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Sudanese Despair and International Failure, 2003–2024: No Way Out?

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Today's suffering across Sudan, in the Darfur region and beyond, is unimaginable. Violence rages, and grave violations of human rights abound. Mass killings and rapes are the order of the day, and those caught up in the streams of refugees and of the internally-displaced are desperate to survive.[1] Due to the violence, food is running short. The United Nations ('UN') World Food Program registers 28 million Sudanese with acute hunger; it sees the world's worst hunger crisis looming, risking millions of lives.[2] The main perpetrators are the Sudanese military and, especially, the 'Rapid Support Forces', which grew out of the infamous Janjaweed militias of the early 2000s. Yet world attention only slowly awakens, and it does so more hesitantly than it did in 2003–2004, during the genocidal violence in the Darfur region of Western Sudan. In fact, responses are dismal, not comparable to the outcry in the early 2000s, with its (partly competing) responses in the realms of human rights activism and International Criminal Court ('ICC') intervention, diplomatic engagement, humanitarian aid, and military intervention. The 'justice cascade',[3] to borrow Kathryn Sikkink's term, kicked in, but it failed in important respects – as did diplomacy.

This policy brief first reminds the reader of the years 2003 and following. It draws on the most thorough analysis of the earlier period of mass violence, based on the Atrocities Documentation Survey ('ADS') by John Hagan and Wenona Rymond-Richmond[4] and this author's own study of conflicting responses to human rights violations in Darfur.[5] Secondly, it examines the current situation, based on analyses by experts such as Alex DeWaal,[6] civil society studies, and media reports and columns.[7] It further shows how today's catastrophe is rooted in the earlier violence and inadequate responses to it. Thirdly, along the way and in the concluding section, it suggests lessons learned from yesterday and policy responses for today.

1. Sudan 2003–2004 and the Following Years

Many journalists and scholars addressed the catastrophe of 2003–2004,[8] but *Darfur and the Crime of Genocide* by Hagan and Rymond-Richmond is most thorough, based on systematic empirical evidence.[9] The depiction of violence provided by these scholars is grounded in their analysis of the ADS initiated by the United States ('US') State Department under Colin Powell and collected in the refugee camps of Chad. More than 1,000 refugees were surveyed, reporting the violence they had experienced, the perpetrators they had observed, and the epithets they had heard from the attackers. They were spatially organized in the refugee camps by place of origin, allowing the researchers to identify patterns of violence by settlement clusters in Darfur.

While the horrific outcome of the early wave of violence is acknowledged today – with 300,000 dead and almost half the population of Darfur displaced, internally or in refugee camps, mostly in neighbouring Chad – Hagan and Rymond-Richmond add important information and allow us to draw conclusions about the nature of the violence and the causal forces that drove it.

We know that the early conflict was inspired by an interaction of various factors: the desertification of the Sahel resulting in famines, the impoverishment of Arab herders, and intensifying disputes over land and water; the marginalization of the sedentary peasant populations, notably of the Fur, Masalit and Zaghawa tribal groups, by the central government in Khartoum; the formation of rebel groups, the Justice and Equality movement and the Darfur Liberation Front, among these repressed populations; and, finally, the armament of Arab tribes and the organization of their members into Janjaweed militias by the Khartoum government. The result was an 'unmixing' of populations, to use a concept sociologist Rogers Brubaker introduced, or increasing 'social rigidity', in the terms of anthropologist John Comaroff. Already costing thousands of lives in the 1980s and 1990s, this amalgam of factors resulted in the mass violence of 2003 and the following years, with rebel groups on the one side, attacking military installations, and the much better-armed and more numerous coalition of the Sudanese Armed Forces and the Janjaweed militias, attacking rebels and the civilian population of Darfur, on the other.

Accounts by victimized civilians tell us about the government's bombing of villages, ground attacks by the Janjaweed (at times in cooperation with the military and especially deadly when combined), massive sexual violence, the shouting of racial epithets during the attacks (such as 'Nuba' (a derogatory term for black Africans), 'Blacks', 'dogs', 'slave' and 'donkey'), and the destruction and confiscation of

1 See a recent Human Rights Watch report titled "Sudan: Ethnic Cleansing in West Darfur: Thousands Killed, Half Million Remain Displaced", 9 May 2024.

2 World Food Program, "Where we work: Sudan" (available on its web site).

3 Kathryn Sikkink, *The Justice Cascade: How Human Rights Prosecutions Are Changing World Politics*, W.W. Norton, New York, 2011.

4 John Hagan and Wenona Rymond-Richmond, *Darfur and the Crime of Genocide*, Cambridge University Press, 2009.

5 Joachim J. Savelsberg, *Representing Mass Violence: Conflicting Responses to Human Rights Violations in Darfur*, University of California Press, Oakland, 2015.

6 See *infra* notes 29 and 34.

7 Deborah Murphy, "Narrating Darfur: Darfur in the U.S. Press, March–September 2004", in Alex Waal (ed.), *War in Darfur and the Search for Peace*, Harvard University Press, Cambridge, 2007.

8 For example, Olivier Degomme and Debarati Guha-Sapir, "Patterns of Mortality Rates in Darfur Conflict", in *Lancet*, 2010, vol. 375, no. 9711, pp. 294–300; Alexander DeWaal (ed.), *War in Darfur and the Search for Peace*, Global Equity Initiative, Boston, 2007; Julie Flint and Alexander De Waal, *Darfur: A New History of a Long War*, Zed Books, London-New York, 2008; John Hagan and Alberto Palloni, "Death in Darfur", in *Science*, 2006, vol. 313, no. 5793, pp. 1578–1579; Mahmood Mamdani, *Saviors and Survivors: Darfur, Politics, and the War on Terror*, Doubleday, New York, 2009; Gérard Prunier, *Darfur: The Ambiguous Genocide*, Cornell University Press, Ithaca, 2007.

9 Hagan and Rymond-Richmond, 2011, see *supra* note 4.

property. We finally know about the displacement of two to three million people (out of a population of some six million) fleeing into internally-displaced persons ('IDP') or refugee camps, and the resettlement of Arab groups into emptied areas. Hagan and Wenona-Richmond make racial intent visible through a method called 'geo-referencing and re-clustering'. They document convincingly a strong correlation between reports about racial epithets yelled during attacks on the one hand, and the levels of killings and rapes on the other. Consider the settlement cluster around the town of Masteri as an example. It ranked first in terms of racial epithets (as reported by the surveyed population), first in terms of rapes, and first in terms of overall victimization. Not accidentally, settlement clusters such as Masteri are also those with the most fertile ground.

The analysis of the ADS also speaks to the perpetrators. Not only was the Sudanese military a decisive force, and not only did the armament of the Janjaweed by the al-Bashir government contribute to the violence, but respondents also reported witnessing actors such as then-Deputy Minister of the Interior Ahmad Harun and militia leader Ali Al-Rahman, known as Ali Kushayb (both later targets of ICC arrest warrants), appearing near sites of perpetration and delivering inflammatory speeches filled with racial hatred. This kind of evidence supported the ICC Prosecutor's depiction of Harun and Kushayb as "part of a group of persons acting with a common purpose",[10] or – in the terms of Hagan and Rymond-Richmond – as "a criminal organization or joint criminal enterprise". It further supports the Prosecutor's conclusion that the "whole state apparatus [was involved in the] organization, commission and cover-up of crime in Darfur".[11]

The forces at work today closely resemble those of 2003, as do the patterns of atrocities. What might we learn from the responses to the earlier violence?

2. Conflicting Responses to the Violence of 2003

Importantly, in the years following 2003, the world did not sit idle. In sharp contrast to today, responses by different institutions were substantial, but lessons from misguided strategies and misplaced hopes must be learned. Responses in the early 2000s unfolded in different social fields, international criminal justice, diplomacy and humanitarian aid. These were supplemented by military intervention, executed by joint UN and African Union ('AU') forces, the Hybrid Operation in Darfur ('UNAMID'). Yet actors in these fields thought very differently about the nature and causes of the violence; they used conflicting accounts, and they recommended and engaged in different responses.

2.1. Judicial Intervention: The ICC and the Justice Cascade

A core response unfolded in the context of what Sikkink called the 'justice cascade', the replacement of impunity by the pursuit of individual criminal accountability against perpetrators of grave human rights violations.[12] Driven by international organizations and human rights non-governmental organizations, and reminded of past omissions by the tenth anniversary of the Rwandan genocide,[13] the UN Security Council created an International Commission of Inquiry on Darfur ('ICID') in the spring of 2004. In January 2005, the ICID submitted a report that portrayed a pattern of grave violations of human rights, war crimes and crimes against humanity.[14] Based on this report, the Council referred the case to the ICC. After years of work, the Court issued arrest warrants for war crimes, crimes against humanity, and – albeit with a substantial lag – genocide that reached up to Sudan's then President Omar al-Bashir.

The US – despite its reservations about the ICC – decided not to veto the Council's referral to the Court. A massive movement of some 200 civil society groups, with strong engagement of evangelical Christians, African Americans and Jewish organizations, and organized under the umbrella of the Save Darfur campaign, was the driving force. The George W. Bush administration, especially the State Department under Powell, had little choice but to allow international justice to move forward. In addition, Secretary Powell issued the ADS. Articles in multiple media, from the liberal *New York Times* to the conservative *Wall Street Journal*, especially opinion pieces, reflected the consensus between civil society and the US government. They framed the atrocities as a form of criminal violence, often labelling it a genocide. Some editorials in fact used dramatic bridging metaphors to shed light on the violence of Darfur by referencing past genocides, including the Holocaust.[15]

The core message in the human rights field was 'no peace without justice!'. But justice did not materialize, and peace was short-lived. What happened that dashed the hopes? Different from Bosnia and Herzegovina, the only armed forces on the ground in Sudan were Sudanese, and the international criminal justice system lacks autonomous enforcement capacity. Thus, none of the arrest warrants were ever served. Omar al-Bashir was protected not only in Sudan, but even when travelling to an ICC State Party. In 2015, he paid a state visit to South Africa. Actors in the South African judicial system sought to arrest and extradite him to The Hague, yet other branches of government allowed him to escape. Condemnation by the ICC had no consequences.[16] Fate only turned against al-Bashir with the popular uprising of 2020.[17] His government was toppled and replaced by a civilian administration with the participation of the Sudanese military and the Rapid Support Forces. Al-Bashir was arrested and imprisoned in Sudan and convicted by a domestic court on corruption charges,[18] but he was regrettably never transferred to the ICC based on the genocide charges against him.

Several lessons may be learned or reinforced regarding the role of the 'justice cascade' in Sudan: (1) the ICC has no enforcement power without military intervention; (2) ICC States Parties are not capable or willing to mobilize the authority or bargaining power to overcome domestic resistance to transfer of suspects; (3) commitment by (some) ICC States Parties is weak enough for geo-strategic or economic considerations to trump their obligations toward the international legal order; (4) as is common for social movements, the Save Darfur coalition in the US and its sister organizations around the (mostly) Western world, lost interest, turned to new issues, and the pressure that had set the justice intervention in motion in 2004 faded away;[19] (5) but the international legal intervention had consequences: an analysis of more than 3,000 media reports during 2003–2010 shows that media increasingly adopted the framing of violence in Darfur as a form of criminal violence,[20] so the epistemic or representational power of the ICC should not be underestimated;[21] yet (6) the short-term practical consequences were extremely limited, so the hopes invested in the justice cascade were disappointed in crucial ways.

2.2. Diplomacy

Most actors in the diplomatic field, in the early 2000s, were skeptical toward international criminal justice intervention in Darfur – especially

10 Luis Moreno-Ocampo, as quoted in *ibid*.

11 Hagan and Rymond-Richmond, 2009, see *supra* note 4.

12 Sikkink, 2011, see *supra* note 3.

13 "Secretary-General's Plan of Action", Press Release, UN Doc. SG/SM/9197, 7 April 2004 (https://www.legal-tools.org/doc/yoifra9g/).

14 ICID, "Report of the International Commission of Inquiry on Darfur to the Secretary-General of the United Nations", 25 January 2005 (https://www.legal-tools.org/doc/1480de/).

15 See the opinion pieces by Nicholas Kristof in *The New York Times* of 14 March 2006 and 19 June 2004.

16 See Amnesty International's reports on the incident and reactions, "ICC rules against South Africa on shameful failure to arrest President Al-Bashir", 6 July 2017. See also the recent state visit to Mongolia by Russian President Vladimir Putin, despite Mongolia being an ICC State Party and a standing ICC arrest warrant against Putin.

17 Mai Hassan and Ahmed Kodouda, "Sudan's Uprising: The Fall of a Dictator", in *Journal of Democracy*, 2019, vol. 30, no. 4, pp. 89–103.

18 "Sudan's Omar al-Bashir sentenced to two years for corruption", *Al Jazeera*, 14 December 2019.

19 David Lanz, "Save Darfur: A Movement and its Discontents", in *African Affairs*, 2009, vol. 108, no. 433, pp. 669–677.

20 Savelsberg, 2015, see *supra* note 5.

21 Joachim J. Savelsberg, "The Representational Power of International Criminal Courts", in Morten Bergsmo, Mark Klamberg, Kjersti Lohne and Christopher B. Mahony (eds.), *Power in International Criminal Justice: Towards a Sociology of International Justice*, Torkel Opsahl Academic EPublisher, Brussels, 2020, pp. 281–323 (https://www.toaep.org/ps-pdf/28-power); Jochim J. Savelsberg and Ryan D. King, *American Memories: Atrocities and the Law*, Russell Sage Foundation, New York, 2011.

when the ICC Prosecutor considered charges of war crimes and crimes against humanity against President al-Bashir himself, and even more so when he considered charging genocide. Different from the criminal justice narrative, diplomatic talk about the violence in Darfur focused on long-term and structural causes of the conflict. It avoided naming responsible actors, especially the President, hesitated to apply a crime frame to characterize the violence and – most decisively – refused to apply the genocide label. For diplomats, the position of the Sudanese state in the diplomatic field was decisive. They highlighted their dependency on an active participation of Sudan's high-ranking politicians in the realization of the Comprehensive Peace Agreement ('CPA') which was, after all, the result of long and arduous negotiations, about to culminate in a referendum on independent statehood of the South, putting an end to a war that had cost an estimated three million lives. Against arguments of Samantha Power for the US[22] and Karen Smith for Europe,[23] diplomatic reluctance – at least in the case of Sudan – was not about a refusal to getting involved, but about the right means of getting involved. A form of engagement that built on (and enhanced) diplomatic capital was preferred.[24]

The variation of diplomatic engagement on Darfur in the early 2000s across countries provides additional evidence for how national contexts contributed to uneven willingness to intervene. The strong mobilization of civil society – in combination with a state characterized by open boundaries toward civil society – contributed to dramatizing narratives, including in the diplomatic field and openness toward intervention (US). Intense interactions with the Sudanese state instead resulted in representations that stuck closely to the diplomatic ideal type, fostering reluctance to intervene judicially. They were enhanced by lobbying efforts on the part of Sudan (Austria); a country's special expertise in arbitration and involvement in diplomatic efforts (Switzerland); a country's dedication to humanitarian aid and resulting co-operation with the perpetrating government (Ireland); or the status as a former colonial power with the associated regional expertise, presence of expatriate groups, and normative commitment (United Kingdom). Germany exemplifies the complex effects of the cultural trauma of the perpetrator of the Holocaust, its media reporting widely about the violence but only reluctantly using the term genocide.

Three lessons are to be learned: (1) the reluctance of nations, including ICC States Parties, to support international criminal law responses, varies with a set of factors that those who decide on future interventions should take seriously if they are to succeed. They include economic and geo-political interests, social movement mobilization, collective memories of mass violence, and a country's policy foci; (2) generally, though, diplomacy posed another challenge to the justice cascade: the perceived need to keep power holders in the mood for future negotiation. This is not necessarily the case, as the history of intervention in the former Yugoslavia shows, but the conditions under which this challenge presents itself must be taken seriously when the ICC considers charging decisions; and (3) diplomatic reluctance toward ICC intervention would be less problematic had diplomacy succeeded in achieving lasting peace and democracy. But its 'no justice without peace' principle sounds hollow in the end, because diplomacy too failed, despite the heroic efforts of Sudanese civil society and its temporary success in 2020.[25]

In short, diplomacy pushed through the Peace Agreement, but it neither resulted in a stable South Sudan nor in pacification of the North. It may have impeded the functioning of the justice cascade in Sudan, and it did not achieve the peace and stability sought.[26]

2.3. Humanitarian Aid

A wide array of humanitarian aid organizations contributed to alleviating the suffering of the population of Darfur, while not – with exceptions – addressing the causes of that suffering. Humanitarian actors interpreted the mass violence in Darfur in the early 2000s differently than their counterparts in the human rights and the diplomacy fields. They highlighted aspects of suffering that can be addressed by aid programmes, especially the suffering in the camps, but less so that which resulted directly from the use of force. They treated the government of Sudan cautiously. In their accounts, a humanitarian-catastrophe frame prevailed over a state-crime frame, and actors shied away from using the genocide label. The powerful position of the government of Sudan *vis-à-vis* the humanitarian-aid field was a crucial condition for such representation. Aid organizations depended on the Sudanese government, their permits and at times co-operation, to get their people and goods on the ground.

Here too, some variation can be observed. Organizations such as Médecins Sans Frontières ('MSF') delivered aid, but they also lived up to their mission of bearing witness.[27] They paid a price for doing so: several MSF sections were evicted by the al-Bashir government, others eventually withdrew. Yet today they are back in Darfur and other parts of Sudan, delivering aid on a substantial scale.[28] Further, some actors in humanitarian aid organizations, especially MSF, at times provided evidence of suffering based on medical diagnoses that human rights organizations were able to use when they pointed the finger at responsible actors.

There are at least four lessons to learn: (1) humanitarian aid organizations play a crucial role in ameliorating the suffering of the local population, but any attempt to work against the causes of suffering is severely constrained; (2) organizations such as MSF show that they can deliver aid while simultaneously bearing witness, albeit at a price; (3) bearing witness can be done in ways that enhance human rights agendas without necessarily endangering the aid mission; and (4) shifts in political regimes may allow a return of those humanitarian aid organizations that were evicted at some earlier point.

2.4. Military Intervention

Finally, guided by the new Responsibility to Protect (R2P) doctrine, the world experienced "the dispatch of an enormous peacekeeping mission (the joint UN-AU Mission in Darfur, UNAMID) under Chapter VII of the UN Charter with a mandate to use force to protect civilians, as well as the imposition of an arms embargo and various types of sanctions".[29] Massive humanitarian aid efforts and pressure on the Sudanese government to reach a peace agreement with the rebels were also promoted by this UN-AU coalition. Today, with a helpless UN, the AU appears to have resorted to its earlier non-intervention position from which it had deviated only briefly in the early 2000s. UNAMID, in fact, was terminated in June 2022, and the current wave of mass violence set off shortly after this termination.

At least two lessons are to be learned: (1) UNAMID did not have sufficient force to stabilize the Darfur region of Sudan, but it contributed to a substantial reduction of violence; and (2) the withdrawal of UNAMID soon after the regime-change of 2020 was a grave mistake for which tens of thousands are paying with their lives. It is not accidental that the wave of genocidal violence at the time of writing erupted shortly after its withdrawal from Sudan. The UN and AU must mobilize the will to establish a successor UNAMID.

3. Sudan Today – and What Can Be Done

"From the Embers of an Old Genocide, a New One May Be Emerging", columnist Nicholas Kristof titled his 15 May 2024 opinion piece in the

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22 Samantha Power, *A Problem from Hell: America and the Age of Genocide*, Perennial, New York, 2003.

23 Karen Smith, *Genocide and the Europeans*, Cambridge University Press, 2010.

24 Savelsberg, 2015, *supra* note 5.

25 On the risks of diplomacy in the pursuit of short-term diplomatic gains, see Morten Bergsmo, "Peace and Reconciliation Diplomacy Challenged by Religious Hatred, Dissimulation and Denial", Policy Brief Series No. 149 (2024), Torkel Opsahl Academic EPublisher, Brussels, 2024 (https://www.toaep.org/pbs-pdf/149-bergsmo/).

26 Richard S. Williamson, "Darfur: The U.N. and the Responsibility to Protect – a Study in Failure", in *id*., *America's Mission in the World: Principles, Practices and Predicaments*, Prairie Institute for Economic Growth and Freedom, Chicago, 2009, pp. 309–322.

27 Fabrice Weissman, "Silence Heals… From the Cold War to the War on Terror, MSF Speaks Out: A Brief History", in Claire Magone, Michael Neuman and Fabrice Weisman (eds.), *Humanitarian Negotiations Revealed: The MSF Experience*, Columbia University Press, New York, 2011, pp. 177–198.

28 See the "Sudan" page of the MSF web site.

29 Alex DeWaal, "From Darfur to Darfur: The Fall and Rise of Indifference to Mass Atrocities in Africa", in *Just Security*, 2 November 2023.

New York Times. We may specify: (1) from the conditions that led to the mass violence of 2003–2004; (2) from the violence itself; (3) from the insufficient responses to the violence; (4) from the way the transition was handled after the peaceful popular uprising of 2020; and (5) to today's aggravating actions of some and inactions of others. Let me address each of these conditions and what should be done.

(1) Old conditions: the al-Bashir government, with its responsibility for the violence of 2003–2004 and following years, is no longer in power. But the desertification of the Sahel and the accompanying resource struggles have only intensified. They remain part of the problem. Far-fetched as it may seem in this context, an intensified strategy against climate change is desperately needed to prevent (or at least dampen) violent clashes over limited means of survival, in Sudan and many other places of our planet.

(2) Old violence: the old violence erupted between groups that were defined (or racialized) by the government in Khartoum, first with its Arabization campaign, then by supporting one of the conflicting sides with weapons and ideology. Porous boundaries between the two populations, with mutual trade, traditional conflict-resolution strategies, even intermarriages, were replaced by hardened identities. It will be very difficult to return to the peaceful coexistence of an earlier era. Only a new regime and longer-term stability may be able to achieve that.

(3) Reactions of 2004: I refer the reader to the previous sections on what went wrong and what went right concerning the responses to the earlier wave of catastrophic violence, in the fields of international justice, diplomacy, humanitarian aid and military intervention.

(4) Handling of the transition: the population of Sudan showed impressive bravery and restraint from violence in bringing down the al-Bashir regime. They are the real heroes of this line of events. But grave mistakes were made during the transition to a civilian government. The incorporation of the Sudanese military and especially the formalization and incorporation of the Janjaweed as 'Rapid Support Forces' placed the civilian government in a position of extreme vulnerability. Clearly, the attempt to domesticate the Rapid Support Forces by bringing them into a position of authority was well-intended, but the outcome proves that the design was profoundly misled.

As regards (5), today's aggravating actions and inactions of others, I place nine observations on record:

a. The US must be encouraged to put pressure on the United Arab Emirates ('UAE') to stop supplying the RSF with weapons. This is a crucial precondition for a return to relative stability.[30] Shaming organizations such as the NBA for continuing its partnership with the UAE should be a supplementary step.[31]
b. The US Department of State, together with the UK and European partners, must increase its engagement and put pressure on the Sudanese military to pave the way for a new civilian government as soon as possible.
c. Following suggestions by Nicholas Kristof – the *New York Times* columnist who should be commended for redirecting public attention to the Sudan case in recent months – the US should use the intelligence community to monitor atrocities and to release intercepts and images to hold the warring factions accountable.[32]
d. The AU cannot possibly just stand by without losing legitimacy on the African continent. A successor to UNAMID must be put into place to even begin a reduction of violence. Experience shows that pressure on the AU can have effects. The AU's reluctance to allow for a UN Human Rights Council-suggested investigatory commission ended just recently. Council members voted to renew the work of the Independent International Fact-Finding Mission for the Sudan. The goal is to investigate crimes committed by Sudan's warring parties, to collect evidence, and preserve it to identify those responsible for future prosecutions.[33]
e. Following recommendations by Alex DeWaal and Abdul Mohammed laid out in a *New York Times* editorial in December 2023, the appointment of a UN Special Envoy on Sudan would be a step toward advancing peace. A UN Envoy could collaborate with African governments such as that of Kenya, which has shown a continuous interest in stabilizing Sudan.[34]
f. An intervention would also be a precondition for supplying the population with the desperately needed humanitarian aid.
g. New ICC action is needed to end impunity. To that end, the mandate of the UNAMID successor should be extended to allow for the authority and capability to arrest those responsible for the current and past waves of mass violence.
h. Irrespective of such military protection, pressure must be increased on the warring parties to allow for more humanitarian assistance to enter the affected regions (MSF already had to cut back its projects again).
i. Like in 2004, a new ADS should be initiated so the world can learn from solid evidence about the situation, and so – based on its findings – new interventions can be legitimated. The suffering of the Sudanese people and the instability that the violence brings to the region should be sufficient motivation.

Clearly, the world is facing horrendous challenges. In Ukraine, the Russian war of aggression does not only challenge the existence of a country, but simultaneously the international legal order. The confrontation between Israel and Iran and its affiliates, the resulting loss of civilian life and destabilization of the Middle East warrant the world's attention. But all of this cannot leave the world community – its governments, peoples and civil societies – cold when it comes to the lives of *millions* of Sudanese civilians who are at acute risk.

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30 See the Editorial Board of the *Washington Post*, "Biden needs to pressure the UAE to help end Sudan's civil war", 28 September 2024.

31 On shaming strategies, see Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics*, Cornell University Press, Ithaca, 1998.

32 Nicholas Kristof, "Are We Not Humans?", *The New York Times*, 12 October 2024.

33 See Human Rights Watch, "Addressing Atrocities in Sudan", *Daily Brief*, 29 August 2024.

34 See Alex DeWaal and Abdul Mohammed, "The War the World Forgot", *The New York Times*, 4 December 2023.

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