

Responding to Genocide: Australian Parliamentary Discussions about the Crisis in Darfur

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Introduction

'Australia's response [to the crisis in Darfur] has been slow, it has been hesitant, and, I regret to say, it has been inadequate', remarked Shadow Minister for Foreign Affairs Kevin Rudd in February 2005 (*House of Representatives Hansard*: 47). Since 2003, genocide in Darfur has claimed more than 300,000 lives, with 2.6 million more displaced by the conflict (Degomme and Guha-Sapir 2010: 294-300; Reeves 2012). The international response to the crisis has been slow and lacklustre, and while the intensity of the conflict has fluctuated in the past nine years, the situation remains dire. The Australian government's policy response to the genocide has essentially mirrored the weak international response. Australia has made some diplomatic representations about the genocide, and provided humanitarian aid. Overall, however, the genocide has not engaged the attention of many politicians, and nor has Australia's policy response aligned with our strong commitment to genocide prevention generally. This paper will delve into the factors that shaped this policy response. As the crisis has unfolded, it has been the subject of substantial discussion within the Australian parliament. This paper will explore the central themes within Australian parliamentary discussion of the genocide in Darfur, and examine how this discussion evolved over time. It will also place the discussion within the wider context of Australia's place and obligations within the international community, and the international response to the genocide in Darfur. Finally, it will probe the factors that contributed to the relatively muted Australian response to this genocide.

Background

Darfur is a vast region in western Sudan, with a long history of neglect. During the famine there in the mid-1980s, tensions grew between largely sedentary agriculturalist 'African' tribes and pastoralist, often nomadic 'Arab' tribes over competition for scant resources. Subsequent low-level violence was exacerbated by arms flowing from the unstable surrounding regions, and an Arab supremacist ideology of growing political influence (Flint and de Waal 2005: 49, 51; Daly 2007: 243). Arab militias, known as *Janjaweed*, received government support, and civil war plagued the region. African rebels formed self-defence units such as the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM), and began attacking government targets in late 2002. In response to a major attack in 2003, the Sudanese government decided upon a campaign to promote exclusive Arab rights to Darfur, utilising genocidal tactics and ethnic cleansing to subdue the

region (Bloxham 2005: 69). The *Janjaweed* were given arms, training and financial support by the Sudanese government, and perpetrated a brutal campaign of destruction (Prunier 2005: 97-98; Collins 2006: 20). By 2005, over 800 villages had been damaged or destroyed (Natsios 2006: 36). Very quickly, refugee camps sprang up, and became overcrowded with survivors from *Janjaweed* attacks. As the violence has waxed and waned since mid-2003, a further strategy of the government of Sudan has become 'genocide by attrition' – fostering huge mortality in the camps through preventing food and medical aid from reaching the refugees (Daly 2007: 286). It is estimated at least 300,000 Darfuris have been killed in the conflict (Degomme and Guha-Sapir 2010: 294-300; Reeves 2012).

The international community responded slowly, inconsistently and reluctantly to the crisis in Darfur (de Waal 2007: 1043). One of the reasons for this was the complicating situation of the north-south Sudan civil war (Tomar 2004: 6). There were fears that negotiations to end the long-running north-south conflict would be jeopardised by international pressure regarding Darfur, and it was decided that the two wars would be addressed 'in sequence' (de Waal 2007: 1041; Traub 2010: 7). In reality, however, this enabled the Sudanese government to continue a 'deadly and totally disproportionate' campaign against the rebels in Darfur with impunity (International Development Committee 2005: 37). By 2004 the vast destructiveness of the violence was readily apparent, but it took until July before the United Nations Security Council passed its first resolution on Darfur (UNSC Resolution 1556). This was the first of several weak and ineffectual resolutions, despite pressure on the UN to take stronger action (Grzyb 2010: 11; Badescu and Bergholm 2009: 295-296). Many governments and NGOs began publicly describing the situation as genocide, including the United States government (Grzyb 2010: 11). When the UN Commission of Inquiry in Darfur refrained from concluding the violence there constituted genocide, it was widely discredited. Nevertheless, it was not until after prolonged negotiations with Khartoum that in 2007 the UN-African Union Mission in Darfur (UNAMID) was authorised. Even then, the Mission's lack of resources and an uncooperative Sudanese government substantially delayed deployment, and it has been of limited effectiveness (UN 2011). Sudanese President Omar al-Bashir has been indicted for genocide by the International Criminal Court, and there is an arrest warrant pending against him.

In responding to the genocide in Darfur, Australia essentially adopted a policy response that reflected the wider Western reticence to become involved. Australia provided humanitarian assistance, particularly for refugees and internally displaced persons. By 2011, this totalled approximately \$71 million of aid (*House of Representatives Hansard* 2011: 6274). The government also made diplomatic representations to the UN Security Council. Much of this diplomatic pressure was coordinated with New Zealand and Canada (*Senate Estimates* 2005: 86). However Australia declined a UN request to provide a 'heavy support package' for UNAMID, citing commitments elsewhere. Direct representations to Sudan were limited, and a very soft approach was taken in addressing China's ties with the Sudanese government. In 2005, Labor Member Kevin Rudd commented in parliament: 'Australia's

response has been slow, it has been hesitant and, I regret to say, it has been inadequate' (*House of Representatives Hansard* 2005: 47).

Discussion in Parliament Concerning the Genocide in Darfur

There has been substantial discussion regarding the crisis in Darfur in the Australian parliament since its escalation in 2003. Before analysing these discussions, the first point of note is that members of parliament (MPs) demonstrated a high degree of awareness of the seriousness of the crisis in Darfur. Members of parliament, that is, understood that a genocide was occurring there. Liberal MP Bruce Baird, for example, directly compared the Darfur crisis with the 1994 Rwanda genocide, commenting: 'After Rwanda the world promised that it would never again sit on its hands and watch a systemic genocide, yet the Sudan already closely resembles Rwanda' (*House of Representatives Hansard* 2006: 45). Democrats Senator Natasha Stott Despoja also noted the international community's 'apathy' in 'allowing another Rwanda to happen' (*Senate Hansard* 2008: 465). Michael Danby called the crisis 'one of the most terrible situations that have taken place since the Second World War' (*House of Representatives Hansard* 2007: 163).

Many of the discussions in parliament centred around Australia's policy response to the crisis. *Hansard* records of these discussions reveal a spectrum of opinions about how Australia should respond to the crisis. At the most negative end of this spectrum was the perception that Australia could have little impact on the crisis. Former Defence Minister Robert Hill made this belief explicit in a response to a question on Darfur from Senator Bob Brown in 2004. Senator Hill stated that: 'Obviously there is not a response that Australia can take as an individual party that is going to make a significant difference' (*Senate Hansard* 2004: 24101). Many members of parliament highlighted the value of Australia taking action in concert with other members of the international community, however. In 2009, for example, Labor Senator David Feeney noted that while it was 'not possible for Australia to solve the crisis in Sudan on its own', Australia had sufficient international influence to 'keep the Darfur issue on the international agenda' (*Senate Hansard* 2009: 2943).

There was strong support amongst members of parliament for Australia to take action on the crisis through the United Nations. This is not surprising given the role of the UN, and particularly the Security Council, as the most important international actor dealing with the genocide. Bruce Baird, for example, commented in 2006: 'As the parliament of the Commonwealth of Australia, it is our moral duty to pressure the UN ... to markedly increase foreign aid and to ready a large international peacekeeping force to quell the violence' (*House of Representatives Hansard* 2006: 45). Indeed, many members of parliament referred to the key role of the United Nations.

As the crisis progressed, however, members of parliament became increasingly critical of the UN response. Labor Member Alan Griffin described the crisis in Darfur as an 'appalling

indictment of international institutions' (*House of Representatives Hansard* 2005: 47). Michael Danby similarly attributed the 'slow and inadequate response' to the situation in Darfur to international organisations, including the African Union (AU), the European Union (EU) and the UN (*House of Representatives Hansard* 2006: 50). In 2006, Danby blamed the 'unholy alliance' of China, Russia and France in the UN Security Council for 'nearly always [standing] in the way of any effective action against regimes which grossly abuse human rights', including in Darfur (*House of Representatives Hansard* 2006: 50). Labor member Sharon Grierson similarly expressed her disappointment toward the Security Council for failing to declare that Darfur constituted a genocide (*House of Representatives Hansard* 2005: 46).

Knowledge of both the severity of the crisis and the ineffectual UN response produced calls in parliament for Australia to strengthen its response. In 2005, Kevin Rudd commented 'Australia should be doing more ... Our government can do more and it should do more, and it will have the support of the Australian people if it accepts its responsibilities to do more' (*House of Representatives Hansard* 2005: 47). In 2007 Michael Danby commented that 'it is a shame that Australia is not taking stronger action along with other Western countries', and that 'We must take action to see that the murder of hundreds of thousands of people, the destruction of entire villages, and the raping and pillaging of the innocent people of Darfur ceases immediately' (*House of Representatives Hansard* 2007: 163).

Despite recognition of the paucity of the UN response to Darfur, many calls for stronger action within the Australian parliament still sought for this action to occur under the auspices of the United Nations. In 2006, for example, Liberal member Petro Georgiou argued that 'if the UN is to be a relevant and effective body, member states have to commit the resources that are essential for the UN to implement the Security Council resolution' (*House of Representatives Hansard* 2006: 48). In 2008 former Democrats leader Natasha Stott Despoja called for Australia to contribute desperately needed transport helicopters for UNAMID; she also called for the provision of peacekeepers (*Senate Hansard* 2008: 465-466). This was a call echoed by Liberal member Judi Moylan, who noted that 'if we want to see peace restored in the region ... we need to consider providing more peacekeeping support' (*House of Representatives Hansard* 2008: 2022).

There were relatively few calls for Australia to independently take stronger action in response to the Darfur crisis. In 2005, after describing the Howard government's response as 'inadequate', Kevin Rudd stated that 'in the case of Sudan ... there was a humanitarian crisis which required urgent attention on the part of all governments' (*House of Representatives Hansard* 2005: 47). There were also some awkward questions over the extent to which Australian government representatives made strong and repeated representations directly to the Sudanese government. Yet most MPs seeking stronger action by the Australian government envisaged such action occurring through the United Nations.

The Australian parliament did not articulate a clear position as to what extent Australia's own responsibility to respond to the genocide in Darfur operated independently of the collective obligation of the international community. This is a particularly interesting finding given Australia's specific international commitments to respond to genocide and mass atrocities. Australia is a signatory of the *United Nations Convention on the Prevention and the Punishment of the Crime of Genocide*. Contracting parties undertake to 'prevent and to punish' genocide, and may call on the United Nations to take action for the 'prevention and suppression' of acts of Genocide (*Genocide Convention 1948*). More recently, at the World Summit in 2005, Australia joined the international community in endorsing the 'responsibility to protect' principle, a principle that highlights the national and international responsibility to protect populations from genocide and mass atrocities. The genocide in Darfur occurred during the same period in which this principle was endorsed, however it does not appear to have influenced Australia's response. Indeed, in 2008 Liberal MP Scott Morrison commented in parliament on the incongruity between Australia's endorsement of the responsibility to protect and the lacklustre response to the genocide in Darfur: 'In Sudan we have had a critical test of the UN's resolve on responsibility to protect. In the face of a continuing and escalating humanitarian crisis, the international community, including Australia, is failing the test' (*House of Representatives Hansard 2008: 3190*). This did not lead to stronger policy.

In recent years, discussion in parliament on the genocide in Darfur has become more pessimistic. There is recognition that the international community has failed to respond adequately to the genocide in Darfur, at the cost of hundreds of thousands of lives. The genocide has also been increasingly discussed in the past tense. Liberal member Scott Morrison, for example, referred to Darfur as 'another African tragedy' (*House of Representatives Hansard 2008: 2025*). Labor member Dr Andrew Leigh, speaking about UN Security Council reform, remarked 'let us hope that reform of the UN Security Council can help us avert another Rwanda, Srebrenica, Kosovo or Darfur' (*House of Representatives Hansard 2011: 8419*). Kevin Rudd, speaking about the Security Council's response to the atrocities in Libya, commented that had the world not acted to intervene militarily in that country, it 'would have learnt nothing from the experience of Rwanda, Darfur and the Balkans' (*House of Representatives Hansard 2011: 2432*). Other members, such as Michael Danby and Kate Lundy, have recognised the protracted nature of the conflict, and the potential for Australia to continue to respond in some ways, including through the provision of humanitarian aid and acceptance of refugees from the Darfur region.

Overall, there are two particular conclusions that emerge from reflecting on the parliamentary discussions regarding Darfur as a whole. First, there was a relatively low level of engagement with the crisis amongst Australian politicians. Only a small group of MPs have repeatedly discussed the issue in parliament during their terms. Michael Danby's passion for the issue is abundantly clear in the parliamentary record, and MPs such as Natasha Stott Despoja, Bruce Baird, Kevin Rudd, Sharon Grierson, and Scott Morrison have

also actively responded to the crisis. Amongst those engaged with the issue, several have referred to Sudanese refugees in their electorates, something which has perhaps motivated their engagement. Multiple factors appear to have limited political engagement with the genocide amongst politicians. These include a lack of media coverage of the crisis in Australia, Australia's orientation towards events in Asia rather than Africa, a lack of focus on the genocide amongst the wider public, and the reality of competing priorities and time pressures experienced by members of parliament (Interviews, 2012).

The second conclusion that emerges from reflecting on the parliamentary discussions as a whole is the potential for more robust Australian policy responses to the genocide. Australia could have pursued the issue far more vigorously, and likely would have had there been more and louder calls to do so from the parliament (Interviews, 2012). There were many opportunities for Australia to do so, whether through the provision of helicopters and peacekeepers for UNAMID, through stronger direct representations to the Sudanese government, or through representations to countries such as China to limit its trade with the genocidal regime. It is disappointing that Australia did not utilise these opportunities more fully.

Conclusion

Parliamentary records provide a source of analysis and reflection about Australia's response to the genocide in Darfur. The discussions recorded in *Hansard* also document the broader process of the government response to genocide occurring in a foreign country. In the case of Darfur, this process did not lead to particularly strong policy outcomes. While there is much governmental and bipartisan support for the responsibility to protect principle and for the commitment to genocide prevention enshrined in the *Genocide Convention*, that support did not translate into a robust policy response to the genocide in Darfur. The parliament lacked a clear position on the role of Australia in responding to genocide in a far-removed region. It advocated responding through the United Nations, but this position did not evolve even as the UN's failure to respond adequately became readily apparent. Opportunities for more direct and robust action were not fully utilised. While all responses condemning genocide are laudable, and should rightly be praised, Australia's response to the genocide in Darfur also offers an opportunity for reflection and consideration of how responses might be shaped in the future. There are substantial opportunities for such responses to be strengthened.

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