

Sudan Retains Clout While Charges Loom As Global Court Weighs Darfur Case, Leaders Continue to Engage Bashir

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UNITED NATIONS -- In the coming weeks, judges from the International Criminal Court will decide whether to issue a warrant for the arrest of Sudan's President Omar Hassan al-Bashir on charges of genocide and other war crimes in a military campaign that has led to the deaths of hundreds of thousands of civilians in Darfur since 2003. But Bashir's government is hardly being treated like an international pariah.

African Union leaders last week backed Sudan's appeal to have the warrant suspended, with some portraying the court as unfairly targeting African states. U.N. Secretary General Ban Ki-moon met with Bashir in Ethiopia last week and sought his assurances that international peacekeepers and aid workers would not be attacked if charges were filed.

Even the Obama administration, which has vowed to increase pressure on Khartoum to stem the bloodshed in Darfur, has reached out to Sudan. Susan E. Rice, the U.S. ambassador to the United Nations, invited Sudan's U.N. ambassador, Abdalmahmood Abdalhaleem Mohamad, on Wednesday to a reception for senior African diplomats at her official residence at the Waldorf-Astoria. She also has scheduled a meeting with the Sudanese envoy this week.

Indeed, Sudan's diplomatic standing has hardly been diminished by the allegations. Last month, an influential bloc of developing nations known as the Group of 77 and China selected Sudan as its chairman for 2009. That post will make Khartoum the developing world's champion in negotiations with the West on a broad variety of issues, including climate change, the U.N. budget and the global financial crisis.

Sudan's U.N. envoy said that both the United States and the United Nations realize they cannot afford to shun Khartoum, which hosts two major U.N. peacekeeping operations, possesses massive oil reserves and now has a new role as a U.N. power broker.

"They can never do without us," Mohamad said. "Our diplomatic standing is always on the rise. Whenever others unjustly try to corner us, we emerge victorious."

"It's a strange reality," Rice said in an interview, citing Sudan's diplomatic clout here. "As the U.S. ambassador to the United Nations, I'm going to meet with the ambassador of Sudan in his capacity as head of the G-77. I'm going to do it because it's in our interest. But more broadly, this administration is not reflexively averse to talking to countries or

people with whom we disagree. We don't view talking as a reward . . . but as a means to serve a larger policy goal."

But Rice added that the diplomatic outreach to Sudan should not be seen as wavering on Darfur. "We are going to be very strong and energetic in an effort to deal effectively with this ongoing genocide and to make it very clear that the behavior of the government of Sudan is simply unacceptable and something we condemn," she said. "There is no ambiguity or gray in that. "

The violence in Darfur began in February 2003, when two rebel groups launched an attack against Sudan's Islamist government, targeting a series of police stations. In response, Bashir orchestrated a genocidal counterinsurgency campaign that targeted the region's black African Fur, Masalit and Zaghawa tribes, according to Luis Moreno-Ocampo, the ICC's chief prosecutor. As many as 450,000 people have died from disease and violence in the conflict, and more than 2.7 million more have been driven from their homes.

U.N. officials and analysts say that the prosecutor's decision to charge Bashir with mass murder on July 14 has complicated their efforts to manage two peacekeeping operations in Sudan, one in Darfur and another in southern Sudan, where the United Nations is struggling to help implement a political settlement to end a 26-year-old civil war that has led to the deaths of an additional 1.9 million people.

"This is terra incognita," said Alex de Waal, program director at the Social Science Research Council and a specialist in Sudanese politics. De Waal has sharply criticized Ocampo's decision to charge Bashir, arguing that it may inflame an already volatile situation and make it harder to press for peace in the country.

The U.N. secretary general initially stopped speaking to Bashir after his legal adviser counseled him to limit contacts with an alleged war criminal. But he reversed course amid concerns about the fate of the U.N. operations in Sudan. On Sunday, Ban held an unscheduled meeting with Bashir in Addis Ababa, Ethiopia, and told him the U.N. remained committed to its peacemaking role in Sudan and expected the government to cooperate.

Sudan has been actively lobbying governments to persuade the U.N. Security Council to suspend any action on the warrant. The treaty that established the Hague-based court contains a provision -- Article 16 -- that allows the 15-nation council to defer enforcement of an arrest warrant for a year if it would advance efforts to bring peace.

Sudan's U.N. envoy insists that Khartoum has been trying to meet international demands to cooperate with international peacekeepers, pursue a political settlement in Darfur and punish those responsible for war crimes. It has secured broad backing from African, Arab and Islamist states to invoke that provision.

Ocampo has come under criticism privately from allies of the court, who believe he lacked sufficient evidence to charge Bashir with genocide, which is extremely difficult to prove. But they remain confident that the court will issue an arrest warrant against Bashir on the charges of crimes against humanity and war crimes.

The United States maintains that the ICC has conducted a credible probe into Sudanese atrocities and that Sudan's aerial bombardment of civilians in the town of Muhajiriya in southern Sudan is further evidence that Khartoum has no intention of changing its ways. "It is our view that we support the ICC investigation and the prosecution of war crimes in Sudan, and we see no reason for an Article 16 deferral," Rice said.