

Sudanese forces and allied Arab militias had been rampaging through villages in Darfur for months when Kofi Annan, the United Nations secretary-general, spoke of his "deep sense of foreboding" about the crisis in April

Yet eight months later a debate is still raging on whether genocide has taken place in Darfur as the international community stands accused by human rights groups of not doing enough to prevent continuing violence in the region.

In September, Colin Powell, the US secretary of state, said genocide had occurred and might still be continuing. But to the surprise of many, Mr Powell stated that no new action was "dictated by this determination"

Neither the European Union nor the African Union have used the "G" word. Even human rights groups such as Amnesty International and Human Rights Watch have refrained from labelling the violence genocide.

They agree that mass human rights violations have taken place, with most atrocities targeting Darfur's Africans. But they question whether there is sufficient evidence to prove that there was "intent to destroy, in whole or in part, a national, ethnical, racial or religious group", as stated in the 1948 genocide convention.

Amnesty and Human Rights Watch say that debating the definition of the atrocities has detracted from a key issue: action by the international community to help end the violence and ensure those responsible are brought to justice

The convention says genocide is a crime under international law that the contracting parties, which include Sudan, undertake to prevent or punish. Any party may call upon the UN organs to take appropriate action to suppress acts of genocide, it says, but it does not make clear what that might be. In effect, what follows is determined by the will of the world's big powers.

"One may wonder if that is the best solution or not but that is the way it is and changing that is going to be very hard," says Juan Mendez, Mr Annan's special adviser on the prevention of genocide. "The convention is highly relevant because the need is there, but the mechanism of the implementation is not satisfactory. It seems to say there is an obligation to act but it doesn't say how or by whom."

Military intervention, for example, would have to be authorised by Security Council. The council could also refer cases to the International Criminal Court, but it has been largely divided on how to deal with Darfur, with China, Pakistan, Russia and Algeria resisting tougher action against Khartoum.

Meanwhile Darfur deteriorates, with 1.6m people homeless and violence rising. The only international military presence is the fledgling AU, which struggles with poor resources...

Susan Rice, a member of the Clinton administration and senior fellow at the Brookings Institution think-tank, says the challenge is how to ignite the political will of key countries.

"In an ironic sense US policymakers, after struggling with the issue decided to call it genocide, then breathed a sigh of relief and told themselves they had done their duty by acknowledging what it was," she says. A UN commission is due to complete its investigation into whether genocide has occurred this month

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