, whatsoever, on the part of any of the member states including the US. There is that dilemma that we're facing that we need that

cooperation while we also have some serious issues with the way that they've been behaving and we've been trying to calibrate how we advocate quickly as well at this particular state. We are planning to go on Friday. Mr. Egeland as you may have seen was denied access to Darfur just a few weeks ago. We got our visas this week, so we're going to try and go. Hopefully we'll be on a plane on Friday night and be in Darfur early next week, and obviously the access restrictions and the funding problems and the rising insecurity will be three of the key points that Mr. Egeland will highlight and talk about publicly with his meetings for everybody. So I think I've managed to say all of this in 10 minutes and welcome any questions.

**Ms. Isaacs:** Thank you very much. We have time for a couple of questions and again, please identify yourself.

**QUESTION:** Pat and I attended an evening that was incredibly compelling with Eli Wiesel being honored, and he had just haunting accounts, of course, of what is going on in Darfur, he seems to be also engaged in trying to bring a voice to this. Why do you think with an 80% shortfall in your funding, and my reading has been that the giving community is still out producing for certain things, has Darfur not gathered the kind of support that it really should. He spoke so elegantly of their parallels, what he went through at the end of the Second World War and now for us to be facing something equally as heinous, so I guess that's my question.

**Patricia Ellis:** Could you just add what impact do you think the recent protests and all the attention that is being given will have, how much do you think it's going to translate into something concrete?

**Mr. Ulich:** it's a difficult question to answer because you have to differentiate between different donors and why they're not giving as much as they did last year. What's remarkable from our perspective is how much the domestic advocacy efforts in the US have translated into significant funding and continue to translate into a supplemental that has about 5 or 6 million dollars overall for Darfur including for peacekeeping operations and I think from a US perspective definitely, all of that has been very effective. Our problem is there are no Eli Wiesels in Japan, Germany, France and any of the other major donor countries that we rely on to make up the other 50%. The US last year gave about 50% of the total and they will hopefully reach that by the end of the year again. Unfortunately, we've distributed to the donors sort of a naming and shaming chart that shows several of the countries that are way behind. Some of them have given nothing this year so far for Darfur, and...you'd be surprised to look at the European media and see how little they cover Darfur. What we would love to see is the kinds of marches that we saw in Berlin and Paris and in London, and that would translate into additional support. The UK is a bit exceptional. The UK has been extremely generous and has given early funding but the EC is about 50% of where they were. Germany has given nothing this year. Funding comes from domestic audiences and the electorate demanding that things like that are funded, because most politicians don't do it because they think Darfur is important unfortunately. The main reason that I can see is the lack of domestic pressure in those European countries and in Japan for significantly more funding. And I think just a

normal cycle in these humanitarian crises, after two years of massive amounts of funding, people just get tired of throwing good money after bad or just not seeing an end in sight and throwing another hundred million dollars at something that may not end. That doesn't help the people on the ground, the 3.5 million people that we're trying to assist obviously, but one way of compensating for this to a certain extent is more private funding, from within the US which I think a lot of people are trying to generate. But I certainly would encourage you to generate.

**QUESTION:** I was wondering, from a humanitarian perspective, to what degree do international legal prohibitions against genocide and genocide convention, the proliferation of international legal tools that are out there now, brought to bear on your job. Do you feel like they're helping to motivate political solutions, or getting more humanitarian help in the situation or does it really seem that getting countries to act isn't coming from international legal obligations but from domestic constituencies?

**Mr. Ulich:** I'm a lawyer myself so I could probably say a lot about this, but my sense is that it's certainly a mix of the two. It's certainly the latter more than the former. The affirmative obligation of the genocide convention [is] to ensure respect for that convention I don't think that it motivates countries in the sense that they will refrain from calling something genocide as happened in Rwanda. But because they're calling it genocide doesn't mean that they suddenly jump into action. You probably recall Powell's statement when he first called it genocide, and in the same sentence he said, but we're already doing everything that we should be doing so it doesn't matter what you call it. So I don't think that the legal instruments in that sense have much of an impact to be honest. We use the geo-conventions every day for example. I think that probably the most important elements of this at the moment in Darfur, are the crimes that are being committed and the referral to the ICC. A lot of the resistance, we are being told, to the UN transition, comes from hardliners in the government that are very very afraid of the ICC coming and arresting them. Of course the UN force could not arrest these people if it came across them because of the linkages between the UN and the ICC and other general principles. So I think the impunity related measures, and that includes the ICC, and targeted sanctions imposed just 10 days ago, are probably the most important component of the international legal regime in the context of Darfur.

**Ms. Isaacs:** We could talk about this all day. I think what we should do is if a couple of you have questions we should lump them all together and then perhaps Mr. Ulich can answer them as a group, so that we have a chance to hear some of your voices too. Please introduce yourself.

**QUESTION:** My question is, what is the African Union's responsibility and role in all of this. And secondly is china taking any role or leadership in this because they're obviously wooing a lot of African nations.

**QUESTION:** How does divestment of universities and corporations diversing investments into Sudan helping

**QUESTION:** The Darfur conflict has a sexual violence dimension of an unprecedented nature; the deliberate deployment of sexual violence as a means of destabilizing communities. Is OCHA's response or the UN's response going to be addressing that particular element of the conflict and how?

**Mr. Ulich:** On the AU's responsibility overall. The AU very early on in May 2004 was given the mandate to monitor the ceasefire that was signed in April 2004 and started out with a very small contingent of unarmed monitors on the ground that then expanded to where we are now: 7000 troops and other civilian personnel. They have been on the lead on this from the very beginning, the Security Council has endorsed that, welcomed it and likewise with the AU's mediation role in Abuja. Salim, a former high-level government official, is the lead mediator. [He] is being supported by the UN and other partners so the AU is playing a very prominent role on both the political and the security side.

The main complaint coming from those on the ground has been that the AU one, has never launched an operation like this, not even remotely of this size, and has no capacity to sustain it, and as a whole plethora of problems on the ground ranging from command and control to logistics issues etc., have really limited their ability to be effective. We generally paint a very positive picture of what they have done given their limited capacity. They have been effective in many areas and without them it would be much worse, but that doesn't mean that we don't need something much stronger and more effective than what we have now.

China, given that it's a permanent member of the Security Council, is always a bit of a tricky one for a UN official to talk about. I think it's fair to say that they have, by and large been very supportive of the government of Sudan and the Security Council has argued that we cannot resolve this through confrontation and pressure but through cooperation and consultation and that we have to help them resolve this internal insurgency rather than impose solutions on them. They [China] abstain from every single, pretty much every, resolution the council has passed on Darfur. I think arguably the amount of pressure that the government feels as a result of these resolutions, and many of them had a threat of serious sanctions against the oil sector for example in them, is clearly affected by the fact that China and Russia have abstained from many of them. So those are sort of the more obvious points. There is of course, China's investment in the oil sector in Sudan. Very significant amounts of oil [are] being exported to China from Sudan etc. and many people have written about this. Nick Kristof had a very forceful column about this just the other week, about China's responsibility in all this and it's a very interesting dimension, I think, of this whole crisis. I would add to that, the sole Arab member of the Security Council, which was Algeria until this year and is Qatar now, and the role they have played, or that Arab countries in general have played in this crisis is also a very interesting aspect.

Divestment, to be honest, I don't know how much it's being felt by anyone in Sudan, so far. If you go by what happened in the case of South Africa, it could be a very effective instrument but I think it's a little bit in the early stages as far as I know. It's picking up,

and more and more universities are doing it and maybe some others but I'm not sure if it has had any particular effect specifically on the ground, politically or otherwise. Sexual violence, you're absolutely right, is a very important element of the violence that's ongoing. We have tried to build in mechanisms to prevent and of course, help the victims of those cases where it wasn't prevented. From the beginning, this included things like patrols for women collecting firewood, massive amounts of treatment and health facilities inside the camps and counseling etc., and [there is] a wide range of measures that have been taken. Finally from a humanitarian perspective, we recognize our limitations and know very well that ultimately only a security force and an effective police force can prevent these acts from occurring. The government continues to be in complete denial. They've presented action plans etc., have done quite a few things on paper but to this day many senior government officials claim that there is no rape in Darfur and it's all a big misunderstanding, [or] it's a different word in the local dialect. It's remarkable, I've sat across the table from many of these people and the government has yet to stand up publicly and say this is happening and this is unacceptable and has to stop. And that has been something that we have been asking them to do for a very long time and they just haven't at any level. Louise Arbour, the High Commissioner of Human Rights is in Darfur right now and I'm sure she will again make these points very forcefully. It hasn't really declined very significantly. It's very hard to measure; the more we pay attention to it and the more we have people tracking it, the more cases we have to report on. For us it's hard to tell whether it's going up or down, but it's still a massive massive problem no doubt.

**Ms. Isaacs:** Thank you very much.