

THE CRISIS IN DARFUR: A NEW FRONT IN SUDAN'S BLOODY  
WAR; AND CONDEMNING THE GOVERNMENT OF THE REPUB-  
LIC OF THE SUDAN FOR ITS ATTACKS AGAINST INNOCENT  
CIVILIANS IN THE IMPOVERISHED DARFUR REGION OF WEST-  
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HEARING AND MARKUP

BEFORE THE

COMMITTEE ON  
INTERNATIONAL RELATIONS  
HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

ON

**H. Con. Res. 403**

\_\_\_\_\_  
MAY 6, 2004  
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**Serial No. 108-122**

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Printed for the use of the Committee on International Relations



Available via the World Wide Web: [http://www.house.gov/international\\_relations](http://www.house.gov/international_relations)

U.S. GOVERNMENT PRINTING OFFICE

93-529PDF

WASHINGTON : 2004

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## **THE CRISIS IN DARFUR: A NEW FRONT IN SUDAN'S BLOODY WAR**

**THURSDAY, MAY 6, 2004**

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON INTERNATIONAL RELATIONS,  
*Washington, DC.*

The Committee met, pursuant to call, at 10:44 a.m. in Room 2170, Rayburn House Office Building, Hon. Henry J. Hyde presiding.

Chairman HYDE. The Committee will come to order. On April 7, 2004, the world commemorated the 10th anniversary of one of the darkest chapters in the 20th century, the Rwandan genocide.

World leaders gathered in Kigali, expressed their regret for not having done more to prevent the senseless murder of one million people and repeatedly vowed never again, never again.

But even as those words hung in the air, a brutal and dastardly campaign of ethnic cleansing was being unleashed in the Darfur region of western Sudan. The result of this campaign has now been called the worst humanitarian catastrophe on the planet.

Anywhere between 10,000 and 30,000 Sudanese have been killed, most of whom were innocent civilians, and over one million others have been forcibly displaced.

Backed by air and land strikes by government forces, government supported militias, collectively known as the Janjaweed, have murdered, raped and pillaged with impunity. Entire villages have been razed, crops have been burned and vital wells and irrigation systems have been destroyed.

Despite pledges to grant humanitarian access to the region, the government of Sudan continues to block the delivery of desperately needed assistance to the peoples of Darfur.

We are told that if humanitarian assistance is not delivered within the next few weeks, the rains will come, roads will become impassible and an even worse disaster will befall Darfurians.

The crisis in Darfur is only the latest in a long series of atrocities in Sudan. Already Sudan boasts the longest running civil war in the world, which has claimed the lives of over two million people and displaced over four million others.

The tactics pursued by the Sudanese government in Darfur are also familiar. Manipulation of ethnic or tribal tensions, arming of proxy forces, aerial bombardment of civilians, forced displacement, mass murder, looting, torture, and rape: These are the tools that Khartoum has used in its war in the south. These are the tools that Khartoum uses to stay in power.

The crisis in Darfur has shown that conflict in Sudan can no longer be viewed in terms of Muslim versus Christian or north versus south. It must be considered in terms of the center of power versus the marginalized periphery.

Given Khartoum's demonstrated willingness to employ any means necessary to maintain its grip on power and refusal to extend political and economic opportunities to the periphery, one must wonder if this regime is capable, and indeed willing, to deliver a truly comprehensive peace.

On April 2, 2004, the same day world leaders were gathered in Kigali to commemorate the Rwandan genocide, U.N. Secretary-General Kofi Annan appeared before the U.N. Commission on Human Rights.

Reflecting on the genocide, he stated that reports of ethnic cleansing from Darfur had left him with a deep sense of foreboding and called for decisive action. Apparently the U.S. delegation was the only one to take his words to heart.

The failure of the United Nations Commission on Human Rights to take appropriate action to condemn the atrocities in Sudan is profoundly disappointing. Equally disappointing is the fact that not a single member of the Africa group voted with the United States in support of a stronger resolution, and now, to add insult to injury, the Africa group has nominated Sudan to sit on the Human Rights Commission. This is utterly outrageous.

The protection of human rights and the prevention of ethnic cleansing is not the responsibility of the few. It is the responsibility of us all. Why then is it that the United States is standing up to do what is right in Sudan while African leaders continue to look the other way, in the name of African solidarity?

The failure of the Africa group and the African Union to condemn the atrocities committed by the Sudanese and the subsequent nomination of Sudan to sit on the Human Rights Commission is deplorable. Perhaps the symbol of the African Union should be the ostrich.

Ladies and gentlemen, Plato wrote, "Only the dead have seen the end of the war." With up to 2.3 million people already dead and five million displaced as a result of both the crisis in Darfur and the war in the south, I fear that Plato may not have been far off. Let's pray he will be proven wrong.

We have a full schedule this morning. So I would ask Members wishing to make opening statements to submit them for the record, and I now recognize my good friend and colleague, Tom Lantos, the distinguish Ranking Democratic Member, for any remarks he would care to make.

Mr. LANTOS. Thank you very much, Mr. Chairman.

Very much appreciate you holding this important hearing to address the atrocities unfolding in Darfur in western Sudan.

Let me say at the outset that it is significant that again you and I stand shoulder-to-shoulder in expressing a joint position of the leadership of this Committee on yet another international outrage.

It is imperative that the United States, the European Union, the African Union and all others in the international community make Darfur a priority and act immediately to stop the atrocities taking place as we speak.

Mr. Chairman, we have just commemorated the 10th anniversary of the Rwanda genocide, where the world stood by and allowed the slaughter of about a million innocent people in 100 days. In the aftermath of that horror, the international community again pledged, meaninglessly, never again to stand by and allow a major atrocity to emerge without taking preventive action.

Yet as we speak, the Khartoum regime has mobilized Arab militias, the Janjaweed, to carry out a scorch-the-earth policy of indiscriminate attacks on non-Arab African civilians.

Both USAID and the United Nations have described these atrocities as ethnic cleansing, and the Committee on Conscience of our own Holocaust Memorial Museum has issued a genocide warning for Darfur.

Khartoum and the surrogate militia systematically are torturing, raping and killing thousands of innocent civilians, based solely on their identity. The Janjaweed have looted and burned villages, and depopulated entire areas with impunity in direct violation of international law.

It is estimated that as many as 30,000 civilians may have been slaughtered and over a million driven off their land into unprotected refugee camps and into neighboring Chad.

Mr. Chairman, the leaders in Khartoum are masters at manipulating the international community by holding the prospects of humanitarian access hostage, while conducting a vicious campaign of terror against innocent civilians.

Khartoum has even treated with contempt our own government's efforts to bring relief to the suffering in Darfur by refusing to grant visas to USAID disaster workers.

These workers need access to Darfur to prepare for the delivery of some \$85 million worth of humanitarian assistance, including food aid, medicine and temporary housing supplies. Cynically and arrogantly, Khartoum stalls.

In this dark moment, when evidence mounts that another major atrocity is taking place, I sense a penetrating problem of international paralysis. Some leaders are distracted by other priorities. Some weigh commercial interests against human life. Still others find it more important to circle the wagon around Khartoum, based on the principle of African solidarity, rather than confront this tyrannical and racist regime.

Once again, the world is turning its back on innocent people and in the aftermath, will declare, shamelessly, never again. Mr. Chairman, a genocide in the making must assume the highest priority for our own government, the United Nations and all other responsible players in the international community.

This is a challenge for our President, for Secretary of State Colin Powell, and for the Secretary General of the United Nations Kofi Annan, to exercise their leadership and to stop this nightmare from continuing. It is also a challenge to the European Union and to the African Union.

Astonishingly, African nations recently ensured Sudan a seat on the United Nations Human Rights Commission, in spite of its attack on the people of Darfur, driven by racial criteria.

I call upon President Bush to withhold any normalization of relations with Sudan. We must demand of Khartoum an immediate

cessation of violence against Darfur and a disarming of the Janjaweed, according to the cease-fire agreement they signed.

Khartoum must allow protection units and humanitarian agencies full and immediate access to Darfur. Khartoum must address the legitimate grievances of those living under the tyranny of that regime.

The United Nations Human Rights Commission must convene immediately on this crisis to shed light on the atrocities and to galvanize international support for the victims in Darfur.

Mr. Chairman, in Sudan we must do what is necessary to bring an end to this conflict and to bring security to the long suffering people of Darfur. As I stated in my offer this week in *The Boston Globe*, if Khartoum continues its intransigence, the President should consider targeted sanctions against those most responsible for these atrocities.

Our credibility and our reputation as a humane nation depend on it. We do not have the luxury of failure. Thank you, Mr. Chairman. I look forward to hearing from our witnesses.

Chairman HYDE. Thank you, Mr. Lantos. The Chair will—

Mr. PAYNE. Mr. Chairman, as a point of personal privilege—

Chairman HYDE. Mr. Payne.

Mr. PAYNE. Although you have asked that no other Members give opening statements, I think that this is such a serious situation that I would ask your permission that if the Chairman of the Africa Subcommittee, who has been dealing with this issue, has an opening statement he be allowed to give it. If not, I would appreciate being considered to give a short opening statement. I ask unanimous consent.

Chairman HYDE. Mr. Payne, you anticipated me. I was going to suggest that the Subcommittee on Africa, chaired by Mr. Royce and by yourself as Ranking Democrat, each be given the opportunity to make an opening statement. We will go to Mr. Royce and then we will go to you.

Mr. PAYNE. Thank you. I should have anticipated that, knowing you.

Chairman HYDE. Surely.

Mr. ROYCE. Thank you, Mr. Chairman. I will abbreviate my remarks and ask that my full statement be put in the record.

You and Ranking Member Lantos have spoken about the atrocities. I would just like to make the point about the denied access to this region by the government.

I think those of us here can only imagine the full extent of this campaign of ethnic cleansing. It certainly has the look of genocide. We will hear today that it currently threatens the lives of hundreds of thousands of people.

I think the Administration deserves credit for its sustained commitment to bringing peace to Sudan. This Committee has closely followed negotiations between Khartoum and the SPLM, but after several years, Mr. Chairman, I think it is less and less likely that the negotiations will succeed.

The Administration's Sudan Peace Act report of last month noted the stagnant pace of these talks, and I think that the political will just does not exist in Khartoum to get this done.

We need to keep in mind also that any agreement reached would face major challenges being implemented. Africa has seen many failed peace agreements.

I think Khartoum's true colors are being shown in Darfur. At this point, I would have little faith in any peace agreement it signs.

If we remain engaged in this peace process, though, Darfur must not be discounted. The reason I say that is because 2 weeks ago the Africa Subcommittee held a hearing looking back on the Rwandan genocide, and during the run-up to the killings of a million, the United States and others were dulled to its warnings, to the warning signs.

Why? Because the United States had a commitment to a doomed peace process, and everyone was focused on that doomed peace process instead of on the killings that were going on.

In many, many ways, like in Sudan today, the government continuously denied its support for militias carrying out ethnic cleansing, while at the same time the government helped engineer those ethnic cleansing activities.

Khartoum should know that, peace agreement or not, there will be no normal relations with the United States as long as it is committing atrocities in Darfur.

The Administration brought Darfur to the world's attention last week, as you and Mr. Lantos pointed out, at the United Nations Commission on Human Rights at its annual session in Geneva.

That its proposal to sanction the Sudanese government was widely rejected is yet more evidence that the Commission is a very troubled institution. It also makes it harder to believe that other countries have much of a commitment to peace in Sudan.

Thank you, Mr. Chairman.

Chairman HYDE. Thank you, Mr. Royce.

Mr. Payne.

Mr. PAYNE. Thank you very much, Mr. Chairman, for calling this very important hearing, and I too will be as brief as I can.

I would like to commend you for your statement and I would like to associate myself with your remarks. Also, I would like to commend Ranking Member Lantos for his continued fight for dignity and justice regardless to where the injustice is.

I have been looking at the Sudan crisis for more than 2 decades. I have to say that the National Islamic Front government of Sudan never ceases to amaze me, whether it is an aerial bombardment of the people of southern Sudan, defenseless men and women and children, or blocking access to humanitarian aid, or having a safe haven for Osama bin Laden, or now the targeted genocide of black Darfurians.

I have learned, and it has been proven right time and time again, that the National Islamic Front government of Sudan simply cannot be trusted. It is a pariah government, and it is an illegal government, and it is an illegitimate government.

It is a government that does not deserve to be recognized. The crisis in Sudan is arguably the worst and most protracted war going on in the world today. Beyond the wrongful deaths of more than two million people over the past 40 years and displacement of some 400,000 others, the National Islamic Front government of Sudan is responsible for heinous human rights abuses for decades.

Now the government of Sudan is supporting the brutal slaughter of black Muslims in Darfur, a change in what they had been doing. Prior, it was only Christians and animists who would not believe in Islam, and now it is their own Muslim brothers and sisters. However, the difference is that they are not Arabic. They are not brown and light in complexion. They are African. They are black. They are Muslims, but they are black.

So we have a new twist to that very illegal government. What we know so far is that there are at least one million displaced in Darfur and at least another 100,000 in Chad. The numbers of the dead are unclear, but we must know that rape is being used as a weapon of war, where women and children are terrorized and abused as a showing of force.

What is going on is very clear: The U.N. has called the situation in Darfur one of the worst humanitarian crises today. I think this is the worst humanitarian crisis going on anywhere in the world.

How can we be discussing peace agreements with a government involved in genocide? You have peace between the north and the south, but then you have terrorism in the west. Then will it be the east or after that central or southwest or south central? This government just does not get it.

Today we should send a very clear message to the NIF government that we know exactly what they are doing in Darfur, and we will not allow them to get away with this.

As has been indicated earlier by the Chairman of the Subcommittee, we just commemorated the 10th anniversary of the Rwandan genocide.

Our Subcommittee on Africa held a hearing 2 weeks ago, where I actually called for establishment of a commission to investigate U.S. government decision makers who were involved in dealing with the genocide, those that saw the bloodshed and did not decide for immediate action and stood by while almost one million people were killed. We ought to know what went wrong so that we don't repeat it again.

Today I warn all of us that if the United States government does not act now and act swiftly to end the genocide in Darfur, Sudan, we may all be sitting around this room, 6 months or a year from now perhaps, lamenting about the deaths of hundreds of thousands, and their blood will be on all of our hands.

This is my plea today that we act and we act now. If targeted sanctions are necessary against individuals who are involved in crimes against humanity in Darfur, then we should do that. I also agree that the so-called African solidarity makes no sense in allowing Sudan to remain serving on the U.N. Human Rights Commission, with African nations looking the other way.

As a member of the Congressional Black Caucus and Chairman of our caucus, I deplore this action. It is wrong and I, once again as I said, associate myself with remarks of the Chairman and the Ranking Member about this tragic decision on the part of Africa Union members.

Thank you, Mr. Chairman.

Chairman HYDE. Thank you, Mr. Payne. I want to congratulate you on a very courageous forthright statement, something that we all need to hear.

We open our testimony today with two witnesses from the Administration. It gives me great pleasure to welcome Charles Snyder, who was appointed Acting Assistant Secretary of State for the Bureau of African Affairs at the State Department November 1, 2003.

Mr. Snyder came to his duties well prepared, having served as principle Deputy Assistant Secretary for African Affairs, where he managed the day-to-day operation of the Bureau and was the central policy person for the Sudan peace initiative. During his tenure at the Bureau, he also helped frame policy for the Horn of Africa and Central Africa, including the Great Lakes Region.

Mr. Snyder has also served as a senior intelligence office at the CIA from 1992 until 1995, after retiring from the U.S. Army, where much of his responsibility was also over Sub-Saharan Africa. His assignments during those years included the Defense Intelligence Agency and the Department of State, among others. He holds degrees from Fordham University and American University, and we are very pleased to welcome you today.

Our second witness has also far-reaching field experience in Africa, Southeast Asia and the former Soviet Union and other areas of the world. Roger Winter, the Assistant Administrator for Democracy, Conflict and Humanitarian Assistance at the U.S. Agency for International Development has been with the Agency since 2001, bringing experience with the U.S. Committee on Refugees and the U.S. Office of Refugee Resettlement in the former Department of Health, Education and Welfare during portions of both the Carter and Reagan Administrations.

Mr. Winter has written extensively and conducted media outreach on refugee issues around the world and has been responsible for programs serving refugees, displaced people and conflict victims, both at home and overseas.

He has degrees from Wheaton College in Illinois and Holy Family College in Pennsylvania. We welcome you today, Mr. Winter.

Mr. Snyder, if you would begin with a summary of your statement, if possible as close to 5 minutes as you can, and your entire statement will be made a part of the record.

Secretary Snyder.

**STATEMENT OF THE HONORABLE CHARLES R. SNYDER, ACTING ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE**

Mr. SNYDER. Thank you, Mr. Chairman. The statement is more fulsome than what I am going to say here very briefly, trying to adhere to your 5-minute rule. It has got a lot of the history and why we think what is going on is going on, not that anything can explain this kind of inhumane atrocity, but offering a few words of African expertise on motivations, et cetera.

I am particularly grateful to have the opportunity to appear before you to discuss our government's efforts to end the violence in Darfur and to provide humanitarian assistance to the desperately needy population.

The humanitarian tragedy unfolding in Darfur requires the urgent attention of the international community. The United States is exerting strong leadership on the issue. What is happening in

Darfur has serious implications for the broader efforts to bring peace to Sudan through a north/south peace accord between the government of Sudan and the Sudan People's Liberation Movement.

I have the opportunity, and I will associate myself with the remarks of both the Chairman of the Full Committee and the Chairman of the Subcommittee as well as the Ranking Members of both of those Committees. I think you are right to be as outraged as you are and as concerned as you are, and I think we are trying to take into account those very concerns.

We did not get into the Sudan peace process to leave Sudan worse off than we found it. The President has told me to pursue a just peace in Sudan, and I cannot in good conscience tell him I have achieved the just peace if the kind of atrocities that are going on in Darfur continue to go on.

I can assure this Committee that we will not pretend that is the case. The action in Darfur in fact is so serious; and if we are serious about reacting differently than we did in 1994, we will not only call this ethnic cleansing, we will insist that it be reversed. These people need to be put back on their land. In this day and age, ethnic cleansing cannot be allowed to stand in Africa or anywhere else, and that is our objective.

Let me say a few words about what we have done, because I think we have been very active on this. We have taken a firm vocal stand in condemning the violence and atrocities in Darfur. We are intensively engaged in efforts to address this crisis as you know. U.S. diplomacy was in fact instrumental in bringing the government into face-to-face talks with the rebels that have resulted in this April 8 cease-fire that was signed in N'djamena.

The most immediate requirement is to implement the cease-fire by getting monitors on the ground, and they need to be international monitors. The African Union has stepped up to the plate, but we in the European Union need to be in the field with them and we will be.

We are pressing the government of Sudan and the rebels to agree, and we hope to have people on the ground within several days. Actually, I am somewhat hopeful by the weekend we will get the beginnings of these people on the ground and begin to reverse this process.

We strongly condemn the violence and atrocities perpetrated in Darfur by the government and government-supported Arab Janjaweed militia against African civilians. President Bush issued a personal statement condemning the violence in Darfur on April 7, making clear that:

“The government of Sudan must not remain complicit in the brutalization of Darfur.”

Credible reporting indicates the Janjaweed are continuing to attack civilians. Although the government of Sudan permitted a senior fact finding mission to visit Darfur and has eased somewhat the flow of assistance to the afflicted populations, it has not yet made access to these people sufficiently available.

Khartoum is also continuing to hinder the delivery of humanitarian assistance by delaying and denying visas for humanitarian

workers and by restricting their access to and within Darfur. More recently they have even tried a new tactic of providing favoritism to one NGO group over another—I hope not in return for their silence. We certainly are calling them on this kind of activity.

We are continuing to maintain an increased pressure on the government of Sudan to end the violence and to facilitate unrestricted humanitarian access. The United States successfully pressed for a briefing for the U.N. Security Council on the situation in Darfur by the Under Secretary General for Humanitarian Affairs, Jan Egeland, on April 2.

On May 7, the Council will be briefed again, this time by the World Food Program Director, Jim Morris. We continue to explore positions for further U.N. Security Council action, if the government of Sudan does not act to reverse this situation.

We pressed hard at the U.N. Human Rights Commission for a resolution to appoint a senior rapporteur. Despite our strong lobbying, the European and African countries, as you noted, refused to support this, opting instead for a much weaker statement calling for the appointment of an independent expert.

We will also call for a special session of the UNHCR to consider the findings of a team of the UNHCR that is investigating the situation in Darfur. We are looking forward to receiving the report of the U.N. mission in the very near future.

At the same time that we are pressing on Darfur, we are also continuing to press Sudan to cooperate to reach an agreement with the Sudan People's Liberation Movement in order to end the north/south conflict. However, we have told the government of Sudan that we will normalize relations in the context of a north/south agreement, but we will not be able to do this unless and until the situation in Darfur is successfully and fully addressed.

We will hold to that position. The Committee has our assurance on that point.

I will end now in the interest of time. There are some more fulsome remarks about what we have done with dates and other things in the things I have submitted for the record. Thank you, Mr. Chairman.

[The prepared statement of Mr. Snyder follows:]

PREPARED STATEMENT OF THE HONORABLE CHARLES R. SNYDER, ACTING ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. Chairman and members of the Committee: I am honored to have the opportunity to appear before you to discuss our government's efforts to end the violence in Darfur and to provide humanitarian assistance to the desperately needy population. The humanitarian tragedy unfolding in Darfur requires the urgent attention of the international community. The United States is exerting strong leadership on the issue. What is happening in Darfur has serious implications for the broader efforts to bring peace to Sudan through a north-south peace accord between the Government of Sudan (GOS) and the Sudan People's Liberation Movement (SPLM).

I will briefly update you on the north/south talks before discussing Darfur in detail. I am pleased to inform you that an agreement finally seems to be at hand. Sudanese Vice President Taha and SPLM Chairman Garang have indicated that they have resolved the remaining issues and expect to sign an agreement (Framework on the Outstanding Issues) within the coming days. This would be followed by detailed discussions on security and security-related arrangements, and implementation modalities. That process would likely take 6–8 weeks, leading to the signing of a comprehensive peace accord. The situation in Darfur, if not resolved, will cloud prospects for implementation of the peace accord.

A humanitarian crisis of major proportions exists in Darfur. UN Secretary General Kofi Annan expressed the outrage of the international community when he condemned ethnic cleansing in Darfur and warned that the world could not stand idle. I want to review how this situation developed and inform you about the steps we are taking to address it. Darfur is an area where traditional conflicts between nomadic herders, who are largely Arab, and sedentary agriculturalists, who are largely African Muslims, have long existed. The government's marginalization of the region and favoritism towards Arab tribes have contributed to growing popular dissatisfaction among Darfur's three primary African groups: the Fur, Zaghawa, and Messalit. This dissatisfaction crystallized as the people of the region looked at the progress being made in the north-south peace talks and became increasingly focused on the need to address their own grievances. All of this helped stimulate creation of the two armed opposition groups in Darfur: the Sudan Liberation Movement (SLM) and the Justice and Equality Movement (JEM).

The emergence of armed opposition in Darfur has profoundly shaken the government because it poses, in many respects, a greater threat than the activities of the SPLM in the south. The SPLM has never threatened the north militarily. Support for the JEM and SLM, however, comes from within the overwhelmingly Muslim population of Darfur; radical Muslim cleric Turabi, who was recently jailed by the current GOS, has links to the JEM. Moreover, over 50 percent of the Sudanese military is from Darfur, and that region is not far from Khartoum. A successful insurgency in Darfur would fuel potential insurgencies in other parts of the north. This, I believe, explains why the Government of Sudan has adopted such brutal tactics in Darfur. The GOS is determined to defeat the JEM and SLM at any cost to the civilian population.

The effective military operations carried out by the SLM and the JEM, particularly the attack on the regional capital of El Fasher last year, have raised grave concerns within the GOS. As a result, the government launched an all-out effort to defeat the armed opposition. As a major part of that effort, the government armed and supported Arab-based "jingaweit" militias to carry out attacks against civilians. Government security forces coordinate and support these attacks. The militias have systematically attacked hundreds of African villages in a scorched-earth type approach. They burn villages to the ground, destroy water points, raze crops, and force the people from their land. The jingaweit further terrorize the African population through widespread atrocities including mass rape, branding of raped women, summary killings, amputations, and other unspeakable actions. Estimates of civilians killed range between 15,000 and 30,000, and we will seek to confirm a more precise estimate as information becomes available. As many as one million people have been displaced, and tens of thousands have sought refuge across the border in Chad. All of this amounts to "ethnic cleansing" on a large scale.

The United States has exerted strong leadership to stop the violence. Assistant Administrator Winter will detail what we are doing to get humanitarian assistance to the affected population. We have consistently told the Government of Sudan—at the highest levels—that it must take the following steps on Darfur: end the jingaweit violence; agree to an internationally monitored ceasefire with the armed opposition; and allow unrestricted humanitarian access. I want to detail actions we have taken:

- The President, Secretary of State, and National Security Advisor have raised Darfur with President Bashir, Vice President Taha, and Foreign Minister Ismael.
- The President issued a strong public statement on April 7 which condemned the atrocities being committed and insisted that the GOS stop jingaweit violence. Other USG officials have repeatedly spoken out.
- Senior U.S. officials have visited Darfur several times since last fall to call attention to the situation and to press the GOS to stop the violence.
- The United States played a decisive role in brokering a ceasefire between the government and the Darfur armed opposition that was signed in Chad on April 8.
- The United States pushed for a special briefing on Darfur in the United Nations Security Council (UNSC) on April 2, and this helped pressure the GOS to sign the ceasefire.
- At the UN Human Rights Commission (CHR) meeting in Geneva we co-sponsored a resolution calling for appointment of a special rapporteur under Agenda Item 9. Instead of acting on that resolution, the Commission adopted a weaker Decision, which was less critical of the Sudanese Government and which appointed an Independent Expert. The head of our delegation made a

strong statement in which he condemned the atrocities taking place in Darfur and held the international community accountable for lack of action.

- And finally, I want to underscore that we have made clear to the GOS that we will not normalize relations—even if there is a north-south peace agreement—unless the GOS takes the necessary steps to reverse the situation in Darfur.

The steps that we have taken have yielded some results, though not enough. The ceasefire signed between the GOS and the Darfur armed opposition provides a basis to end the violence. The agreement specifically holds the GOS responsible for stopping the activities of the jingaweit militia. While there has been a diminution in the violence, there are credible reports the atrocities continue despite the signing of a ceasefire on April 8. The ceasefire agreement provides for international monitoring, and this is to be under the auspices of the African Union (AU). We have offered personnel and material support for the monitoring operation, and we are working with the AU to get the monitoring in place expeditiously. I am pleased to inform you that an international team, led by the AU and including U.S. and EU representatives, intends to travel to Darfur this week on a reconnaissance mission preparatory to putting international monitors on the ground.

While there has been some diminution in violence and some improvement in humanitarian access, the situation in Darfur remains grave. Although the GOS aerial bombardment by GOS forces has ceased, credible reports indicate that jingaweit violence is continuing. Getting international monitoring in place and stopping the jingaweit violence is crucial to facilitating unrestricted humanitarian access. International humanitarian workers simply cannot gain access to many areas while the violence is continuing. Moreover, those displaced fear receiving humanitarian assistance, because that provokes further jingaweit attacks to loot supplies. Hundreds of thousands are in imminent danger, living in appalling conditions. Khartoum must not compound its first disastrous action in Darfur with a second decision to limit the international response for relief. Khartoum is accountable for the lives that currently hang in the balance due to the humanitarian crisis, and it is the Government's responsibility to see that everything possible is done to save those lives.

We are taking additional steps to mobilize the international community to press the GOS to cooperate on Darfur.

- Another UNSC briefing tomorrow will hear a report on the visit to Darfur of a senior UN team led by World Food Program Director Jim Morris.
- We are considering what further actions we could seek in the UNSC if the GOS does not fully cooperate.
- We are considering calling for a special session of the CHR to consider the results of an investigative team from the CHR that has just completed a mission to Darfur.
- We are intensifying coordination with the European Union, UN, and key African countries on both the political and humanitarian aspects of the Darfur crisis.

The Memorandum of Justification accompanying the President's certification to the Congress consistent with the Sudan Peace Act highlighted the need for urgent action both to reach a north-south peace deal and to end the violence in Darfur. The Memorandum made clear that the situation in Darfur was taken into account in the determination. It specifically noted "Government-supported atrocities in Darfur and hostilities in other areas have caused a major humanitarian crisis and stimulated renewed skepticism about Government intentions." It pointed out that the government's actions in Darfur weaken our confidence that it is committed to achieve peace throughout the country.

Because both Darfur and the conclusion of the north-south peace talks are coming to a head at the same time, we are, in a very real sense, in a perfect storm on Sudan. On balance, I believe that we will be successful on Sudan. The limited improvement in humanitarian access in Darfur and some recent diminution in the violence indicate that the situation is moving in the right direction, although this needs to be dramatically accelerated. Deploying international monitors to Darfur will help establish a new reality on the ground and, therefore, help end the violence. If a north-south accord is signed in the coming days, it will create a positive context for addressing the legitimate grievances in Darfur. At that point both the SPLM and the GOS will have an incentive to work together to ensure peace in Darfur, because continuing violence there would clearly jeopardize effective implementation of a north-south peace accord. It is also important to state clearly that the results of ethnic cleansing must not be allowed to stand. Khartoum must make a commitment

that the African groups who have been systematically forced from the land will be resettled on that land. This process must be voluntary and adequate protection must be assured. We are committed to work with other donors to ensure that this happens.

The Government of Sudan has been surprised by our tough actions on Darfur. Clearly, the GOS had calculated that our desire to see a north-south accord might lead us to adopt a softer approach on Darfur. That was a major miscalculation, and the GOS now understands that. The fact that we have linked normalization to GOS behavior in Darfur as well as to a north-south accord highlights our seriousness. I take this opportunity once again to reiterate our message to the GOS. We do not intend to stand by while violence and atrocities continue in Darfur. Do what is necessary now, and we will work with you. Time is of the essence. Do not doubt our determination.

Mr. Chairman, resolution of the situation in Darfur and a north-south peace accord are both essential as a basis for improved relations with Sudan. Our goal is to see a country at peace, with appropriate international monitoring to ensure that accords are implemented. We seek a unified Sudan that accommodates the diversity of this large and complex country through democratic structures. There is an historic opportunity for Sudan to embark on a process of reconstruction, development, and fundamental change with the help of the United States and the rest of the international community. The leaders of Sudan bear an immense responsibility to do what is in the best interest of the people. I urge them to seize this moment.

Chairman HYDE. Thank you very much, Secretary Snyder.  
Mr. Winter.

**STATEMENT OF THE HONORABLE ROGER P. WINTER, ASSISTANT ADMINISTRATOR, BUREAU FOR DEMOCRACY, CONFLICT AND HUMANITARIAN ASSISTANCE, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT**

Mr. WINTER. Thank you for this well-timed hearing. I would like to speak to three points, the first being to be very clear that the Janjaweed militia that you all have talked about already are the instrument of those who hold power in Khartoum.

I want to be clear about this, because there is a lot of obfuscation and a lot of fuzzing of the issue. It is the government in Khartoum that is responsible for the Janjaweed.

While the government of Sudan military fought rebels in Darfur, the Janjaweed fought civilians, but it didn't just happen. It was, in my view, a conscious, strategic decision on the part of the government to unleash these surrogate paramilitary forces against the African population.

If you look at what actually happened on the ground, the efforts of the Janjaweed were coordinated with government military efforts, both on the ground and in the air.

It is also the case that there was no military interference with the Janjaweed as they were attacking civilians, and we have many cases where Janjaweed and government military folks would be located in the same area, the one attacking civilians and the other doing absolutely nothing about it.

There has been no single enforcement action by the government of Sudan against the Janjaweed. The government of Sudan calls the Janjaweed and also the rebels outlaws, but they only took enforcement action against the rebels. They have taken no action against the Janjaweed.

Unfortunately, this is an established pattern in Sudan. We had it in the south, of which you are very familiar.

The cease-fire agreement reached in Chad recognized this relationship between the government and the Janjaweed. Article Six of

the cease-fire agreement says that the GOS is committed to neutralizing “armed militias.”

In the cease-fire agreement, armed militias means Janjaweed. The armed opposition means the rebels. So the government of Sudan has assumed in the cease-fire agreement responsibility for dealing with the Janjaweed.

The United States government, the EU and the Chadian government, after the cease-fire agreement was signed, all asserted publicly that the Janjaweed are in fact the armed militias referenced in the cease-fire agreement.

Has the cease-fire agreement then been fully implemented? Not yet, because of the Janjaweed. There have been improvements. That is, we don’t have aerial bombardment now and there isn’t a strong level of active military engagement by the GOS military, but the Janjaweed continue their activities with deadly consequences.

May I secondly speak to the issue of humanitarian access? There are some improvements in humanitarian access, but frankly collectively they remain inadequate.

After great difficulty and delay, U.N. missions on human rights and on humanitarian assessment have been allowed to do their job. There are also increasing numbers of international staff that are being made available to the NGO’s that are working in Darfur.

With respect to USAID, staff in-country and 28 people that were seeking to get out to Darfur as part of our disaster assistance response team, what we call a DART, some progress has been made. We received just a couple of days ago the first 14 visas that we need to actually field our DART.

However, that is not the whole story. An even larger part of our problem is the internal travel permits within Sudan.

Once you get a visa, you can get into Sudan, but because you can get into Sudan doesn’t mean you can get into Darfur to do your job, and it is manipulation of these internal travel permits that is problematic for all of the humanitarian actors.

Let me just tell you about our DART leader. I got this e-mail from her on Tuesday. She said:

“I applied for a permit from the government on April 18, requesting a 3-month travel permit for Genena Alfasher Anuala, since I am the senior humanitarian advisor and DART team leader for the U.S. government. Today . . .”

this is dated May 4,

“Today my permit was issued. Instead of for 3 months, it was issued for 3 weeks and it is back-dated to April 21. When you combine those dates with the requirement that there be a 72-hour prior notification for taking a flight up to Darfur, I will effectively have 5 days with the permission of the government to do my DART team responsibility in the three capitals of the Darfurian states.”

This is the kind of internal problem we face that has to be dealt with.

I should say there has been one major exception to this kind of a problem, and that is we recently have had good cooperation from

the requisite authorities in Sudan for the air lift that we are now conducting.

I am over my time already. I would like to make a quick, quick statement about what we project as mortality in this situation.

Chairman HYDE. Please proceed without objection.

Mr. SNYDER. Thank you. I appreciate that.

Attached to my statement is a chart. It is titled Projected Mortality Rates in Darfur. What I want you to understand is no chart can adequately reflect the situation on the ground, obviously.

We have humanitarian experts that make certain assumptions, based on prior activities in Darfur and other parts of Sudan and the region. So there are assumptions. These are assumptions on death rates that we will experience in Darfur as of April 1.

What this reflects, Mr. Chairman, is basically what we call a crude mortality rate. That is the line in the middle. We have been saying publicly that we think more than 100,000 people will die, no matter what, at this point, but what this chart produced by our experts actually shows is that under the crude mortality rate, the figure is closer to 350,000.

What we have been doing is using a very conservative number up until now. The top line shows, over the next 9 months, what we expect largely to happen to children under five. It is what we call the global acute malnutrition rate that shows us, with respect to children under five, what we call wasting.

What does it mean to waste a kid under five? These are the stick children that we have seen from other circumstances and this shows you the figures. It is these children that are the ripest for death of all affected by this conflict.

Why am I raising this issue? What happens in a situation like this is these people are so vulnerable because they are displaced, because they have lost all their assets, because their crops have been burned, because their food stocks have been destroyed or stolen, their livestock are dead or have been looted, the water points that they rely on to survive have been destroyed and they have missed the crop cycle; that is the point of the bottom line of the chart.

What it means is: That these people are dependent and virtually entirely exposed. This is a desert part of the world and people have houses under normal circumstances, but there is no ability to build houses at this point. So they are gathering grass, but there isn't that much grass in a desert to build a house.

The rains have already started. Why does this body count jump up like I am showing you here? The rains have already started. These people do not have a roof over their head. They are already malnourished and they are in many cases in IDP camps, cheek and jowl with each other.

What happens in this circumstance is that the rains reduce their resistance. The sanitation conditions, no latrines or virtually no latrines, the crowding, the beginning of diarrhea, the beginning of measles, the beginning of meningitis and all of the stuff that begins to happen when crowded populations of weakened people are together begin to take hold.

It is actually the disease factor that hypes the body count that we are projecting here.

Why I am saying this is that while it is the case that some improvements have been achieved as a consequence of the cease-fire, it isn't in place yet. While it is the case that there have been some improvement on the granting of visas and travel permits, it is really not adequate yet, and time is working against us, because the rains come big time at the end of the month or into early June. That is where you see the spikes on this chart.

We have made some progress, but quite frankly this all began with a terrible decision by the government of Sudan to utilize the Janjaweed to attack civilians on a massive scale, and it really is only the cooperation of Sudan or the forcing of that cooperation by the international community that can change these lines at all. Thank you.

[The prepared statement of Mr. Winter follows:]

PREPARED STATEMENT OF THE HONORABLE ROGER P. WINTER, ASSISTANT ADMINISTRATOR, BUREAU FOR DEMOCRACY, CONFLICT AND HUMANITARIAN ASSISTANCE, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. Chairman and members of the Committee, thank you for inviting me to testify today. Over the years, this Committee has shown great interest in Sudan, and it has influenced more constructive change than you will ever know. The Committee has called hearings at critical times to say what the world needs to hear. Yet again, this hearing could not be better timed.

The first time I testified before you as Assistant Administrator in June 2002, I said, "Sudan is riding a fine line between disaster and opportunity." The circumstances were much different then. Senator Danforth had just submitted his letter to President Bush recommending that the United States heavily engage in a peace process to end the war in the South. The parties seemed eager and serious about negotiating a just peace settlement. There was tremendous hope for a peaceful resolution to the war in southern Sudan, though this hope was tempered by the reality of the situation on the ground. Bombs were still being dropped on innocent civilians. Humanitarian access was still being routinely denied. *Murajaleen*, or irregular forces of the Sudanese army, were still wreaking havoc on southern Sudanese villages. The parties seemed to be making progress toward peace, but the actions of the Government of Sudan at home were not following the words at the peace table.

The circumstances in southern Sudan are different now. The parties have been negotiating for nearly two years. Bombs have stopped falling, humanitarian access has been regularized, and the reality of a peace agreement seems very close. Unfortunately, a new war has broken out in Darfur resulting in the worst humanitarian disaster in the world at this time, again tempering the hope that seems to come from the peace talks in Naivasha.

#### SITUATION IN DARFUR

The problem that currently dwarfs all others in Sudan is the situation in Darfur. At this time, the goal of USAID is to save lives. For those of us who have worked on Sudan for many years, what is taking place in Darfur repeats a tragic pattern. The most recent episode in this pattern is the 1998 famine in Bahr el Ghazal which was largely the result of denial of access by the Government of Sudan to the region. Many of us still have pictures in our mind of the death that ensued, of the children who melted away before our eyes. And some of us who were intimately involved see many of the same indicators of death in Darfur.

Since May 2003, in Congressional testimony and our regular situation report, we have been raising the alarm about humanitarian access in Darfur. Our Khartoum-based staff have repeatedly sought access to Darfur and consistently traveled there when authorized by the GOS. I traveled to Darfur in August 2003 and have traveled there repeatedly since then. Between the two of us, Administrator Natsios and I have traveled to the region to deal with Darfur not less than nine times in the last nine months. Others from the State Department's Africa and Refugee bureaus have traveled to the region as well. As a result of an escalation in the level of violence against civilians in December, 2003, I traveled in early January, 2004, with Deputy Assistant Secretary of State Michael McKinley to assess the situation on the border

of Chad and Sudan and to explore possibilities for cross-border assistance into Darfur.

Mr. Chairman, the executive branch has not been quietly watching this happen. As Acting Assistant Secretary Snyder has also detailed, we have repeatedly pressed the Government of Sudan to stop the violence in Darfur and allow humanitarian access since the impact of the conflict on the civilian population became apparent last year. The President, the State Department and USAID have issued strong statements on the matter. The President, Secretary of State and the National Security Advisor have all raised Darfur in telephone calls with President Bashir and Vice President Taha. Senator Danforth, Administrator Natsios, Acting Assistant Secretary Snyder, myself, and other senior U.S. Government officials engaged with the parties on the southern peace process have repeatedly stressed the United States' concern over the situation in Darfur when meeting with senior Sudanese government officials in Khartoum or Naivasha. Unfortunately, the GOS has chosen instead to pursue a policy of escalating violence and ethnic cleansing against the civilian population, believing a military solution to be its best option.

Our experts have put together a mortality chart, which I will submit for the record. I would like to focus attention on this chart because it shows what we have feared for some time, and especially since the violence escalated dramatically last December. This chart shows why we were raising that alarm and what we are faced with now since we have not had adequate humanitarian access.

Looking at this mortality chart, several points stand out immediately. The threshold mortality rate for an emergency is one person per ten thousand dying everyday from the effects of the emergency. At the time the chart was created, the number of people "affected" by the emergency in Darfur was 1.2 million people. USAID estimates that by June 2004, Darfur will reach three deaths per 10,000 people per day. This is just the starting point.

In a normal year, this is the time when Darfurians finish consuming their crops from the last growing season. They are also preparing for the long "hunger gap." They plant their crops for the new year before the rains begin. Once the rains start, it is difficult to get food, so people use their stored crops and their animals to sustain them through this period. In Darfur, they also typically migrate to other parts of Sudan or other countries to earn cash through this rough period. At the market, they purchase what they could not grow on their land.

This year, however, is tragically different. Water sources have been destroyed and crops burned by the *jingaweit*. The people who have fled their homes have no food stocks, having left with only a few possessions. People who are still in their homes have depleted their food stocks by feeding themselves and their displaced relatives. The livestock, at least the ones that were not looted, were sold for cash. Donkeys, which are vitally important to the livelihoods of rural people, have died in huge numbers, leaving households without the ability to transport water and other critical items. Because of the conflict, the population has not been able to earn cash. Even if they have cash, many markets have also been looted, burned, and deprived of commodities coming into the region. They are now barren and empty. In short, the agricultural cycle for this year has been lost. Even if people no longer feared the *jingaweit* and returned to their land, many would still die because the crops have already been destroyed. If they cannot return before the rainy season to plant, they will have no harvest for the next year.

We have received reports this week that the GOS is now increasing the pressure on internally displaced persons (IDPs) to return to their villages in time for the upcoming planting season. We too believe people should return, but not without the protection they need. Several reports indicate that some IDPs have been forced back to their villages by the local authorities. Few IDPs express willingness to go back at this time given the presence of armed *jingaweit* throughout Darfur and the traumatic experiences they have already suffered at the hands of these militia. Our staff on the ground believes we will be dealing with significant displacement for at least the next 18 months, as does the United Nations.

It is now May and the rains have already begun. May to September is the rainy season. Logistically, it becomes extremely difficult for food to reach outlying populations in need. Aside from a few major routes, the roads become impassable rivers and communities become isolated. From October to December, the traditional "hunger gap," USAID is predicting that the mortality rate could rise as high as 20 deaths per 10,000 people per day, the same catastrophic rate seen in southern Sudan during the famine of 1998. The cumulative result could be that as many as 30 percent of the affected population, potentially hundreds of thousands of people, would die over the next nine months.

We are doing our best to deploy available resources and, thereby, prevent some deaths. The reality, though, is that adequate humanitarian assistance is not yet on

its way. Humanitarian access has improved slightly in recent weeks. One international non-governmental organization (NGO) in particular has begun getting travel permits quickly, but most NGOs, the U.N., and donors like USAID still face numerous obstacles to reaching victims of the conflict with humanitarian assistance.

The Government of Sudan has been slow to allow international presence in Darfur. U.N. assessment teams for both humanitarian and human rights issues finally were allowed to visit in the last week. However, international organizations and NGOs must still wade through three levels of GOS bureaucracy before they can get to their projects. First, NGO workers must obtain visas to enter Sudan. Some NGOs have waited from six to eight weeks. USAID's Disaster Assistance Response Team (DART) is deploying this weekend to Khartoum, having waited over three weeks to receive less than half of the 27 visas requested from the Government in Khartoum. After we stressed to the Government the importance of deploying this DART team for the U.S. humanitarian response, the Sudanese Embassy expedited the first half of the visa requests. We hope the outstanding visas requested will be similarly expedited here and in Nairobi.

Second, the GOS continues to impede the access of relief agencies to Darfur once they are in Sudan by issuing travel permits, which are frequently delayed or denied altogether. Third, the movement of relief workers in Darfur remains hampered by GOS requirements for daily travel permits to leave the regional capitals to visit project sites. The GOS customs office also frequently impounds vehicles and holds them for months when they are urgently needed for emergency operations in Darfur.

The denial of humanitarian access over many months has had other cumulative effects. All of these tactics have created an environment where many NGOs are fearful of speaking out because they are afraid of losing any access they may currently have. As well, humanitarian agencies have been obstructed for so long, there are few with adequate capacity on the ground to respond quickly and comprehensively.

Airdrops may be possible, but they are not without difficulties. First, as with other forms of access, they require the agreement of the Government of Sudan. Second, they are extremely expensive. Third, relief workers are still needed on the ground to receive and distribute the aid that is dropped, requiring a system in place to protect those staff. Finally, and most importantly, the recipients of the food aid would still be vulnerable to *jingaweit* attacks.

As you can see, Mr. Chairman, the humanitarian crisis is very complex. There is no one answer to the crisis, but any answer certainly must entail robust international engagement. The ceasefire agreement must be fully implemented by all parties, which means the GOS must stop the *jingaweit* and allow an international monitoring mechanism to be put in place quickly. There must be complete humanitarian access to all areas of Darfur. This means bureaucratic processes cannot be allowed to stand in the way of timely humanitarian response. There must be significant funding from all donors and we must have NGOs with capacity on the ground to respond. Finally, we must have a strong and vigorous U.N., which will move humanitarian assistance quickly, demand what it needs from the GOS, and speak the truth.

The U.N. Secretary General, Kofi Annan, and the Undersecretary-General for Humanitarian Affairs, Jan Egeland, have both made courageously strong statements on Darfur, as has the former U.N. Resident Coordinator/Humanitarian Coordinator, Mukesh Kapila. We fear, though, that others are not following their lead. In April, the U.N. Human Rights Commission decided not to condemn the GOS regarding its actions in Darfur. Some would claim that the international community communicated through that decision that the United States is alone in its criticism. Others may ask, now that there is a ceasefire, why are we still raising the alarm when the worst is over? Unfortunately, we believe the worst is not over yet because the ceasefire has never been properly implemented by the GOS. Every day, new and credible information surfaces about continued *jingaweit* attacks, including executions of men and boys in cold blood and rapes of women and girls searching for water or firewood. There are even reports surfacing about mass graves being found.

In February, March, and April, other senior USAID and State Department officials and I spent weeks shuttling between Chad, Darfur, Nairobi, and Khartoum working with the parties to negotiate a humanitarian ceasefire. Under the terms of the ceasefire agreement signed in Ndjamena, Chad, on April 8, 2004, the GOS is responsible for ending the *jingaweit's* reign of terror against the civilian population in Darfur. Reports of ceasefire violations abound, yet there is currently no international monitoring mechanism agreed to by the parties and in place to investigate these reports. We are now 26 days into the 45-day humanitarian ceasefire. What is clear is that time is against us.

USAID stands ready. We have 28 of our best people ready to deploy to Darfur. We have our top people in Washington managing the process. We have committed \$76 million already and are ready to provide additional assistance over the next 18 months as more NGOs become active, as access opens up, and as security returns. In summary, Mr. Chairman, USAID is eagerly anticipating the prospect of peace in southern Sudan, but in the meantime, we are responding to the disaster in Darfur.



**U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT  
BUREAU FOR DEMOCRACY, CONFLICT, AND HUMANITARIAN ASSISTANCE (DCHA)  
OFFICE OF U.S. FOREIGN DISASTER ASSISTANCE (OFDA)**

**DARFUR – Humanitarian Emergency**

Fact Sheet #3, Fiscal Year (FY) 2004

April 30, 2004

*Note: This report updates the last fact sheet dated April 23, 2004*

**BACKGROUND**

- Fighting between two main opposition groups—the Sudanese Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM)—the Government of Sudan (GOS) military, and GOS-supported militia groups collectively known as *Jingaweit* intensified in the three states of Darfur, the western region of Sudan, during late 2003. Insecurity has steadily increased since the Darfur-based opposition SLM/A attacked GOS military forces at El Fasher, North Darfur, on April 24 and 25, 2003.
- The humanitarian emergency in Darfur is a direct result of violence toward the Fur, Zaghawa, and Massalit civilian groups by GOS forces and the *Jingaweit*. Conflict-affected populations describe recurrent and systematic attacks against towns and villages, burning of buildings and crops, arbitrary killings, gang rape, and looting. The GOS has used aerial bombardments to terrorize civilians who the GOS claims are harboring SLM/A or JEM forces.
- According to the United Nations (U.N.) Office for the Coordination of Humanitarian Affairs (UN OCHA), more than 1 million people are internally displaced and more than 110,000 people have fled across the border into neighboring Chad, out of an estimated population of 6.5 million in Darfur.
- Due to GOS impediments blocking official access and relief operations in Darfur, humanitarian access to conflict-affected populations outside of the state capitals of Geneina, El Fasher, and Nyala has been extremely limited. USAID, U.N. agencies, and non-governmental organizations (NGOs) have deployed personnel to the region, but the GOS has restricted relief workers' activities to major population centers and intermittently to internally displaced person (IDP) camps located in GOS-controlled areas. IDPs and other vulnerable populations have remained largely unprotected against *Jingaweit* attacks.
- Following U.S. Government (USG) and European Union (EU)-facilitated negotiations in N'Djamena, Chad, the two main opposition groups and the GOS signed a renewable 45-day humanitarian ceasefire on April 8 that took effect on April 11. However, many sources report that violence and harassment of civilian populations is continuing in Darfur.

**CURRENT SITUATION**

- Despite the April 11 ceasefire, reports from the field indicate that *Jingaweit* violence and harassment of civilian populations continues in all three states of Darfur. Many conflict-affected persons remain virtual prisoners in IDP camps and in the towns where they have sought refuge with friends and relatives. Relief workers report that IDPs who venture more than approximately one-half kilometer (km) from their settlements are often subject to *Jingaweit* attacks, including beatings, sexual assaults, and murder.
- On April 27, a high-level U.N. delegation led by James Morris, Executive Director of the U.N. World Food Program (WFP), arrived in Khartoum. On April 28, the delegation had meetings with GOS officials, donor representatives, and NGOs. The U.N. team highlighted protection of civilians as the most significant priority for relief agencies in Darfur.
- Bureaucratic obstruction is adversely affecting the international community's ability to prepare for a significant humanitarian intervention in western Sudan. Donors and NGOs have international staff waiting to travel to Sudan, but many relief workers are unable to obtain visas from the GOS. Relief workers who eventually receive visas and travel to Khartoum face further delays in receiving GOS travel permits for Darfur.

*Joint USAID/U.S. Department of State Press Conference on Darfur*

- On April 26, USAID Administrator and Special Humanitarian Coordinator for Sudan Andrew S. Natsios, Assistant Administrator for the Bureau of Democracy, Conflict, and Humanitarian Assistance (USAID/DCHA) Roger P. Winter, and U.S. Department of State Special Advisor for Sudan Policy Ambassador Michael E. Ranneberger held a press briefing to address the ongoing humanitarian emergency in Darfur. Administrator Natsios called for the GOS to implement the humanitarian access agreement that was signed in N'Djamena, respect the ceasefire and disarm the *Jingaweit* militias, and issue travel permits for relief workers to visit vulnerable populations outside the three state capitals in Darfur.
- Administrator Natsios cited a report of human rights violations in Darfur produced by a fact-finding team from the U.N. Office of the High Commissioner for Human Rights (OHCHR) that interviewed refugees in eastern Chad from April 5 to 15. OHCHR reported remarkable consistency in the refugees' testimony of systematic and often ethnically based violence by GOS military forces and GOS-supported *Jingaweit* militias against civilian populations in Darfur, including indiscriminate killings, rape and other forms of sexual violence, torture, bombing of villages and towns by GOS military aircraft, looting and destruction of property, and forced displacement.

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- Administrator Natsios also cited an April 23 report by the advocacy group Human Rights Watch that described joint GOS/*Jingaveit* military operations against civilians, including the execution of 136 members of the Fur community in West Darfur in early March 2004.

*Internally Displaced Persons (IDPs)*

- On April 26, relief workers reported that the GOS had authorized *Jingaveit* militia groups to patrol the road and areas around Kass town and Kailiek IDP camp in South Darfur. Relief agencies are concerned that these areas will become more insecure due to GOS-sanctioned militia activity.
- IDPs in Darfur have indicated that protection from militia attacks is their greatest concern, especially as local authorities have been encouraging IDPs to return to their areas of origin. The majority of the IDPs are living in overcrowded and unsanitary conditions, with insufficient latrines and potable water and inadequate health facilities. However, many IDPs have stated that they prefer to remain in camps rather than return home, where they are more vulnerable to *Jingaveit* attacks.

*Health*

- Médecins sans Frontières-Holland (MSF-H) has begun a nutritional survey in the areas around Garsila, southeast of Geneina in West Darfur. Action Contre la Faim-France (ACF-F) plans to commence nutrition surveys soon, starting in Kebkabiya in North Darfur.
- Malaria outbreaks will be a serious concern during the rainy season that begins in May. The GOS Ministry of Health (MOH) has announced plans to change the national malaria treatment protocol from a single-drug therapy to the two-drug therapy recommended by the U.N. World Health Organization (WHO).

*Food*

- Save the Children-US (SC-US) began food distributions in partnership with the WFP near Ardamata camp in Geneina, West Darfur, on April 25. Previously, the majority of WFP distributions to the large IDP populations in the areas around Geneina had been implemented through the Sudanese Red Crescent.
- On April 26, WFP reported that since January 2004, 10,856 metric tons (MT) of assorted food commodities have been distributed as individual rations to 806,299 beneficiaries in Darfur. WFP and implementing partners distributed 2,900 MT to 273,098 beneficiaries in West Darfur, 7,122 MT to 468,596 beneficiaries in North Darfur, and 834 MT to 64,605 beneficiaries in South Darfur.
- WFP also reported imminent pipeline breaks in April for salt and in May for pulses and corn-soya blend (CSB), an essential component of a balanced food basket.

*Non-Food Items (NFIs)*

- The U.N. Joint Logistics Center (UNJLC) has finalized arrangements for receipt of NFI cargo in El Obeid and eventually Nyala, where UNJLC's implementing partner CARE plans to distribute NFIs to conflict-affected populations. Airlifts of plastic sheeting, blankets, water containers, and other essential NFIs should begin immediately to ensure that items are pre-positioned and distributed to vulnerable populations before late May, when road access will become severely limited due to heavy rains.

*Refugees in Eastern Chad*

- According to local Chadian authorities in the border town of Bahay, an estimated 200 to 300 Sudanese refugees per week have been crossing the border from Darfur to Bahay since early April. On April 27, the U.N. High Commissioner for Refugees (UNHCR) sent a team to Bahay to assist the new arrivals.
- As of April 30, UNHCR had moved more than 45,000 Darfur refugees from away from the volatile 600 km-long border to five camps in eastern Chad. UNHCR plans to relocate a total of at least 60,000 refugees before the rainy season begins in May.

**U.S. GOVERNMENT ASSISTANCE**

- Over the past year, USAID's Office of U.S. Foreign Disaster Assistance (USAID/OFDA) has deployed field staff to Sudan specifically to assess the extent of the Darfur crisis. On April 11, to respond to the increasing scale of humanitarian needs, USAID/OFDA mobilized a USAID/OFDA-led Disaster Assistance Response Team (DART). USAID continues a phased deployment of humanitarian personnel as official access and improved security allow for increased presence in Darfur. The DART is complemented by a Response Management Team (RMT) in Washington that is supporting field operations and providing a point of contact for coordination and information regarding the USG's humanitarian response in Darfur.
- On April 27, USAID's Office of U.S. Foreign Disaster Assistance (USAID/OFDA) provided \$473,736 to the International Rescue Committee (IRC) to implement health and water and sanitation activities in North Darfur. USAID's Office of Transition Initiatives (USAID/OTI) provided \$96,205 to IRC for IDP assistance.
- Since February 2003, USAID/OFDA has provided more than \$4.5 million to the U.N. Children's Fund (UNICEF), the U.N. Food and Agricultural Organization (FAO), UN OCHA, WFP, WHO and NGOs IRC, Medair, and Save the Children-UK (SC-UK) for emergency humanitarian activities. New proposals from additional relief organizations are under active review for approval.
- Since October 2003, USAID's Office of Food for Peace (USAID/FFP) has provided more than \$67.1 million to WFP for Darfur, including a recent contribution of 30,000 metric tons (MT) of emergency food assistance valued at more

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than \$27.1 million. With a turn-around time of 14 days from initial discussions with the U.S. Department of Agriculture (USDA) to vessel loading, this contribution is one of the quickest in USAID/FFP history.

- USAID/FFP has also contributed \$4.8 million to WFP for Sudanese refugees in eastern Chad, including 7,040 MT of mixed commodities already in the region.
- The U.S. Department of State's Bureau of Population, Refugees, and Migration (State/PRM) has provided \$5 million to UNHCR for emergency refugee assistance, \$2 million to WFP for refugee food needs, \$400,000 to the International Federation of the Red Cross/Red Crescent Society (IFRC), nearly \$1.6 million to AirServ International, and more than \$870,000 to the International Medical Corp (IMC) for additional refugee assistance activities.

**OTHER DONOR AND INTERNATIONAL ORGANIZATION ASSISTANCE**

- To date, the Government of the United Kingdom has provided nearly \$16.8 million to UNHCR, UNICEF, WFP, the International Committee of the Red Cross (ICRC), and the NGOs ACF, GOAL, MSF-France, MSF-H, and SC-UK for emergency humanitarian interventions in Darfur and eastern Chad.
- On April 13, the European Commission Humanitarian Aid Office (ECHO) announced a contribution of more than \$4.8 million to provide relief assistance to Chad for Sudanese refugees from Darfur Region, as well as to local Chadians who have received the refugees. The focus of the assistance will include healthcare, nutrition, water and sanitation, shelter, and refugee protection activities. ECHO granted nearly \$2.4 million in humanitarian assistance to Sudanese refugees in Chad in October 2003.
- The U.N. issued a revised Consolidated Appeals Process (CAP) for \$115 million on April 9 to address the humanitarian crisis in Darfur through food assistance, health care activities, agricultural inputs, and the provision of shelter and relief supplies.
- On April 2, the U.N. launched a new 2004 CAP for Sudanese refugees in eastern Chad for \$30.1 million to provide immediate humanitarian assistance, reinforce refugee and host communities' capacities and coping mechanisms, and coordinate the international response to the humanitarian needs of the affected population.
- ICRC and the Sudanese Red Crescent launched emergency relief operations in Darfur in October 2003 to protect civilians from the effects of the conflict.

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## U.S. GOVERNMENT HUMANITARIAN ASSISTANCE TO DARFUR EMERGENCY

Implementing Partner	Activity	Location	Amount
<b>DARFUR, SUDAN</b>			
<b>USAID/OFDA ASSISTANCE<sup>1</sup></b>			
Medair	Health, Water and Sanitation, Non-Food Commodities, IDP Assistance	West Darfur	\$1,103,000
IRC	Health, Water and Sanitation	North Darfur	\$473,736
SC-UK	Water and Sanitation	North Darfur	\$605,602
UN FAO	Food Security, Agriculture	Darfur	\$465,000
UNICEF	Health, Water and Sanitation	Darfur	\$724,830
UN OCHA	Coordination	Darfur	\$500,000
WFP	Flight Operations	Darfur	\$250,000
WHO	Health, Coordination	Darfur	\$250,000
	Administrative Expenses	Darfur	\$150,000
<b>TOTAL USAID/OFDA</b>			<b>\$4,522,168</b>
<b>USAID/FFP ASSISTANCE</b>			
WFP	73,700 MT of P.L. 480 Title II Emergency Food Assistance	Darfur	\$67,106,000
<b>TOTAL USAID/FFP</b>			<b>\$67,106,000</b>
<b>USAID/OTI ASSISTANCE</b>			
IRC	IDP Assistance	North Darfur	\$96,205
<b>TOTAL USAID/OTI</b>			<b>\$96,205</b>
<b>TOTAL USAID HUMANITARIAN ASSISTANCE TO DARFUR</b>			<b>\$71,724,373</b>
<b>EASTERN CHAD</b>			
<b>USAID/FFP ASSISTANCE</b>			
WFP	7,040 MT of P.L. 480 Title II Emergency Food Assistance	Eastern Chad	\$4,800,000
<b>TOTAL USAID/FFP</b>			<b>\$4,800,000</b>
<b>TOTAL USAID HUMANITARIAN ASSISTANCE TO CHAD</b>			<b>\$4,800,000</b>
<b>STATE/PRM ASSISTANCE<sup>2</sup></b>			
AirServ	Refugee Assistance	Eastern Chad	\$1,590,350
IFRC	Refugee Assistance	Eastern Chad	\$400,000
IMC	Refugee Assistance	Eastern Chad	\$877,098
UNHCR	Refugee Assistance	Eastern Chad	\$5,000,000
WFP	Refugee Food Assistance	Eastern Chad	\$2,000,000
<b>TOTAL STATE/PRM</b>			<b>\$9,867,448</b>
<b>TOTAL USG HUMANITARIAN ASSISTANCE TO CHAD</b>			<b>\$14,667,448</b>
<b>TOTAL USAID HUMANITARIAN ASSISTANCE TO DARFUR EMERGENCY<sup>3</sup></b>			<b>\$76,524,773</b>
<b>TOTAL USG HUMANITARIAN ASSISTANCE TO DARFUR EMERGENCY<sup>3</sup></b>			<b>\$86,391,821</b>

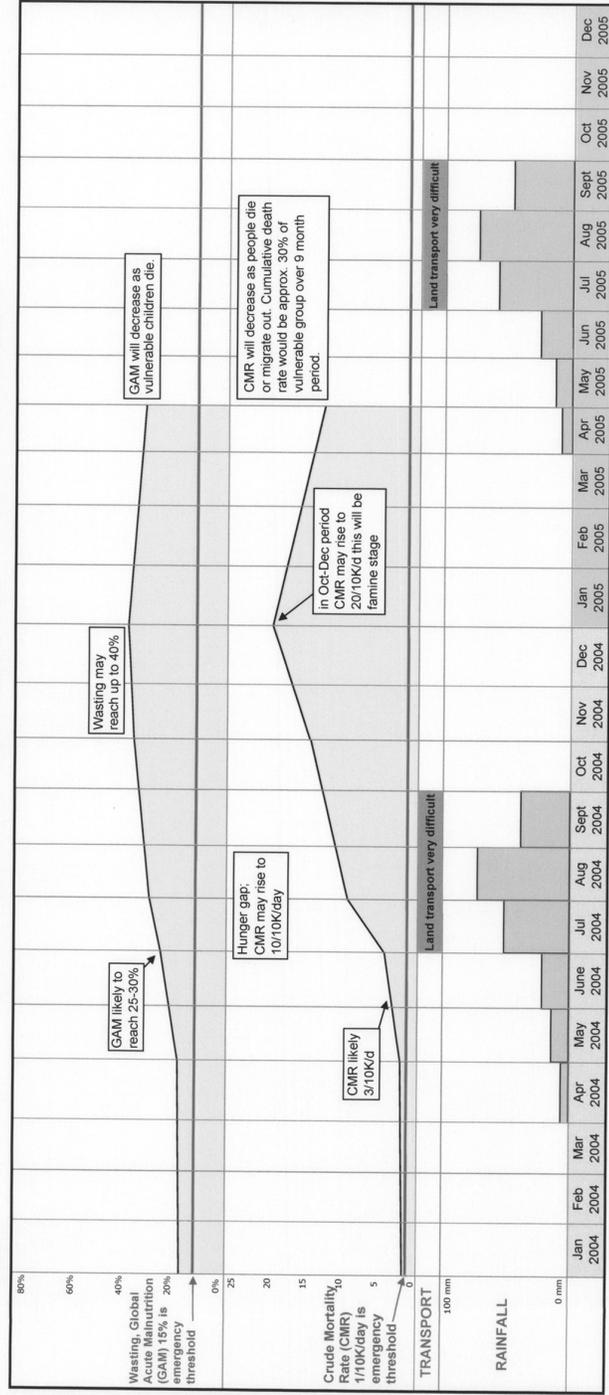
<sup>1</sup> USAID/OFDA funding represents committed and/or obligated amounts as of April 30, 2004.<sup>2</sup> State/PRM figures do not include un-earmarked Africa-wide contributions to ICRC and UNHCR.<sup>3</sup> Total funding dates from February 2003, including total contributions to Darfur, Sudan and to Chad for the Darfur emergency.**PUBLIC DONATION INFORMATION**

- The most effective way people can assist relief efforts is by making cash contributions to humanitarian organizations that are conducting relief operations. A list of humanitarian organizations that are accepting cash donations for their humanitarian emergency response efforts in Darfur, Sudan can be found at [www.interaction.org](http://www.interaction.org).
- USAID encourages cash donations because they: allow aid professionals to procure the exact items needed (often in the affected region); reduce the burden on scarce resources (such as transportation routes, staff time, warehouse space, etc); can be transferred very quickly and without transportation costs; support the economy of the disaster-stricken region; ensure culturally, dietary, and environmentally appropriate assistance.
- More information on making donations and volunteering can be found at:
  - The Center for International Disaster Information: [www.cidr.org](http://www.cidr.org)
  - InterAction: [www.interaction.org](http://www.interaction.org) -> "How You Can Help"
- Information on relief activities of the humanitarian community can be found at [www.reliefweb.org](http://www.reliefweb.org)

USAID/OFDA bulletins appear on the USAID web site at [http://www.usaid.gov/our\\_work/humanitarian\\_assistance/disaster\\_assistance](http://www.usaid.gov/our_work/humanitarian_assistance/disaster_assistance)



# PROJECTED MORTALITY RATES IN DARFUR, SUDAN 2004 - 2005 IF THERE IS NO HUMANITARIAN ACCESS



1. CMR and Wasting projections from personal communication from field based epidemiology studies in Bahri-Ghazal, Sudan 1998 and Ethiopia 2000  
 2. Background on Food Security in Darfur. Collins, Steve, MD "How bad does it have to get? The Nutritional Status in N Darfur, Sudan in Spring 2001" Save the Children (UK).  
 3. Wasting rates, Office of UN Resident and Humanitarian Coordinator for the Sudan, 10 January 2004, FAO Special Report Sudan February 2004.

Chairman HYDE. Thank you very much, Mr. Winter, for a very disturbing statement.

Secretary Snyder, I cut you short, but I surely didn't want to interrupt Mr. Winter. Is there anything more you would want to say before we go to questions?

Mr. SNYDER. No. I share Mr. Winter's sense of urgency. In fact, we are concerned about shipping plastic sheeting, among other things, to try and do what we can about this crisis that is emerging.

Measles is going to be a big killer in these circumstances, and we are doing what we can on that score. I can assure the Committee that the Secretary even today is once again engaging Vice President Taha and hopefully President Bush here on this very point—that they need to reverse this situation now and stop playing games on the visas and other issues and get the access changed.

Chairman HYDE. Thank you very much.

Mr. Smith.

Mr. SMITH OF NEW JERSEY. Mr. Chairman, thank you very much for convening this extremely important and timely hearing and for the very eloquent remarks you have all made, and to our two distinguished witnesses, for the good work that you do on behalf of humanitarian issues in Africa.

I have known Mr. Winter for many, many years and I greatly admire the work that you do.

I just want to make a couple of points very briefly. I spent 3 days in Geneva working alongside Ambassador Williamson and Secretary Loren Craner and others of our team in Geneva, and they did a fantastic job on a number of resolutions from Cuba.

They tried very hard on the People's Republic of China; and tried painstakingly to get that body, inadequate as it is, filled with rogue nations as it is and filled with allies who should know better, to pass a very strong resolution on Sudan.

Frankly, I think the Administration and Ambassador Williamson should be commended for the extraordinary work they did do in Geneva with our team there. I was very proud just to be there for those 3 days and witness up front and personally how hard they did indeed work.

Having said that, I was disappointed, as I have been over the years. I think my good friend and colleague, Mr. Payne, said it very well when he said this obsession with unity among the African countries makes no sense, when so many Africans are dying such painful and cruel deaths.

I remember when the famine in Ethiopia was rife. Talking to Ambassadors, including the Ambassador of Ethiopia in New York, about humanitarian corridors, only to be told no, we can't in any way ruffle the sense of unity among our nations. Let people die. Unity trumps everything else. I think Mr. Payne made a very good point about how that makes no sense.

Let me also say that when it comes to the United Nations, they say the right things very often. Secretary Annan says the right things, but it is a matter of doing them that makes all the difference.

As we all noted, I think with pain, Rwanda was on the screen in advance. We held hearings. I held hearings as Chairman of the Subcommittee on International Operations and Human Rights about the general's facts that were reported to the head of peace-keeping, now head of the United Nations, and nothing was done. There was indifference at best, and that certainly enabled the Hutus to slaughter the Tutsis in massive numbers. Nothing was done and now we see it is *deja vu* all over again.

I want to thank our friends from the Administration for trying at least to raise the alarm and to do something very constructive.

Two brief questions: I know I looked at this chart, Mr. Winter. How many people could die, if nothing is done? Do you have a number, either directly or indirectly?

Secondly, what will be the response of the United States in New York at the end of the week when the U.N. World Food Program and the Human Rights Commission brief the Security Council? Are we looking at the possibility of a resolution invoking or triggering a Chapter 7, or are we looking for more robust action on Friday or what?

Mr. WINTER. I will speak to the first. What this chart indicates is that as of the first of April, if there were no improvements in humanitarian access, our belief is that as many as 350,000 people would die as a consequence of the kind of situation I laid out before.

However, there have been some improvements. We continue to refer to these improvements as very inadequate. You can make a variety of assumptions. What is very clear is the number will be very large in any event, but the parameters we are talking about are up to as many as 350,000 over the next 9 months.

This is not going to end in 9 months, however. These people are going to continue to be largely displaced and dependent and therefore vulnerable as long as the Janjaweed are operating, as long as security and protection are not adequately available to them and, of course, they have now basically lost the cropping cycle.

They are not going to be in a position to grow their own food and provide for themselves as they normally would. We are talking about something that is going to run at least a year and a half, so body count gets bigger.

Mr. SNYDER. And I will take a shot at answering your question on what the next action will be in the Security Council.

Hopefully we are going to get from the World Food Program Director the kind of accurate, insightful assessment that we need that will allow us to then take the facts, not just presented by the U.S. Agency for International Development, but the facts presented by a U.N. agency itself. By making a statement, hopefully in the name of the Security Council, on what the findings are, but depending on how satisfactorily that is and how we are able to rally people, we will begin the next week to take a look at stronger Security Council action.

We will begin talking particularly to the Europeans, but I also will go back and talk to the Africans on the Security Council and say, it is time to get past this. Your own agency now is saying this is a real crisis in real time, and we shouldn't stand by and let it

happen. You, Africa, in particular need to get on the wagon with us, and we will work on the Europeans in the meantime.

So depending on what that report says and what it recommends, we will follow it up as vigorously as possible. If we don't think it is sufficient enough, we will begin to get our own facts on the ground and take that to the Security Council.

But I can assure you, we will be extremely active across the board, both bilaterally with our European and African allies, but in the Council itself.

Chairman HYDE. Mr. Payne.

Mr. PAYNE. Thank you both very much for your very thorough testimony. Let me ask you, Mr. Winter, about the situation of the refugees in Chad.

As we know, Chad is a country that has a lot of problems itself, being a very poor country. Where are the refugees there and how many are there, and is humanitarian assistance getting to them?

Mr. WINTER. The U.N. High Commissioner for Refugee reports about 110,000. They continue to get three to 500 or so on a weekly basis.

First I have to tell you this is a terribly remote area. I have been there. It is really the end of the road, so-to-speak, in the Sahara and the population was basically just across the border from Sudan.

The U.N. High Commissioner for Refugees is moving them further inland. There have been some news reports about new groups of refugees not being adequately served in places like Bahai, which is very far north. Our colleagues in the Refugee Bureau of the State Department are working with the U.N. High Commissioner for Refugees to make sure those refugees are adequately covered.

In general, I think things are as good as can be expected, under the circumstances. The reason I say that is we have made resources available. The State Department's PRM Bureau has made 10 or \$12 million available as a start.

We actually have a food expert from USAID who is up on that border now, or planning to be up on that border, to gauge whether the food programs are going well.

We are not really behind the curve on the refugees in Chad, although I must say conditions in Chad are difficult in their own right. Chad itself is experiencing somewhat of a drought right now; and so, overall, things are less than desirable, but they are not desperate in the refugee camps in my perspective.

Mr. PAYNE. Thank you. Mr. Snyder, has the U.S. sought U.N. resolution in the Security Council? I know we had to wait to hear what happened at the Human Rights meeting first, which of course nothing happened, and would there be any consideration or do you think that a resolution would serve as an effective tool, or do you think that alternative routes would yield more constructive results?

Mr. SNYDER. I think in this case, as you can see from the public statements of the Secretary General himself, he has spoken out strongly on this, long before many other people did in public and in fact, more vigorously than many people have in public, being the first one to site the potential in an extreme case for military action, Chapter 7 kinds of actions.

We had to wait for two things before we take this to the Security Council. One, as you pointed out, was in fact the results of the Human Rights Commission and, as you rightly point out, they have been quite unsatisfactory.

But it has allowed us to position ourselves and say what we thought, quite frankly and quite pointedly, and to begin to address the issue more broadly to the European and African public that this is a crisis.

We are beginning to set the stage for the next piece. I think this report tomorrow, if it is what I hope it is, will give us the basis in fact to then go to the Security Council and say: If the government of Sudan continues to deny visas, denies access, continues not to be able to bring the Janjaweed into some kind of compliance, that we, the Security Council, need to be seized with this.

But until we see what that report says and see tactically how best we can go with it, I don't want to sit here and promise you we will go that route for sure. We will make a tactical decision, depending on what we get in the results of our bilateral consultations.

But certainly that is on the table, if it makes the most sense.

Mr. PAYNE. Thank you very much. I have a second or two left. Mr. Winter, you mentioned that at least 350,000 deaths can occur in Darfur. In your opinion, what can we do now in order to prevent the loss of these lives, and do you think that targeted sanctions would send a message to the NIF?

Mr. WINTER. We are doing everything we can to make sure that number doesn't reach the highest of those parameters, 350,000.

This is a projection that can be affected by both the actions of the government and our own actions. What we are doing is actually having an airlift in process now. The first flights have gone in to Darfur. These are flights that are in particular trying to deal with the shelter issue. This relates to the fact that people don't have shelter right now and as the rains come, they continue to weaken. They could add to the body count that the chart that I spoke to reflects.

We are doing that. Is it enough? No, it is not enough. Collectively we are not doing enough yet, because we don't have the access we need. We are mobilizing.

Collectively the international community is not doing all that needs to be done. As a matter of fact, we desperately would like our European friends and other normal donors that are interested in humanitarian programs to come on-line quickly to help.

For example, our food aid, which is normally 75 or 80 percent of all the food aid in Sudan, our food aid is provided statutorily through a commodity-based program. Commodity-based programs take a long time to purchase food here to ship all the way over there. Whereas, if cash can be made available by some of our European colleagues that are interested in this kind of program, what it means is that food can be purchased locally within the country or within the region. That gets it there much quicker.

We are looking for that kind of collaboration. We are actually reaching out to the other potential donors, and we are considering calling a donor conference very shortly to see if we can mobilize others to come on line.

Mr. PAYNE. Thank you. I am finished. I just want to say that perhaps we need to look at our capital market sanctions again. You know the oil of Sudan is oiling the government. We had a capital market sanction passed before.

I think that if the government of Sudan continues to operate the way it is doing, I think that any company doing business in Sudan, especially in the oil fields, should be banned from capital markets on Wall Street.

There is no company in the world that can operate restricted from Wall Street, and so I think that is something that perhaps my colleagues and I need to think about, again so that we cripple this country by taking the resources away and the people that want to buy their oil. Then they can't do anything else in this country to sell their products. Thank you.

Mr. ROYCE [presiding]. All right. Secretary Snyder and Administrator Winter, we are going to ask your indulgence while we temporarily suspend this hearing.

We have some legislative business that was noticed for today's meeting, and at this point, we need to bring up that resolution. If that is all right, we are going to temporarily suspend.

[Whereupon, a short recess was taken to conduct the markup of H. Con. Res. 403. The record of this markup appears at the end.]

Mr. ROYCE. Ms. Watson, you are recognized and then we will go to Mr. Tancredo.

Ms. WATSON. I just want to thank the Committee for recognizing that this is an issue that touches on so many other issues that we are grappling with today.

I appreciate the fact that we unanimously passed the resolution. I would hope that this would place on the record the fact that we, as a body representing the United States, are concerned about human rights, humane activities around this globe; that we intend and commit ourself to practicing humane kinds of activities, relating to every single troubled area in the world, particularly in Iraq.

My comment is to thank you, Mr. Chair, for looking into the issue of ethnic cleansing, looking into the protection of human rights, humane treatment, not only here in Darfur, but everywhere where we have an interest. Thank you very much, Mr. Chairman.

Mr. ROYCE. Thank you, Ms. Watson.

Let me just ask one quick question of the witnesses. As I read through the testimony, I noticed the comment that in the Muslim population of Darfur, radical Muslim cleric Turabi, who was recently jailed by the current government of Sudan, has links within that population there to the JEM.

That is a little confusing to me, and I thought I would ask you exactly what set of circumstances on the ground led Turabi to send the message to the JEM to launch its rebel attacks there. If you could just explain that aspect to us, Secretary Snyder, I would be most appreciative.

Mr. SNYDER. Going back to when Turabi first came to power, this area of the country was his power base, in terms of ethnicity and his most ardent supporters. I think he saw the opportunity because of the way this region was feeling neglected, et cetera. He took advantage of those ties to participate in a rebellion that was already

launched by the other group, the SLA, to try and get control of this rebellion for his own purposes.

He was arrested shortly thereafter and has not achieved that, but the JEM is subject to his influence for a number of ethnic and other reasons and he was using that fact to once again push his way back onto the stage.

Mr. ROYCE. Let me ask you what this particular conflict and Turabi's ability to engineer this type of anarchy says about the prospects for the north/south peace process, given his unique capabilities of creating implosion across all of Sudan.

Mr. SNYDER. One of the reasons we have been driving the parties in the north/south agreement as hard as we have is our very fear of this kind of rebellion.

As you know, the government in Sudan is pretty narrowly based and there are agreed parties, not only in the west, but in the east and the Bayjar region and other places. It has been our hope all along that the north/south agreement would be the beginning of a transformational process in which the system would begin to change, and it would form the basis in which the west and the east and other aggrieved areas began to work their way back to the middle over a period of several years, as this agreement was implemented.

It reflects our worst fears coming to pass, because the parties have been sitting for so long, when both sides have known perfectly well what the answers are. We are in fact reliably informed that they have agreed on the answers and we are hoping they write them down in the next week or so, but nonetheless time is of the essence.

It is because of these ethnic tensions and a government that has not been particularly forthcoming to the people in the marginal areas that we have been urging renewed vigor in this process.

The presence of Turabi and other politicians of a senior nature, who will not fail to use ethnicity and other devices to exert a negative influence during the implementation process, is one of our long-run concerns in this. We share with the Committee what I have heard many Members say, that once we get this framework agreement, it is only the end of the beginning.

We and the international community are going to have to be on top of this agreement every step of the way. The parties are not coming into this with a real burst of enthusiasm and goodwill. Darfur is proving that, and therefore, we are going to have to be vigilant that activities like this, that Turabi is exploiting, do not occur and do not undermine what is in the best interest of the people of Sudan and the region.

Mr. ROYCE. Thank you for that insight.

We will go to Mr. Flake of Arizona for any questions he might have.

Mr. Wolfe?

Mr. Tancredo?

Mr. TANCREDO. Yes. Thank you, Mr. Chairman. Just a couple. I first would like to ask Mr. Winter. Administrator Natsios stated at a press conference last week that there are 30,000 tons of food in Darfur, but that we can't get it out of the provincial capitals and

into the villages of resettlement because of the denial of travel permits. You have, of course, alluded to this.

I want to know if you could, what options do we have for distributing the food? Can we give it to the NGO's who have travel permits and have them distribute it? What are our prospects for obtaining travel permits necessary to distribute this and future aid deliveries?

Mr. WINTER. What we are seeking from the government is an entirely new approach to this issue of travel permits. Travel permits subject our NGO partners, our U.N. partners and our own personnel to chancy and often limited, often arbitrary kinds of processes rather than something that can be relied on when you are talking about life or death kinds of issues.

What we are actually looking for from the government is a whole new approach, something that assumes not business as usual, but that we have a crisis here. A crisis in which substantial loss of life is potentially involved. Already there is a large enough body count.

So we are seeking to get from them a different way of doing business, rather than just a piecemeal sort of making little improvements in a patch-like fashion.

We do have food in-country. We have more on the way. It is that travel permit system that is the most problematic aspect of all, and if we can resolve that, we should be able to distribute.

We usually do our food programs through the World Food Program. The World Food Program also often deals with NGO's, provides resources to them, food resources. It can be our food that they pass through to NGO's for distribution purposes.

What we have is a network that involves the United States, it involves the World Food Program and it involves NGO's and we will do whatever works.

We frankly do need more NGO partners. Darfur has been inaccessible for a long time. There haven't been NGO's, except for a few who have built up large capacities and large networks and large staff. We need more NGO's with capacity to actually come on-line and be mechanisms, not just food mechanisms, but for dealing with the other aspects of the emergency, the disease, the sanitation and shelter and all of those aspects too.

Mr. TANCREDO. Thank you.

Mr. Snyder, is it not accurate that most of the members of the military in the GOS are actually from Darfur?

Mr. SNYDER. Our conservative estimate is probably 50 percent of them are from Darfur. That is one of the reasons, as I said in the statement for the record, that the government responded so strongly.

This is a threat to power ultimately. They were reversed very early on in the fighting around Al Fashir; and one of the reasons was, in my view, and I have looked at this for a long time as a military analyst, is that they were getting some assistance from the army itself. The rebels were in sympathy with the underlying problems.

So one of the underlying modi for Khartoum's harsh reaction was that very threat of dissent.

Mr. TANCREDO. Was it also to then relieve the military? I would assume that there was some sort of reaction by some of the people

in the military against attacking and bombing their own homes and their own people.

Was the response that being that they were going to sign a peace agreement but let the Janjaweed continue this process, perhaps was that why they agreed to that?

Mr. SNYDER. I think what happened was they looked around quickly after about 6 months of this fighting that went on after Fashir and realized that, as you pointed out, the army to some degree was sympathetic to some of this and therefore could not be relied to do the brutal things that they thought would be necessary to crush this rebellion. So they turned to the security forces, the PDF and other kind of forces and the Janjaweed and other militias that they use in these circumstances and turned them loose. They now find themselves in the ironic position of having to try and use the army, among others, to regain control of the Janjaweed.

I don't necessarily read their signing of the cease-fire as an intention to ignore and to continue to prosecute this war. I see it more as their inability, having let the genie out of the bottle, to get him back in.

I think frankly they have achieved most of their brutal objectives. They have vacated this space, which is one of the reasons we believe it is so important that this ethnic cleansing not be allowed to stand. We have to actually reverse it.

They shouldn't be rewarded for bad behavior, and so we will try and do that diplomatically and politically, but I don't necessarily think that the government means not to honor the cease-fire. I think they are having difficulties, having let this genie out of the bottle, gaining control of them.

I do not for a minute think that there is universal goodwill in this government. There are some people in this government I am sure who are doing what you are suggesting or urging the Janjaweed to continue, but I think the majority—and this is what our final judgment is based on—the majority have made the decision to go the right way. We need to do that without allowing that fervor for peace to leave us open to what happened in Rwanda.

We have to keep our eyes wide open to the possibility that we are in fact making that mistake. We have been leaning so hard for peace that we are overlooking another crisis, and we have done some things structurally to try and answer that question.

As you know, the President has appointed Andrew Natsios as the Special Humanitarian Coordinator for Sudan, whereas Jack Danforth and I are pursuing the peace process. There is a natural check in there.

I have done the extra step of assigning a Deputy Assistant Secretary for Refugee Affairs, who doesn't directly answer to me, to be the State Department's man in this cease-fire effort. Again, this is so that I don't let myself or anybody else on my peace team make that kind of mistake, to treat this separately, uniquely and to give a second opinion when we need a second opinion, if we are compromising where we shouldn't be compromising.

We are very alert to this concern that you have that the government could be playing a double game. I don't think so, but we have tried to build some checks and balances into the system to be sure

that my opinion wouldn't carry so much weight that we make a mistake.

Mr. TANCREDO. Thank you.

Thank you, Mr. Chairman.

Mr. FLAKE [presiding]. I thank the witnesses. If there are no more questions from my colleagues, we will go ahead and excuse with thanks the first panel and welcome the second panel.

Our second panel today is led by Mr. John Prendergast, Special Advisor to the President at the International Crisis Group, or ICG.

Prior to joining ICG, he was a special advisor to the U.S. Department of State, focusing on conflict resolution in Africa. He has also been director of African Affairs at the National Security Council.

Mr. Prendergast has a background with U.N. agencies and NGO's in Africa, including the U.S. Institute of Peace, Human Rights Watch and UNICEF. He has been widely published on Africa and on U.S. foreign policy.

We welcome you back with us today, Mr. Prendergast.

Mr. Laprade, our second witness, has worked for almost 2 decades in humanitarian relief efforts and is currently director of the Children in Emergencies and Crisis Unit at Save the Children, an organization known worldwide for meeting the immediate needs and long-term development of children, their families and their communities.

Mr. Laprade has spent most of his career in the field, in war-torn countries affected by ongoing humanitarian crises. He has managed programs and projects in Mozambique, Angola, Somalia, Thailand and Sudan. He has spent several years supervising programs in Asia for Care International, handling situations in Afghanistan, East Timor and India, among others.

We appreciate the opportunity to hear from you today, Mr. Laprade.

Finally our panel concludes with testimony from Mr. Omer Ismail, who is from the western Sudan. A graduate of Khartoum University, Mr. Ismail has worked as a research assistant to the ministry of foreign affairs in Sudan, with international relief and development organizations, and has served as operations manager for the U.N. Operation Lifeline-Sudan, the largest relief operation in the world at the time.

He fled Sudan after the National Islamic Front took power in 1989 and has since lived as a refugee in the United States. In Washington he helped found the Sudan Democratic Forum, has been the spokesman for the Darfur Union, an Advocacy Group, and co-founder of Darfur Peace and Development.

We are happy to hear from you today, Mr. Ismail.

Mr. Prendergast, if you will please begin with a summary of your testimony. Your full statement and that of the other witnesses will be included in the record.

I should note we will have votes probably about 15 minutes from now, and so if we can go about 5 minutes each, that would be great. Thank you.

**STATEMENT OF JOHN PRENDERGAST, SPECIAL ADVISOR TO  
THE PRESIDENT, INTERNATIONAL CRISIS GROUP**

Mr. PRENDERGAST. Thank you, Mr. Chairman.

What Charlie Snyder and Roger Winter just described to you are necessary actions, but not sufficient actions to make this principle of never again stand up.

I think there are five priority areas that need to be pursued by the U.S. Government right now immediately, simultaneously, if we are going to turn this thing around.

First, we need to prevent famine in Darfur by any means necessary. It is unfortunately too late to stop the ethnic cleansing campaign. The government has already accomplished most of its objectives in this regard, and that needs to be reversed, as Charlie said.

But we need to act now to prevent a major famine from occurring in Sudan, as Roger has described so eloquently. Rather than just waiting to see if access is granted and all these permits are going to be approved, we need to do much more assertive planning now, in cooperation with the Secretary-General, given that he has stated that military intervention is on the table.

We need to look at alternative access modalities. We need to be talking to Libya. We need to talk to Chad and, of course, Paris behind them and look across border operations, even through southern Sudan to get food and other assistance into these populations, and we need to put on the table military intervention options. Business as usual just isn't going to get the job done.

Second, we need to address the political roots in Darfur. It would be a grave mistake if the international community limited its involvement in Darfur to purely humanitarian assistance. There must be a corresponding push to get a credible, internationally supported peace process established quickly for Darfur, as soon as the cease-fire is operational.

Third, we need to close this deal in Naivasha. I just returned from Naivasha, Kenya, this week, where all the major issues have now been ironed out. There isn't anything left on the table.

All that remains is for the parties to make the political decision to sign the deal. If the government decides to sign this framework, we must understand that it is only that: A framework and we will have to work then to continue to finalize a more comprehensive peace deal, which provides yet another opportunity for delay and obfuscation.

A major push is needed now to finish this process and begin implementing this deal and that requires President Bush's direct and ongoing involvement. The role he has played up until now has been constructive. He needs to increase that role.

Fourth, we need to multi-lateralize the Sudan crisis. When the U.N. World Food Program and the Human Rights Commission briefed the U.N. Security Council tomorrow, the U.S. has to be prepared to press forward with a resolution that provides Chapter 7 authority for further action in Sudan, as Congressman Smith earlier said.

That authority should be used for contingency planning for the protection of emergency aid deliveries, as well as for the establishment of a high level panel to investigate the commission of war crimes in Darfur as a precursor to the possible establishment of some form of mechanism of accountability, such as Mr. Delahunt had mentioned earlier.

Chapter 7 authority, though, remains a pipe dream, unless Security Council members, particularly the United States, begin to urgently campaign for such authority.

Sources within the Security Council that I have talked to, and the U.N. Secretary, believe that if the U.S. is willing to seriously engage on behalf of Chapter 7 authority, the dynamic of debate on this issue could change. Leadership is required.

At present, the U.S. mission remains fixated on getting humanitarian workers into Darfur, which is a worthy but yet again insufficient objective.

Finally, we need to build leverage. It has to be understood that regime survival has been the principle impetus for the government's involvement and movement in the IGAS peace process.

Khartoum had to recalculate after 9/11, because of concern about possible U.S. action. Khartoum now believes it has effectively neutralized the post 9/11 threat of U.S. action and has called the United States' bluff. This renewed confidence could lead to non-implementation of the IGAD agreement and continued intransigence into Darfur.

To alter this very damaging calculation, the existing set of sanctions and pressures that we have on the table should be enhanced by the following U.S. led action: First, as Congressman Lantos said, we need to push this idea of targeted sanctions against specific members of the regime that are most directly responsible for the war crimes in Darfur. That includes travel bans and asset freezes. We need to multi-lateralize these and work with the EU and the United Nations to make this happen.

Second, we need to look at a U.N. arms embargo through the U.N. Security Council, banning the importation of arms by the government and any other party that conflicts.

Third, we need to lay the foundation for some kind of mechanism of accountability, again, as Mr. Delahunt has suggested.

Fourth, we need to undertake much more active planning on this cross-border operation idea and then, finally, as we just heard from Congressman Payne, we need to revive this issue of capital market sanctions with a new caveat that such a provision would only apply to a government that is involved in genocide or ethnic cleansing.

Thank you very much.

[The prepared statement of Mr. Prendergast follows:]

PREPARED STATEMENT OF JOHN PRENDERGAST, SPECIAL ADVISOR TO THE PRESIDENT,  
INTERNATIONAL CRISIS GROUP

Thank you, Mr Chairman, for the invitation to testify at this hearing, and for the Committee's unflagging interest in the multi-faceted crisis in Sudan.

My first opportunity to testify to a Congressional committee occurred nearly fifteen years ago, when I spoke of a government in Khartoum that was using ethnic-based militias to undertake ethnic cleansing in south-western Sudan. So it is almost surreal to be back again, with many visits here in between, talking about the very same tactics being deployed by the very same government with the very same result of displacement, destruction and death. This time, though, the victims are Muslim, and from the North. More than anything else, this should demonstrate to anyone that hasn't paid sufficient attention that Sudan's war never was simply between North and South, or between Muslim and Christian. Rather, this is a national war, in which a small group from the center of the country maintains power by any means necessary.

Ten years after the Rwandan genocide, the world still frets about what it should have or could have done during that 90-day slaughter. In Sudan, three times as

many people have died, spread over a twenty year period. We are still fretting, still wringing our hands, still wondering if our aid workers will be granted travel permits to clean up after another bout of ethnic cleansing has occurred. Sudan is Rwanda in slow motion.

At some point, culpability must enter into the equation. Through its military tactics, the government in Khartoum is responsible for creating the worst humanitarian crisis in the world (Darfur), the second largest death toll since World War II (the conflict with the SPLA), and the world's largest forgotten emergency (northern Uganda, courtesy of the Lord's Resistance Army). If we keep treating the symptoms without squarely identifying the cause, we will be here again in another fifteen years discussing these very same issues, still wringing our hands.

#### I. ACTION NEEDED NOW

There are five priorities that must be addressed immediately and simultaneously if we are to have any impact in ameliorating the current emergency and addressing the roots of the crisis.

##### 1. *Prevent Famine in Darfur*

The international community acted too slowly to prevent ethnic cleansing from occurring in Darfur. The policy of constructive engagement that was pursued throughout 2003 in pursuit of an IGAD peace deal compromised the international response to Darfur's killing fields. The White House did not weigh in publicly until March 2004, after Khartoum's campaign was completed. Ironically, this was nearly ten years to the day after the Rwandan genocide had begun. Even UN representatives spoke out publicly before we heard from the President on this issue.

Despite being too late to stop the ethnic cleansing campaign, the international community still has a chance to prevent a major famine from killing hundreds of thousands more Darfurians. At the middle levels of USAID up through to Roger Winter and Andrew Natsios, with some mid-level State Department support, the U.S. is engaging in this famine prevention effort. But much more must be done at the highest level to get the Ceasefire Commission stood up, get international monitors into Darfur, open up access to the OTHER half million internally displaced persons through road and rail options, and begin a process leading to the disarmament of the Janjaweed. Rather than waiting to see if access is granted, much more assertive planning must be done, in cooperation with Secretary General Annan on alternative access modalities, such as cross border operations from Libya, Chad or even southern Sudan, and/or options for Chapter VII armed protection of emergency aid distribution.

##### 2. *Address Darfur's Political Roots*

It would be a grave mistake if the international community limited its involvement in Darfur to humanitarian band-aids. This is exactly what happened for most of the last fifteen years in southern Sudan, while over two million people perished as the aid faucet was turned off and on at the whim of the government in Khartoum. There must be a corresponding push to get a credible, internationally supported peace process established quickly for Darfur, as soon as the ceasefire is operational. Venue, structure and substance for the talks all need to become the subject of immediate international interest. ICG will have a report on these critical questions in the next couple of weeks.

A negotiated political solution between the government and the Darfur rebels is, ultimately, the only option for restoring peace and stability to Darfur. This is also the best way to deal with the devastating humanitarian situation in Darfur and the massive displacement in a manner that can be sustained.

##### 3. *Close the IGAD Deal in Naivasha*

The other casualty of the international community's policy of constructive engagement with Khartoum on the IGAD peace process has been the delay in finalizing the deal in Naivasha. Constructive engagement and quiet diplomacy in the IGAD talks emboldened the Sudan government to continue bombing in Darfur and delaying in Naivasha. The lesson should not be that engagement is wrong, but rather that engagement needs to be backed up by more serious and multilateral pressure, as outlined below.

I just returned from Naivasha, where all of the major issues have now been ironed out. All that remains is for the parties to take the political decision to sign. If the government decides to sign the framework deal, we must understand it is only that—a framework—and that work will have to continue to finalize a comprehensive peace agreement, which provides yet another opportunity for delay and obfuscation.

A major push is needed to finish this process and begin implementing the deal. Such closure will lay the groundwork for resolution of the Darfur crisis as well.

#### 4. *Multilateralize the Sudan Crisis*

When the international community has been united on Sudan and used pressures and incentives in a coordinated way, we have seen progress on a number of issues. But unfortunately, that has not usually been the case. The U.S. must work much more intently through the UN Security Council to convince others to counter the threat to international peace and security that the Sudan crisis represents, given the major spillover effects in Chad, Uganda and elsewhere.

When the UN World Food Programme and UN Human Rights Commission brief the UN Security Council on Friday, the U.S. must be prepared to press forward with a resolution that provides Chapter VII authority for further action in Sudan. That authority should be used for contingency planning for the protection of emergency aid deliveries as well as for the establishment of a high level panel to investigate the commission of war crimes in Darfur, as a precursor to the possible establishment of further mechanisms of accountability.

Chapter VII authority remains a pipe dream unless key Security Council members, starting with the U.S., begin to urgently campaign for such authority. Sources within the Security Council and the UN Secretariat believe that if the U.S. is willing to seriously engage on behalf of Chapter VII authority, the dynamic of debate could change. Leadership is required. At present, the U.S. mission remains fixated on getting humanitarian workers into Darfur, a worthy but insufficient objective.

#### 5. *Build Leverage*

The Sudan government no longer believes the U.S. will apply significant or meaningful pressure in response to its actions, allowing Khartoum to act with virtual impunity. This results from three years of a policy of constructive engagement that has witnessed, but not reacted to, a human rights crisis without parallel in Africa. Not delivering promised incentives related to normalization of relations is the current form of pressure being utilized by the U.S. This is again insufficient.

It has to be understood that regime survival has been the principal impetus for movement in the IGAD peace process. Khartoum was forced to recalculate after 9/11 because of concern about possible U.S. action. Khartoum now believes it has effectively neutralized the post-9/11 threat of U.S. action, and has called the U.S. bluff. This renewed confidence could lead to non-implementation of any IGAD agreement, and continued intransigence in Darfur.

To alter this damaging calculation, the existing set of sanctions and pressures should be enhanced by the following U.S.-led actions:

- Apply targeted sanctions against specific members of the regime that are most directly responsible for the human rights violations in Darfur. This would include travel bans and asset freezes. All efforts should be made to multilateralize these targeted sanctions through engagement with the European Union and the United Nations. The most important point is to create individual culpability for the commission of war crimes and crimes against humanity.
- Impose a UN arms embargo through the UN Security Council, banning the importation of arms by any party to the conflict, including the government.
- Lay the foundation for the possible creation of further mechanisms for accountability for war crimes and crimes against humanity by pressing for the establishment and deployment of a UN high level panel to conduct an investigation and report to the Council and the Secretary General.
- Undertake much more concerted and multilateral planning and diplomacy in pursuit of cross border emergency aid operations, looking at Chad, Libya and southern Sudan as possible staging areas.
- Revive discussion of capital market sanctions, with the new caveat that such a provision would only apply if the government of Sudan were found by the UN to be responsible for ethnic cleansing or genocide. Thus, a high bar would be set which would not open the door to the indiscriminate use of this policy instrument, but would be reserved for only the most heinous of crimes against humanity.

## II. BACKGROUND

Armed conflict erupted in Darfur in early 2003 when two rebel groups, the Sudan Liberation Movement/Army (SLA) and the Justice and Equality Movement (JEM), attacked military installations. The rebels seek an end to the region's chronic eco-

nomic and political marginalisation and also took up arms to protect their communities against a twenty-year campaign by government-backed militias recruited among groups of Arab extraction in Darfur and Chad. These “Janjaweed” militias have over the past year received greatly increased support from Khartoum to clear civilians from areas considered disloyal. Militia attacks backed up by a scorched-earth government offensive have targeted Darfuri tribes of African extraction from which most of the rebels hail, namely the Fur, the Massaleit, the Zaghawa and other smaller African groups, in a strategy of collective punishment designed to drain support base of the rebels.

The attacks led to massive displacement, indiscriminate killings, looting and mass rape—all in contravention of Common Article 3 of the 1949 Geneva Conventions that prohibits attacks on civilians. These attacks amount to a campaign of ethnic cleansing: they target communities of African descent while sparing villages in their midst inhabited by people of Arab extraction. ICG’s own monitoring of the situation corroborates UN estimates that thousands have been killed in a campaign that has uprooted more than a million people from their homes and forced an estimated 130,000 more to flee to neighbouring Chad.

Darfur’s conflict is tearing apart the delicate ethnic balance of seven million people who are uniformly Muslim. The war consists of multiple intertwined conflicts: one is between government-aligned forces and rebels; in a second government militia raid civilians; yet a third involves a struggle among Darfur communities themselves. It is already spilling over beyond Darfur’s borders, threatening the regimes in both Sudan and Chad and menacing regional stability. Any peace process must address all three levels of the conflict if sustainable peace and stability are to return to Darfur.

The international community’s response has been muted and ineffectual. The priority of the key external actors—neighbouring governments and their backers in Washington, London, Oslo and Rome—was to focus on the IGAD peace talks between the SPLA and the government. The policy was one of constructive engagement, marked by quiet diplomacy and a desire to maintain access to perceived hard line government elements. Meanwhile, the government’s campaign of ethnic cleansing intensified in Darfur. It was only after evidence of the massive atrocities against the civilian population became impossible to ignore that more muscular diplomacy began in March 2004 with respect both to the IGAD process and attempts at constructing an effective negotiation on Darfur.

#### *1. The Darfur peace process*

Chad’s role in negotiations in the last quarter of 2003 between the Khartoum government and the SLA was grossly flawed and counterproductive, as it consistently manipulated the process to satisfy Khartoum’s demand of treating the crisis as an internal security problem, devoid of any political significance. Despite warnings by ICG of Chad’s lack of credibility as a mediator, the European Union and United Nations insisted on reviving the Chadian mediation, leading to ceasefire negotiations that took place in early April in the Chadian capital Njamena between the government of Sudan and the SLA and JEM. However, the presence at the talks for the first time of international observers representing the African Union (AU), the EU, and the US played only a limited role in mitigating the subversion of the process by the Sudanese and Chadian governments.

The international observers coordinated little among themselves and as a result sent conflicting signals to rebel delegates who were internally divided and whose lack of exposure and political sophistication placed them at a great disadvantage. The outcome was a ceasefire agreement that failed to explicitly require the government to disarm and hold accountable its proxy Janjaweed militias, the leading perpetrator of continuing war crimes and crimes against humanity in Darfur. The agreement was fraught with gross discrepancies between the signed Arabic and English copies that ICG has examined.

The significant international presence at the early April talks notwithstanding, disturbing discrepancies and mistakes exist in the signed documents that cannot be attributed to translation errors alone. That such omissions and mistakes took place under the passive watch of so many observers is indicative of the international community’s lack of focus on the peace process in Darfur and its eagerness to press the parties into agreeing to a desperately needed humanitarian ceasefire without a vision for longer term viability of the agreements reached.

Confusion reigns as to what constitutes a ceasefire violation. The AU has presented its operational plan for the establishment of the Ceasefire Commission only on 2 May, nearly a month into a 45-day truce, and the parties together with the observers have yet to give their consent to technical and budgetary plans as outlined in the document. The plan provides for the inclusion of representatives of the inter-

national community in the monitoring body which is likely to displease Khartoum. There are two major flaws in the current AU proposal that must be addressed if the Ceasefire Commission is to have any chance for success. First, there must be clear sanctions included in the agreement for the violation of the ceasefire. These sanctions must be defined and agreed to by all parties to ahead of time. The current proposal makes no mention of any repercussions for violating the ceasefire.

Second, the current proposal would see all the parties to the conflict as well as the international community as equal members of both the Ceasefire Commission, and the overarching Joint Commission that is to be created. Both of these bodies would come to their decisions by consensus. Yet with the parties to the conflict involved on these bodies, and a consensus required for any decisions or actions to be taken, it would be far too easy for any party to the conflict to hold these commissions hostage to their agendas by refusing to agree with a decision that goes against their will. Thus the bodies must be granted an objective, authoritative veto power over the parties if the Ceasefire Commission is to succeed. The ceasefire is automatically renewable for a further 45 days, when it expires in late May.

Confusion also reigns in the political front. Because of the absence of long term international commitment to the peace process in Darfur, international community representatives were absent from two sessions of 'political talks' that convened under the auspices of the Chadian mediation in late April in Njamena at which a 'political agreement' was formulated and signed on 25 April by government and SLA and JEM representatives. Reflecting the confusion that continues to surround the Chadian mediation, JEM and SLA rebel fronts issued nearly identical statements on 26 and 27 April respectively in which they repudiated the 25 April agreement on political issues as a fraud while reiterating their commitment to the ceasefire agreement. They explained that their representatives in Njamena were not mandated to negotiate with the government on political issues, but were only there as liaison officers to work with the Chadian mediation, the AU and the international observers on the technical details for the establishment of the ceasefire commission. Both fronts claimed that the Chadian mediation and government delegation have intimidated these liaison officers into signing the 25 April agreement on their behalf and said they were recalling the signatories to account for their bypassing of their mandates.

The SLA and JEM insist on direct political talks with the government, the aim of which would be to reach a comprehensive political settlement of the conflict in Darfur. The rebels' rejection of Chad as mediator and Njamena as venue for such talks is clearly justified in light of the Chadian manipulation of the 2003 Abeche process and subsequent negotiations for the 8 April ceasefire agreement and the 25 April 'political agreement'.

The rebels are in agreement that only after reaching a directly negotiated political settlement with the government would they accept to attend an all inclusive conference of Darfurians to seek broader consensus around it. They have repeatedly rejected an inclusive conference on Darfur that the government is preparing and charged it was meant to deceive Darfurians and the international community. The government is arguing that the rebels have endorsed and agreed to participate in its all-inclusive "Conference on Peace and Development in Darfur", which it holds as the one and the same as the one provided for under the 25 April agreement. It is forging ahead with the preparation for convening the forum later this May, the preparatory committee for which is 130 strong and anticipated delegates presently stand at 1,700. Sudanese opposition parties are boycotting the process, challenging its legitimacy. With the rebels also characterising the conference as 'staged', the event is likely to be a futile public relations exercise were it to take place. The government would ultimately have little manoeuvring room to continue ignoring the rebels' demand of directly negotiated political talks.

Having secured the conclusion of a deeply flawed humanitarian ceasefire agreement, although not yet its implementation, the international community is currently at a loss as to its role in the next phases of Darfur's peace process. The U.S. must provide vision and leadership commensurate with the challenge. Equally important is that the U.S. and the EU coordinate their efforts in the future over the Darfur issue. The degree of division amongst the international observers exhibited at the Chadian talks can not be repeated if any progress is to be made towards ending the crisis in Darfur.

## 2. *The current situation*

Security, civilian protection, and humanitarian aid for the tens of thousands of internally displaced Darfurians and those forced to flee to Chad remain the most overriding concerns. Before and after the 8 April ceasefire, the Janjaweed continued to attack and harass the IDPs and refugees even into large camps and towns to

which they have fled. A typical situation prevails in the town of Kutum, headquarters of the province of the same name in North Darfur State. The original population of 20,000 is hosting about 140,000 villagers displaced in the course of the year from the surrounding areas after their villages were burned to the ground, their livestock was stolen and all their modest social and economic assets—including clinics, schools, irrigation pumps, grinding mills, etc.—were destroyed by the Janjaweed and government forces that back them up. Nearly a thousand villagers were killed in this area alone in the 15-month strife.

With the international spot increasingly shining on the conduct of the Sudanese government against its own citizens in Darfur, the government is now proclaiming its keenness to return the IDPs to their areas of origin before the approaching rainy season. However, it has failed to produce a convincing strategy to encourage the voluntary return of the IDPs and guarantee their security against further Janjaweed attacks. In the case of Kutum cited above, one of the largest Janjaweed camps in North Darfur State is located not far from the town. The militiamen there continue to receive government support. They have grown extremely wealthy from the war booty the government has allowed them to accumulate with impunity, including the livestock and other valuables of their victims. IDPs who tried to return to their home areas to escape the appalling conditions they are experiencing in Kutum have been subjected to systematic harassment and attacks by the Janjaweed and are now reluctant to return to their villages.

It is a measure of the Khartoum government's cynicism and its contempt of international humanitarian standards that similar plans for the relocation of IDPs from Geneina, the capital of West Darfur State, to their home villages might include the integration of the Janjaweed militiamen in government security forces and their use to escort the IDPs to their villages. Attacks by the government and allied militia against the communities that ended up in camps for the war displaced appeared intent on permanently uprooting them from their home areas. If the government is willing to reverse that course of action, it should immediately and demonstrably provide for the protection of its citizens, first and foremost by disarming the Janjaweed militiamen and holding them accountable for their abuse of civilians that continue to be committed under its eyes and those of the international community. The government plan for "neutralizing" the Janjaweed is to formally incorporate them into the official military and police structures. Yet this ignores the problems of accountability for the atrocities already committed, and the government's responsibility for arming and encouraging the Janjaweed in the first place. Rewarding them with jobs in service of the state cannot be considered an effective tool for neutralizing the Janjaweed.

ICG has in late March recommended to the government of Sudan to negotiate the establishment of a Neutral Resettlement and Claims Commission composed of representatives of the government, the Darfur rebels and civil society representatives known for their integrity, chaired by a UN representative. The Commission should be charged with a mandate to: (a) record criminal complaints against groups or individuals for injuries, wrongful deaths, and material losses such as stolen livestock, household effects, and commercial goods; (b) create mechanisms for restitution, compensation, and investigation of charges by victims; and (c) collaborate with investigations by responsible third parties such as the Civilian Protection Monitoring Team (CPMT) into violations of international humanitarian law. The US and the international community would fail the displaced if the government of Sudan is held to a lesser standard.

A new crisis is now emerging over the delivery of humanitarian relief in Darfur, following the signing of the ceasefire. In the past two weeks, the SLA has issued several statements to the effect that they will refuse any humanitarian relief to areas under their control that originates in government areas—where most of the UN and international NGOs have their operations. They conveyed their determination to deny the government the opportunity of using humanitarian relief for its benefit, specifically: to bring troops and ammunition into SLA areas; to bring spies and propaganda into SLA areas; to manipulate the situation on the ground to discredit the SLA and have the civilian population reliant on the government. However, if the SLA enforces a ban on humanitarian relief deliveries to their areas from government areas, the government would convincingly argue that the rebels are obstructing humanitarian relief. The government has already accused the SLA of attacking a humanitarian convoy in late April, killing the Zaghawa king Abdel-Rahman Mohamadain who was leading the convoy. The SLA have since stated that the Janjaweed are responsible for the killing of the king, and have alleged that the "humanitarian" convoy was accompanied by government security forces—thus making it a legitimate military target. This issue could very easily emerge as the next obstacle towards gaining humanitarian access to Darfur. In order to resolve it quick-

ly, the government must agree up front to remove any military accompaniment from humanitarian convoys entering into rebel held areas, and the rebels must agree to allow humanitarian assistance from government areas, on the condition that it is not accompanied by government security forces.

### 3. *Finding a political solution to the Darfur crisis*

Creating a working Cease-fire Commission and implementing the cease-fire on the ground, beginning with the disarming of the Janjaweed, remain the immediate priorities for the U.S. government in Darfur. These are also necessary prerequisites for the commencement of the following step on political negotiations that must take place between the government, JEM and the SLA. A negotiated political solution between the government and the Darfur rebels is, ultimately, the only option for restoring peace and stability to Darfur. This is also the best way to deal with the devastating humanitarian situation in Darfur and the massive displacement in a manner that can be sustained.

The political agendas of the two rebel movements are still poorly understood, and are still evolving. Broadly speaking, their demands and complaints against the government are not dissimilar from those of the SPLA. Both the JEM and SLA are fighting against government marginalisation, under-development, and the history of a lack of responsible government in the region. The two rebel movements worked closely together during the humanitarian negotiations to coordinate their positions, and will try to do the same in the political negotiations. The general demands are the same:

- 1) Greater autonomy for Darfur as a region.
- 2) Re-constituting Darfur as a single region or state, and unrolling the various administrative changes and additions that the government set up in 1994 to favour their political allies and weaken the traditional power structures. This amounts to deconstructing the current administrative system the government has put in place to manipulate local politics—such as the favouring of Arab tribes through the creation of new administrative boundaries—in order to try to restore the traditional balance of power that existed among the tribes in Darfur.
- 3) Democratic elections, with democratically elected governors.
- 4) Greater representation for Darfur in the central government, in a manner representative of Darfur's size and population relative to the rest of the country.
- 5) Greater development investment and larger share of national resources for Darfur.

On religion and state, the SLA is a secular movement that has the goal of removing Sharia, while JEM has not taken a position—opting instead to support whatever legal system is chosen democratically by the Sudanese people.

In short, the political solutions to the problems of Darfur are negotiable—under the right circumstances—and can fit relatively smoothly within the structures of government currently being negotiated between the government and the SPLA in the IGAD process. In particular, the models of state autonomy that are being negotiated in Naivasha for the northern states of Nuba Mountains and Southern Blue Nile are models that could provide the basis—with modification—for a resolution in Darfur. The models provide for strong state autonomy and greatly increased state control over decisions effecting local administrations, including in policy areas such as education and legal systems to help protect the state against the application of Sharia at the national level. This model, which has not yet been formally agreed to in Naivasha, could provide a template to begin discussions on a political settlement for Darfur, subject to the necessary adaptations to make it relevant to the Darfur context. These solutions can only last in the context of broader changes to the political system for the country as a whole—such as democratization and decentralization throughout the country. It is hoped that the IGAD peace process can bring these changes to the center.

Use of this model for Darfur can not be interpreted to mean that the political negotiations on Darfur be conditional on an agreement being signed in Naivasha. This wait and see tactic has led to international inaction in Darfur for most of the past year, and plays directly into the delaying tactics of the government. To with, there are credible allegations of government operations in Darfur to tidy things up ahead of international monitoring—such as the emptying of mass graves and hiding of bodies.

Once the Darfur ceasefire is implemented, and the situation on the ground can be said to be improving, a number of critical steps must be taken by the US government to give the political negotiations a chance of success. First and foremost, the venue of the Darfur talks must be shifted from Chad—which has proven itself once again to be an impartial and biased mediator in favour of the government—to a more neutral venue, such as Nairobi or the African Union headquarters in Addis

Ababa. Unlike Chad, the AU is a more neutral and capable mediator, provides a direct link to the IGAD countries already involved in the government/SPLA negotiations, and with the strong support of the international community—as in the case of IGAD—AU led mediation could succeed in bringing a political settlement to the war in Darfur.

Secondly, the Darfur political negotiations must go ahead regardless of the outcome of the IGAD talks—be it a comprehensive agreement being signed, or a further string of delays and disappointment from Naivasha. The international community must have a clearer picture of what can be achieved from these talks, such as that laid out above, and must play a more constructive and direct role than in the humanitarian negotiations in Chad in early April, where the Chadian President was largely able to push through his own biased agenda despite the international presence.

Mr. FLAKE. Thank you, Mr. Prendergast.  
Mr. Laprade.

**STATEMENT OF BOB LAPRADE, DIRECTOR, CHILDREN IN EMERGENCIES AND CRISIS UNIT, SAVE THE CHILDREN**

Mr. LAPRADE. Thank you for allowing Save the Children to testify today, and thanks to the Committee Members also for taking on this very important topic.

Save the Children began working in Sudan in 1984 on both sides of the north/south conflict, and we began operations in Darfur within the last few months.

I was just in Darfur, heading up an assessment mission for our organization, as well as getting our office set up there.

In short, I would like to highlight a few things about the humanitarian crisis. The scale and depth of the crisis are immense. That there are almost one million people displaced has already been discussed.

But there are widespread protection concerns for civilians. That large scale humanitarian assistance is needed and there is a necessity for sustained humanitarian access has been mentioned by many people.

The deterioration of the humanitarian situation in Darfur is sure to continue over the coming months. Most of the displaced are currently surviving through support of local communities. However, food stocks are depleting fast.

Despite the recent humanitarian cease-fire, in internally displaced camps people are scared and abuses by Janjaweed militia continue. Basically they are kept captive in the camps and are afraid to leave. Because people cannot move freely, they are severely restricted in accessing health facilities, water and other basic necessities.

Our assessment show women are traveling an average of two kilometers away for water to rivers. This is often when they are attacked.

Some people at risk to their lives have snuck back to their villages to get food stocks that they may have buried in the ground.

Although the situation in the camps is grim, people are still unwilling to return to their communities. They witness their houses and fields being burned and in many cases family members and friends being killed. I talked to many people who experienced this.

This exacerbates the crisis because people are not able to return to their fields to plant for the harvest. Therefore, an extremely low crop yield is expected at the end of 2004, which has been men-

tioned by Mr. Winter, resulting in increasing dependence on food assistance for displaced and non-displaced populations. Upwards of one million people will need food assistance for 18 months.

The onset of the rainy season, starting in June, will aggravate the precarious humanitarian situation and will render assistance more difficult.

It is critical, therefore, that a highly targeted, well-coordinated and strategic emergency response is developed and mounted over the next 6 weeks, before the rains start.

Our assessments conducted in Chad indicate a similar scenario there. The humanitarian needs are vast. For example, in west Darfur 360,000 still lack shelter. Global malnutrition rates across west Darfur, where I was, were 18 percent, and 3.3 percent were considered severely malnourished. In some areas I traveled to, the malnutrition rate was at an alarming 31 percent.

While the humanitarian cease-fire has reduced hostilities between the warring parties, there has been no corresponding improvement in the security of civilians.

Internally displaced people are under mounting pressure from authorities to return home. While we agree that people who have been displaced must be supported to return to their homes and their land, this can only occur once meaningful security is restored, especially in rural areas from where people have only recently fled.

Should IDP's choose to return, sufficient security must be in place so that people feel safe. The men, women and children and I spoke to, just a month ago, were clear that they could not comprehend going back to their villages, and by all reports that still remains the case. People laughed at me when I asked them why they just didn't go back to their village.

To give you just briefly an example of a girl that I talked to, she was 9 years old, of a family of nine. Their village was bombed in the middle of the night; she ran away with her family to Genena with only a donkey, that was stolen in the middle of the night.

She arrived there. Her family stayed in the school. They were uprooted from the school, put into a camp. They are living in a house with only three straw mat walls, no roof over their head, and only one little cooking pot with some food in it that they had begged from a neighbor that day.

The girl was in fourth grade. She hadn't been to school for 4 months and her aspirations were to be a teacher. I wonder if she will ever achieve them.

Anyway, this is just a situation that is very common and is indicative of how hundreds of thousands of children are living right now in Darfur.

Permission to travel within Darfur remains unpredictable. Although access to some areas has improved, humanitarian agencies are subject to continual screening and delays by the government of Sudan for visas and travel permits.

I was there for a total of 3 weeks in Sudan, and I was only really able to spend 4 days in Darfur, and most of that was waiting in Khartoum for permits. We also have similar problems for our Sudanese staff to get out of the capitol to go to other places.

People suffer because of this. Humanitarian agencies are not able to get in there on time at all. If I may just briefly—a couple of recommendations that we have.

We would request the U.S. Government to ensure that sufficient and timely resources are available to address the humanitarian and protection crisis.

That we continue to highlight civilian protection as the main priority in Darfur. That the USG continue to incorporate protection concerns within grants to NGO's and U.N. partners, because protection is such a big problem, and also continue to highlight the accessibility problem, and finally to encourage the government of Sudan to honor its responsibilities to its citizens by responding to humanitarian issues with its own resources.

Thank you very much.

[The prepared statement of Mr. Laprade follows:]

PREPARED STATEMENT OF BOB LAPRADE, DIRECTOR, CHILDREN IN EMERGENCIES AND  
CRISIS UNIT, SAVE THE CHILDREN

Mr. Chairman, thank you for providing Save the Children the opportunity to testify before your committee and for your leadership in bringing us together to discuss the plight of the peoples in Darfur.

Save the Children has been working in Sudan since 1984. Save the Children's current programs in Sudan include the provision of humanitarian response and capacity enhancement for disaster affected populations. Save the Children is addressing the needs of internally displaced persons, returnees, war affected and other vulnerable and marginalized groups mainly being children and women, through the provision of basic services such as health, education, water and economic opportunities, resulting in food security, self-sufficiency and independence. In responding to the humanitarian crisis in Darfur, Save the Children already has distributed plastic sheeting for shelter, jerry cans for retrieving and storing water and thousands of blankets. This week, the organization plans to distribute food to more than 100,000 internally displaced people, and is working to expand its current efforts. I recently returned from an assessment visit to our programs in West Darfur and hope to be able to inform the Committee of the realities that we face on the ground in Darfur.

In short, I would like to highlight that the scale and depth of the crisis are immense; the widespread protection concerns, that large scale humanitarian assistance is needed and the necessity for sustained humanitarian access.

SCALE AND DEPTH OF THE CRISIS

Over the last months, as you are well aware, there have been systematic attacks on villages and civilians in North, West and South Darfur that have caused the displacement of an estimated one million people. Approximately 700,000 people have fled to urban and town centers in Darfur, many are in very remote and isolated rural camps/settlements, cut off from any external resources except from those of relief agencies. A further 135,000 refugees are in Chad and new Darfuri displaced arrivals have been reported in other areas of Sudan, including over 3,000 in Khartoum. Thousands have died. United Nations estimates put the number at around 10,000 conflict related deaths, and many more have been injured as a direct consequence of the conflict. In all, more than half of Darfur's 3 million people are estimated to have been affected by the conflict through insecurity, displacement, loss of livelihoods and decreased access to humanitarian assistance and basic services.

It is important to realize that 80–90% of those in the camps are women and children, since the men have fled to escape murder and forced recruitment into fighting forces. Many children have been separated from their parents and are now in the care of relatives.

The deterioration of the humanitarian situation in Darfur is set to continue over the coming months. Most of the displaced are currently surviving through support of local communities, however, food stocks are depleting fast. Despite the recent humanitarian ceasefire, lack of assured security means that many communities across the Darfurs will miss this year's planting season. While people remain afraid in the camps and abuses towards civilians continue, people will be unwilling to return back to their communities. This exacerbates the crisis because people are not able to return to the field to plant for the harvest. Therefore, virtually no crop yield is

expected at the end of 2004, resulting in increasing dependence on food assistance for displaced and non-displaced populations. In fact, even if people went back in the next few months the first possible adequate harvest would not be until November of 2005, therefore upwards of a million people will need food assistance for at least the next 18 months.

The onset of the rainy season from June will aggravate the precarious humanitarian situation, and will render humanitarian assistance more difficult. It is critical, therefore, that a highly targeted, well coordinated and strategic emergency response is developed and mounted in the next six weeks before the commencement of the rains.

The international humanitarian response has been severely limited by lack of consistent and sustained humanitarian access—there is no consistent system of travel permits and visas and there is still no access at all to many areas of Darfur.

Lack of protection of displaced populations has further restricted support; so displaced people now request that assistance be halted as it puts them at greater risk of looting and attack. While a comprehensive understanding of the humanitarian situation is impossible due to lack of access, our recent assessments show that humanitarian needs in all sectors, including shelter, food, health, protection, water, sanitation and education, are vast.

For example, in West Darfur, 60,000 families (around 360,000 people) still lacked shelter. Global malnutrition rates across West Darfur were 18% and 3.3% were considered severe. In some areas that I traveled to the malnutrition rate was at an alarming 31%. Tragically, the most recent reports from the field indicate that child mortality is now increasing alarmingly.

What we see on the ground is many people living out in the open with limited access to water, and fear of collecting the water due to harassment. Health systems are broken down and food shortages are acute.

Most of the displaced are currently surviving through support of host communities, but with food stocks depleting and movement restricted out of the camps due to insecurity and lack of protection, this has limited sustainability. This early exhaustion of traditional coping mechanisms is likely to result in severe exacerbation of the cyclical 'hunger gap' that affects Darfuri populations from April until the commencement of the harvest every year.

The situation of the refugee population in Chad is also precarious given the onset of the rainy season. UNCHR reports that over 50,000 Sudanese have now moved away from the border. In an assessment undertaken by Save the Children during April it was found that there were several protection risks and threats to children. We found that there was a lack of access to education and recreation opportunities, isolated incidents of children associated with fighting forces, and a limited number of separated and unaccompanied children. The most concerning aspect of the situation is that of widespread food insecurity: refugees may face shortages if logistics do not allow for pre-positioning of stocks in and around camps. The local population may also face shortages during the coming months as they have already shared their own stocks with refugees.

In summary, a widespread humanitarian disaster looms for the Darfur population unless large-scale humanitarian assistance is possible before the commencement of the rainy season in June.

#### LACK OF PROTECTION:

While the humanitarian ceasefire has reduced hostilities between the warring parties, there has been no corresponding improvement in the security of civilians. Protection of civilian populations remains the priority issue in Darfur. Lack of assured security is severely limiting civilian movement within the camps and thus, access to basic services, land, markets and to their homes.

Internally Displaced Peoples are under mounting pressure from authorities to return home. While we agree that people who have been displaced must be supported to return to their homes and their land, this can only occur *voluntarily* and once meaningful security is restored, most especially in rural areas. Until then, displaced persons must be protected in their place of refuge; they cannot be turned back or involuntarily repatriated. Should IDPs choose to return, sufficient security must be afforded for them to access and remain in their places of origin.

Over the last months we have seen that civilian populations are being targeted by *Janjaweed* militias in North, West and South Darfur as well as by government forces. There are repeated reports of militia pursuing refugees into Chad, attacking them in the border areas. The *Janjaweed*, attack in large numbers on horseback, camels and jeeps and drive people away from their land. The *Janjaweed* are responsible for burning crops and villages. In north Darfur alone it is estimated that 20%

of villages have been burned and looted (WFP Sept 2003). Besides these atrocities, the *Janjaweed* are also accused of rape, executions, abduction of children and other atrocities. In short the *Janjaweed* commit war crimes with impunity. The UN estimates that 98% of civilian killings reported to the UN in February 2004 were attributed to *Janjaweed* and associated forces. The situation is out of control.

Due to the lack of protection people are unwillingly to go back to their villages. The men, women and children I spoke to just a month ago were clear that they could not comprehend going back to their villages—and by all reports that still remains the case.

In relation to the lack of protection for children INGOs on the ground have witnessed that boys, in the age group 14 years and above, are very few in numbers within the internally displaced population—the fear being that they may have joined the rebel forces or that they have been targeted by the *Janjaweed*. There have been many reports of rape of young girls and women. For example, in just one camp in which we work the rate of reported rape is an alarming 15 cases per week and we suspect a great many cases go unreported. There were also numerous reports of children being attacked and looted while they are herding or gathering water.

To give you a specific example of the lack of protection that is being experienced, I spoke with a young girl, while in Sudan. Her village in the Sahara Desert was attacked and burned, and her family had to flee in the middle of the night, walking about 20 miles to Geneina, the capital of West Darfur. The family's only donkey was stolen on the trip. Her large family, which includes two sets of twins, at first lived outside a primary school compound, but a few weeks ago all nine members of the family moved to a refugee camp about 2 miles from Geneina. The young girl, her deaf father, her mother, and 6 brothers and sisters all sleep in an area about 6 feet by 10 feet. One wall is made against the ruins of a mud-brick hut and the other three walls are made of woven mats. There is no roof. As for her family, they have no plans to return to their village. The whole family is very scared about the security in their village. They are worried they will be killed if they return. They say there is nothing there now for them anyway. The young girl whose name means "place of peace," dreams of being a teacher some day. However, she has not been to school now for four months. Unfortunately, this story is representative of thousands of civilians in Darfur.

#### HUMANITARIAN ACCESS

Most areas in both rebel and government held areas across Darfur have been inaccessible for months. Government restrictions on travel and insecurity are the major constraints to access. The UN estimates that approximately 20% of war-affected populations are currently accessible by humanitarian agencies, an increase of only 5% since January 2004.

Permission to travel within Darfur remains unpredictable. Although access to some areas has improved, humanitarian agencies are subject to vetting and do not have free access. Operational effectiveness continues to be undermined by lack of efficient procedures for importation and transportation of communications and transport equipment and other supplies into Darfur.

Despite the ceasefire agreement, there is no clear system to ensure consistent and sustained humanitarian access. The bureaucratic procedures involved in obtaining visas, travel permits and equipment delivery delay, and therefore decrease, the humanitarian response.

#### RECOMMENDATIONS

##### *Humanitarian Needs*

Given protection crisis and the onset of the rainy season, request the USG to ensure sufficient and timely resources are made available to meet the humanitarian and protection needs of all war-affected populations, particularly women and children in Darfur and other states in Sudan, and in Chad.

Encourage the Government of Sudan to honor its responsibility to its citizens by visibly and tangibly responding to humanitarian issues with its own resources.

##### *Protection*

Request that the USG continues to highlight civilian protection, specifically women and children, as the main priority in Darfur and to increase advocacy efforts at all levels calling for an immediate restoration of meaningful security to the internally displaced in the camps in Darfur.

Request that the USG incorporate protection concerns within grants to NGOs and UN partners.

Request the USG in partnership with the United Nations call for the immediate establishment of an impartial civilian protection mechanism to facilitate independent monitoring, evaluating and reporting attacks against civilians. This operation should have a broad mandate including the ability to determine which incidents should be investigated and to issue reports and recommendations publicly. It should have unhindered access to all areas in Darfur.

*Access*

Request that the USG continue to highlight concerns over access, and to call for a system for access to be agreed with the GOS. This system should provide sustained, consistent, impartial and rapid access for all humanitarian actors to all areas in Darfur, with simplified procedures for staff movements, importation and transportation of humanitarian equipment and supplies.

Mr. FLAKE. Thank you, Mr. Laprade.  
Mr. Ismail.

**STATEMENT OF OMER GAMARELDIN ISMAIL, PROGRAM  
DIRECTOR, DARFUR PEACE AND DEVELOPMENT**

Mr. ISMAIL. Thank you, Mr. Chairman.

I will then abbreviate the testimony. To tell the story of the catastrophe, therefore, is to go back in time to see what happened in Rwanda 10 years ago.

The writing was on the wall, yet the world stood by and the killing and the murder of Tutsis by Hutus drug on for 100 days.

Today in Darfur the killing of innocent civilians, the burning of villages, the raping of women and the destruction of the social fabric of the Darfurians is common practice by the government troops and its allied militia, known as the Janjaweed.

Over 30,000 people have lost their lives, a million others forcibly displaced, living in miserable conditions in the valleys and the harsh semi-desert place, where at night the mothers crawl in the sand so the children can sleep in the comfort of the heat absorbed during the day.

Those who remain behind live in camps at the mercy of government soldiers and the militiamen. Every night they raid the camps, take women at gunpoint to keep them as sex slaves. They get raped repeatedly and then branded on the foreheads or hands to be labeled for life.

The intransigence of the government of Sudan that caused this mass depopulation led the international community to believe that hundreds of thousands more are going to die of starvation and related diseases.

The destruction of farm land and the looting of livestock are all indications that the worst is yet to come. With the rainy season just beyond the horizon, very soon the roads will be inaccessible and reaching these destitute people will be a daunting task.

Cognizant of the pursuit of justice by the international community, the government of Sudan is frantically trying to cover up its heinous crimes.

Among other things, it has resulted to delaying the admittance of humanitarian and human rights staff into the country. It has started absorbing the Janjaweed into the regular army to move them away from the area under the guise of redeployment, as well as removing bodies from mass graves to rebury them away from identified sites.

The moral responsibility of the international community is called into question again in Darfur. The arrogance and manipulation of the government of Sudan cannot continue unheeded.

Hence, I call upon the international community under the leadership of the United States with the following recommendations.

One, to work to pass a resolution in the Security Council rebuking the government of Sudan in the strongest terms, with the threat of military intervention, if complete humanitarian access is not granted to all Darfur.

Two, a no-fly zone over greater Darfur should be imposed.

Three, a delegation from the U.S. Congress should visit Khartoum and tell the government of Sudan in unambiguous language that it will face dire consequences if unfettered access was not granted to humanitarian aid to Darfur, as well as demanding that the government of Sudan stop its reign of terror and disband and dismantle the Janjaweed militia.

Four, encourage President Bush and the leaders of the European troika involved in the north/south peace talks to speak of the importance of a peaceful settlement in Darfur as an integral part to the overall peace in Sudan.

Five, the international community should move the northwest peace talks from Chad, which has demonstrated its inability to remain impartial and an honest broker of peace. The rebels have lost faith in Chad after they were intimidated and by the virtue of the fact that Chad knowingly allowed unauthorized individuals that do not represent the rebels to sign an agreement on political issues of Khartoum.

The European community or the United States should be the host to any coming negotiations, especially after what has happened in Geneva and the shameless position of the African countries.

The conflict in Darfur, if not addressed properly, will not only undermine whatever peace may be desired for the Sudan, but will significantly contribute to the instability of the whole subregion.

With the lessons of Rwanda still fresh in our memories, we owe it to coming generations to prevent genocide from taking place.

Thank you.

[The prepared statement of Mr. Ismail follows:]

PREPARED STATEMENT OF OMER GAMARELDIN ISMAIL, PROGRAM DIRECTOR, DARFUR  
PEACE AND DEVELOPMENT

In the wake of the tenth anniversary of the genocide in Rwanda, the world that had said "never again" several times in the past, has come face to face with another human catastrophe. The present crisis in Darfur, far Western Sudan, is of different character, yet has too much the same blue print. Even though this catastrophe was in making for quite sometime, underreporting and neglect compounded to increase its effect several folds. President Bush, as well as Mr. Kofi Annan—the Secretary General of the United Nations have condemned the actions of the Government of Sudan (GOS) in the strongest terms. Yet words are hardly enough to curb the cruel determination of the regime in Khartoum.

THE CURRENT HUMANITARIAN AND THE HUMAN RIGHTS SITUATION IN DARFUR :

Many experts, diplomats, journalists and politicians are describing the humanitarian situation in Darfur with words like catastrophe, calamity, the greatest humanitarian crisis in the world today, 10,000 to 30,000 are already dead; one million people have been displaced, of which 110,000 have crossed the border to live as refugees in neighboring Chad. Their livelihood has been destroyed and their terrible

destitution is evident. Roger Winter of the USAID has estimated that 100,000 more will perish before we can catch up with the situation. With this number forcibly displaced, the crisis only deepens. The rainy season will come and go with no chance for the farmers to tend the land. The little stock of grain they saved for the dry season had either been looted or burned. Livestock has been looted, killed or left unattended to perish. Mr. Gerard Galucci, the Charge D'Affaires of the U.S. Embassy in Khartoum, spoke recently of a looming famine, a sentiment echoed by experts in the UN, USAID and several international NGO's working in Darfur.

James Morris, the Executive Director of the UN World Food Program who led a team into Darfur said: "Displaced families are living in difficult and unacceptable conditions and they continue to fear for their lives." After the three-day visit, the UN called on the Government of Sudan to accelerate its efforts to address controlled armed militias, provide security and protection for displaced people, and facilitate humanitarian access. A fragile ceasefire agreement was signed in Chad between the GOS and the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM), the main rebel groups in Darfur, on April 8th. The agreement has been breached several times by the GOS according to numerous reports from Darfur. The town of Anka was bombed just two days after the agreement was signed, and the Janjaweed have continued their attacks on civilians inside Darfur and across the border in Chad. With the rainy season beginning, it is now clearly too late for this planting season to take place, and as a result there will be no harvest next Fall. With the snail-pace reaction of the humanitarian community, and the lack of access to hundreds of thousands of displaced people, the "looming famine" will be fully realized beginning within weeks.

The human rights violations registered in Darfur are unprecedented. The marauding Janjaweed militia, aided by the army, has gone on a rampage of killings, pillaging livestock, burning villages and gang-raping women. Many hundreds of villages have been destroyed and their inhabitants displaced. Women were branded on the forehead or hands after they were raped, to live with the shame and become stigmatized for life. Nichols Kristof, of the New York Times, wrote of parents who agonized over having to make the choice between having their children shot to death or tossed into a burning house. A simple activity of going to the well to bring water has become an ordeal that can end an innocent life.

Professor Eric Reeves, of Smith College, wrote, "It cannot be stressed too often that the only aerial military assets in the Darfur conflict belong to Khartoum, and that Antonov bombers are actually retrofitted cargo planes, with a highly limited accuracy that makes them primarily weapons for attacks on civilian targets." That is how the GOS and its allied militia launched their reign of terror against the people of Darfur.

The displaced who manage to flee face an uncertain future. Some of them live in the valleys or in the harsh land of the semi-desert of Darfur. Others were rounded up to live in camps controlled by the government regular troops and the Janjaweed. Some survivors told of horror stories in these camps. They reported that every night the soldiers raid the camps and take women at gun-point to keep as sex slaves for several days before returning them to take others. If the relatives of these women try to stop them, they are shot dead for all to see, to intimidate the others. Brutalities of this kind have led the displaced to roam the plains of Darfur trying to go as far as their weakened bodies could take them...and out of the reach of their brutal attackers. Some reports from Darfur speak about displaced with no clothes or cover of any kind. In the unbearable heat of the day, and the cold nights of the desert, the children and the elderly are the most vulnerable. To shelter the children at night, the mothers dig two feet-deep holes in the sand, so the children can sleep in the "comfort" of the heat absorbed during the day.

The scorch-earth policy of the Government that has led to the demise of two million people in south Sudan, and hundreds of thousands in the Nuba Mountains continues in Darfur. The government of Sudan—which has perfected the art of stalling and deceit—has also taken several measures to conceal the evidence of ethnic cleansing, and human rights violations in the area by:

- [1] Delaying issuing visas to the human rights as well as the humanitarian staff of the U.N. and other NGO's in order to "clean-up" before their arrival.
- [2] Even when visas are issued, the delegations will be delayed in Khartoum for weeks because of "lack of security" in the areas they intend to visit, or will be denied those permits to travel and work in Sudan.
- [3] The Government has started to absorb its savage militia allies—"the Janjaweed"—into the regular army and is in the process of removing them from Darfur under the guise of redeployment.

- [4] The Government of Sudan issued death certificates to the known leaders of the Janjaweed and removed them from the area to avoid future trials or becoming witnesses to implicate the Government.
- [5] The Government is using military marked trucks to remove corpses from mass graves and rebury them away from the identified sites.

Large sums of money were also paid to some local leaders to deny the atrocities, and with the help of security forces, intimidate possible witnesses.

#### THE US GOVERNMENT RESPONSE, NORTH-SOUTH V. NORTH-WEST

The involvement of the US government in Sudan is vital to the peace and stability of the country. The Machackos protocol that was signed in July of 2002 between the GOS and the Sudan People's Liberation Movement/Army ( SPLM/A) has paved the road to a comprehensive settlement to the North-South issue. With the negotiations in Naivasha inching towards fruition, the US government is wary of undermining that process by pushing too hard on the GOS. Hence, its official response to the crisis in Darfur has been that of hesitation to commit to more than strong words for the regime in Khartoum, denouncing the atrocities of the GOS and its Janjaweed allies.

The conflict in Darfur emphasizes the political failure of the successive governments in Sudan to address the issues of power-sharing and equal distribution of wealth. It is a political problem and demands a political solution. The US government—in the words of Mr. Gerard Galucci—seems to consider the problem to be merely humanitarian in nature and capable of being solved solely in these terms. But the humanitarian catastrophe, and the massive human rights abuses that have produced the catastrophe, are symptoms of the much larger political problem. This stage of conflict in Darfur must be seen as an episode in a long and recurring conflict that goes back to time immemorial. The difference this time, however, is that the Khartoum government has intervened on the side of the Arabs against the Africans in the region. It fits all too well into the overall GOS scheme of Arabization and Islamization of the entire country. The manifestation of this policy was evident in declaring Jihad (religious war) against the South. The Nuba Mountains was the next site for the ethnic cleansing and forced depopulation, and Darfur is the culmination of the previous efforts.

I certainly applaud the efforts of the US government in the North/South conflict, and support the peace talks and hope it will reach a signed agreement soon. But the reality on the ground calls for cautious optimism because of the disturbing track record of the GOS. This cautious optimism stems from the following:

The government of Sudan has a history of renegeing on its commitments and signed agreements. A case in point is the so called Khartoum Peace Agreement that was signed in 1998 between the GOS and the renegade factions opposed to the SPLA. For the government, signing that agreement was nothing more than a tactic to weaken the SPLA and push a wedge between the ethnic groups in the south. The government not only signed the agreement, but went as far as including it in the constitution of the country through an amendment, only to come later and walk away from it.

The GOS has no real interest in a quick, peaceful settlement to the conflict in the south. That explains why it drags its feet in the negotiations. The prolonging of the process will keep it in control, will allow it to extract more oil for more revenues with which to purchase more military hardware, and with the cessation of hostilities with the SPLA, it can deploy more troops and weapons to crush Darfur.

As weak and divided as it is today, the Northern opposition will play a pivotal role in the stability of the country. The issue of democratization and the participation of the political powers in a representative government will be critical. This will be especially true, and of great concern, if these parties feel left out of the negotiations that determine the future of the country. The level of the representation of these parties in the interim period will serve as an indicator of the future of the political process in the country.

The unity of the country is a key issue, as it is desired by most powers in the country, most notably the SPLA and its allies in the National Democratic Alliance (NDA). However, it will be difficult, even with the goodwill of all parties to undo the injustices of the past in mere six years. With that in mind, the GOS ...which is not interested in real unity is not exerting any effort to make unity truly attractive to Southerners. The issue of Sharia in the National Capital is evidence of this lack of desire. Many in the National Islamic Front (NIF) have long maintained that the only obstacle in establishing an Islamic State in Sudan is the south. They believe as a consequence that it will be better for the South to be separate and thus make it easier for the Islamist agenda to be followed in the North of Sudan.

## THE ROLE OF THE US AND THE INTERNATIONAL COMMUNITY

In the face of Khartoum's relentless bad faith and these deplorable actions, the international community, led by the U.S., should do the following:

- Work to pass a resolution in the Security Council rebuking the Government of Sudan in the strongest terms, with the threat of military intervention if complete humanitarian access is not granted to all of Darfur.
- A no fly zone over Greater Darfur should be imposed.
- A delegation from the U.S. Congress should visit Khartoum and tell the Government of Sudan in unambiguous language that it will face dire consequences if unfettered access was not granted to humanitarian aid to Darfur, as well as demanding that the GOS stop its reign of terror and disband and dismantle the Janjaweed militia.
- Encourage President Bush and the leaders of the European troika involved in the North-South peace talks to speak of the importance of a peaceful settlement in Darfur as an integral part to the overall peace in Sudan.
- The international community should move the North-West peace talks from Chad, which has demonstrated its inability to remain impartial and an honest broker of peace. The rebels have lost faith in Chad after they were intimidated and by the virtue of the fact that Chad knowingly allowed unauthorized individuals that do not represent the rebels to sign an agreement on political issue with Khartoum. The European countries or the US should be the host to any coming negotiations especially after what has happened in Geneva and the shameless position of the African countries.

## IN CONCLUSION:

While the North-South negotiations should continue, the leverage of the US government over the GOS should be used to send a clear message that the GOS must expedite the peace process by negotiating in good faith and stop its stalling tactics. On the North-West front, the international community should stand firm and demand of the GOS unfettered access for humanitarian aid and access for as many teams as are required, and to work for as long as necessary to unearth the crimes against humanity and demand that the perpetrators stand trial for their heinous crimes.

The conflict in Darfur, if not addressed properly will not only undermine whatever peace may be desired for Sudan, but will significantly contribute to the instability of the whole sub-region. With the lessons of Rwanda still fresh in our memories, we owe it to coming generations to prevent another genocide from taking place.

Mr. FLAKE. Thank you, Mr. Ismail.

If I could start, Mr. Ismail, you mentioned that we ought to go to the Security Council and get a resolution condemning the government or urging action. How much of an impact do you think that will have? They seem to have flouted everything so far.

Mr. ISMAIL. I believe the government of Sudan, through the years, has demonstrated that the most thing they fear is the intervention of the international community.

If the international community is going to rebuke the government of Sudan and demand that unfettered access will be allowed for the international community to go in and to help these destitute people, I think the government of Sudan will listen, especially if it happened under the threat of military intervention, as the Secretary-General of the United Nations alluded to before in his statement when this crisis began to be understood.

Mr. FLAKE. Mr. Laprade, Mr. Prendergast do you agree with Mr. Ismail's view on the government of Chad and whether or not they can be an honest broker in any peace deals?

Mr. LAPRADE. I think I would defer to my colleague here.

Mr. PRENDERGAST. Yes. Chad has been a major problem in these negotiations up until now. It needs to be replaced. I think there

really has to be a very concerted effort by the Americans and the Europeans to move the talks either to Kenya or to Ethiopia.

Ethiopia makes sense—the seat of the African Union. The African Union has now taken the lead in the cease-fire implementation. I think we have to get it out of Chad. It is highly biased mediation. Very, very unprofessional and it compromises the ability to get a peace deal in Darfur.

Mr. FLAKE. Mr. Prendergast, you mentioned capital market sanctions and the need to move forward. Is there a concern that the companies that might pull out because of capital market sanctions might be replaced by companies that don't necessarily trade on our stock markets, but perhaps Chinese companies or others that may not have the same respect for human rights that we do?

Mr. PRENDERGAST. It is not a pure positive. This was of course a very, very widely and bitterly debated issue last year in the Congress, and I know that you guys worked very hard on that question.

However, I think there needs to be a bar established at some point, and genocide and ethnic cleansing ought to be that bar which would establish it to be absolutely inappropriate and unacceptable for a country to list on the New York Stock Exchange.

The key target at this point would, in fact, be the Chinese National Petroleum Corporation, which does list on the NYSE, as does Total, which holds the biggest unrealized concessions to date.

That is the mother load of the Sudanese oil deposits. They are further south. Part of the reason which is motivating the Sudan government to negotiate this deal is that they want to get to that oil further south. I think that would put a chilling effect on the potential for exploiting oil as long as the government has continued to undertake the kind of actions that you have all described today and we have heard from Roger and Charlie earlier.

Mr. FLAKE. Thank you. I will now turn it over to my colleague, Mr. Payne.

Mr. PAYNE. Thank you very much. I think that there are other ways to get at Chinese business. I think there is a most favored nation treaty status, which sounded too good, so they changed the name to Normal Trade Relations, but that still stands.

As you know, there are a lot of people looking at those trade agreements, the NAFTA, the various trade agreements that have gone on. If indeed the Chinese Petroleum Company, even though it is on the Stock Exchange, and any other companies in China that would say want to then step in, if this particular one wanted to not get caught up in it, we could always look at the trade that's being done from the People's Republic of China.

We have a trade deficit that is just very unusual, and I think sometimes we need to use other tools in our negotiations. Perhaps in some of the trade agreements that the Congress yields to other countries, we could start taking a look at how we could get a message through. I am sure that the trade that the PRC does with the USA is something that they don't want tampered with.

I know that at Save the Children, you have heard about the possibility of measles and other kinds of diseases. Cholera I guess. Let me just ask a question here.

What have you planned to offset some of this and, secondly, if you might reiterate, what are the security concerns for the Save the Children?

Mr. LAPRADE. First on the health issue, I think NGO's are basically trying to resolve some of the underlying problems of crowding in the camps and dealing with issues like water and sanitation, which are some of the contributing causes to diseases, as well as getting plans in place for immunization campaigns and collaborating with the Ministry of Health, because the Ministry of Health does continue to do that kind of thing.

UNICEF is providing a lot of different kits and things like that for health and immunization campaigns and NGO's, and the U.N. agencies are just getting up and going on that. Of course, the troubling factor is that the rains are coming, and that usually does increase the disease load a lot.

On the security issue of what we face, I think we have only had access over the last couple of months to the Darfur region, and we are basically based in Geneina. We also have a branch from the UK that is based on Al Fashir. But to get outside the state capitols, we continue to have to have permits.

Security continues to be a problem. There is banditry along the roads. There have been kidnappings of Sudanese staff. There is an NGO called Medair that had several Sudanese staff kidnapped a couple of months ago. That is a big challenge.

Mines are in some areas. It is not a huge problem, but there do continue to be problems on that. In most of the areas where we work, the general war is not going on, although you know it flares up according to where the military things are happening.

Mr. PAYNE. My final question, Mr. Prendergast. You talked about a need, in your second of five points, to address Darfur's political roots, and you went on to mention some things. Could you just give us another thumbnail sketch of what you mean by that and what you would suggest again?

Mr. PRENDERGAST. Sure. We spent 15 years, as you, Congressman Payne and Congressman Tancredo know, spinning our wheels on humanitarian access issues in southern Sudan, without any real engagement on the political issues, and finally now we have a peace process. Finally we have some high level engagement.

We can't do the same thing with respect to Darfur. We have to pursue, at the same time, a comprehensive peace deal in Darfur that addresses the political roots of the crisis, just as we are trying to do the same with the humanitarian access issues. I think that there is an understanding now of what the rebels are fighting for.

There is an understanding that if we get the peace deal in Naivasha, it can form the foundation for a peace deal in Darfur. We just have to marry these objectives and push it forward.

Again, it requires leadership, and we are stretched all over the world. There it is very well understood that we are stretched in Sudan. We have taken the horse to water. We have got to get it to drink.

Mr. PAYNE. Thank you very much. I am going to be at the U.N. tonight and tomorrow as U.S. Representative of Congress to the United Nations, and we will try to set some framework up to have discussions in the next few weeks with African countries and other

members of the Security Council to see if we can move this situation to a higher level.

Thank you all for your testimony.

Mr. FLAKE. Thank you, Mr. Payne.

Mr. Tancredo.

Mr. TANCREDO. Thank you, Mr. Chairman.

John, it is good to see you. Every time I see you, I think that it is now almost 5 years back to the trip we took together, along with Mr. Payne, to the Sudan and what it has meant certainly to me personally and, also, the many times we talked during that trip about what we thought could be done and how we all wished that we could have gotten farther down the pike than we are. On the other hand, I think much has happened in a good way since that trip and since your involvement.

I just want to tell you that I certainly appreciate what you have done for this country and for Sudan. I think you are an extraordinary individual, and I really do appreciate your efforts.

Are there any of you who for the slightest moment think that you are confused about or do not believe that Khartoum is behind the Janjaweed—that it is in fact directing the efforts of the Janjaweed? Is there any confusion about this in anybody's mind? Yes or no?

Mr. ISMAIL. No. There is no doubt in my mind that the government of Khartoum planned, aided, financed and is directing the Janjaweed to commit these atrocities from the highest level in the government.

Mr. TANCREDO. Mr. Prendergast?

Mr. PRENDERGAST. Ditto. I mean at this point culpability has been established. The lines of authority are very clear and, as Mr. Delahunt has said, we have to start looking at mechanisms for accountability, and we can't just let this thing bleed on and on when there is such an atrocity. At the very time when we are crowing about the 10th anniversary of the Rwandan genocide, it would be laughable and grotesque if we did nothing in response to that.

Mr. TANCREDO. In April, Sudan hosted a conference of the International Islamic Movement. Islamic extremist groups from many countries participated in that gathering. Vice-President Osman Taha was elected Secretary General of the Sudan Islamic Movement.

Can you, specifically John, can you tell us anything about this conference? Were there groups from Iraq or Iran? Do you consider these groups to be hostile to the United States? Did representatives or supporters of Iraqi insurgents participate in this gathering?

Mr. PRENDERGAST. This was a move by Vice-President Taha to reinforce his base. The base is clearly the most radical elements within the National Islamic Front.

He has presented himself as the peacemaker in Naivasha in order to counter that image, but we have to understand where this guy is coming from. He was Turabi's right-hand man for a number of years and continues to pursue the kinds of objectives that were on the agenda at the time that this regime perpetrated its coupe and has taken power now for 14 years.

I think what holding that conference at this time reflects is a great deal of division within the Khartoum regime right now, a di-

vision that we need to be taking advantage of with more focused pressures and diplomacy.

There is a great deal of sentiment within the government now to push forward, get a peace deal in Naivasha and stop the atrocities in Darfur.

There are others who don't want to do that, because the minute they sign on the dotted line, they are going to have to give up 50 percent of the oil revenues. They are going to have to give up all kinds of authority and power to the SPLM, and then they are going to have to start negotiating with the Darfurians.

They don't want to do that. So it is an internal battle. We need to be much more cognizant of these internal divisions. This was simply the tip of the iceberg, understanding that he had to call this meeting at this time in order to reinforce his base, because it is under threat because so many people within that regime want to see the government and the country move forward and not to stay stuck in this process of continuous bouts of ethnic cleansing and attacks against its own citizenry.

Mr. TANCREDO. How about other groups there, John? Do you know of any other groups participating in that? Specifically Iran or Iraq?

Mr. PRENDERGAST. I think what the government has been very, very conscious of is not getting in the cross-hairs, after September 11, of the U.S. and the global counterterrorism efforts. They have steered clear of most of the organizations that are of great concern to us. Hamas and Hizbollah still maintain small offices in Khartoum, but they are really insignificant.

So you had representatives from Iran and you had representatives from Iraq and other places, but I don't think this constitutes the kind of smoking gun that you are looking for right now, in terms of support for terrorism activities. I do think that again the ideology that brought this government to power still remains dominant, and that remains a threat that needs to be a source of vigilance for the United States in going forward on counterterrorism.

Mr. TANCREDO. You have talked about the conflict inside the government. To what extent do you think we should be concerned about the real possibility of a coupe against Darfur, led by Taha, and what would our reaction be, if that were to occur?

Mr. PRENDERGAST. Yes. I think that it is very, very possible that the kind of agitation that is going on right now could lead to some kind of a move. I would put that at about a 25 percent chance.

Our reaction ought to be to continue to press forward with the peace deal that we are trying to grasp in Naivasha and to demand, as we have and as everyone in this Committee has, to move forward with some form of political negotiation in Darfur and to treat this regime, no matter who they put forward as the leader of the regime, as one. We shouldn't allow them to confuse us with the internal divisions and any kind of a change that would occur right now to throw back the peace process, because that very well could happen as a means to delay and obfuscate and not come to a final deal.

We just simply can't let that happen.

Mr. TANCREDO. Thank you very much.

Thank you, Mr. Chairman.

Mr. FLAKE. I thank my colleagues.

I should note that the United States Conference of Catholic Bishops has submitted a statement, which without objection will be included in the record.

I want to apologize for the inconvenient timing of Floor votes, but it is something that we have no control over.

I would ask the panel if they would be willing to submit answers to any written questions that we might have and if you could, that would be great.

With that, the Committee stands adjourned. Thank you so much.  
[Whereupon, at 12:40 p.m., the Committee meeting was adjourned.]

## A P P E N D I X

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### MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE DAN BURTON, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF INDIANA

Mr. Chairman, I join with my colleagues today to draw urgent attention to one of the worst humanitarian crises in the world today: Sudan. I want to condemn the Sudanese government's failure to stop the Janjaweed-armed Arab militias from a rampage of violence they have conducted for more than one year, primarily in the Darfur region of Western Sudan.

Sudan has been ravaged by civil war for over 4 decades. There are communities that have been devastated by war-related causes and famine, and millions have been displaced from their homes. Large populations have become totally dependant on humanitarian food aid, and I am deeply concerned by reports the National Islamic Front Government of Sudan is preventing access for relief to reach these people under duress. This and the support of armed militia scorched earth activity follows an established pattern of Sudanese government-sanctioned human rights abuse.

The killing spree we are witnessing in Darfur will not stop until the government of Sudan disbands the militias and gets the conflict under control. With one clear voice the United States, the United Nations, the European Union and Sudan's neighbors in the African Union must intervene and bring this crisis to an end.

The Janjaweed soldiers continue systematically raiding villages and terrorizing the population of Darfur. Recent attacks have occurred deep inside the Fur tribal area, and Janjaweed atrocities have included indiscriminate killings and mutilation, the burning alive of victims, and the looting and destruction of food reserves and other property. In addition, the government has conducted indiscriminate aerial bombings against villages suspected of harboring rebels and their sympathizers.

Combined with the bombing, the government-sponsored Janjaweed campaign has so far led to the killing of an estimated 30,000 unarmed civilians, and the displacement of at least 600,000 people. This is on top of the 200,000 people internally displaced by the war in the south and now living in Darfur. The United Nations High Commissioner for Refugees (UNHCR) now says more than 95,000 of those displaced by the Darfur conflict have fled across the border into Chad.

While people are dying and suffering, the government of Khartoum continues to hold humanitarian aid hostage. It is tragically ironic, and completely unacceptable, that the government of Sudan be welcomed this week to serve a three-year term on the United Nations Human Rights Commission.

The humanitarian catastrophe in Sudan's stricken western Darfur region will worsen unless the Sudanese Government immediately opens the area to relief workers and disarms pro-government militias in accordance with a ceasefire. Food security in Darfur is already seriously affected by the events, and with more than 800,000 persons internally displaced—the bulk of the region's farming community—this year's harvest is expected to sharply decline. There are increasing signs that Darfur could face a man-made famine if no intervention takes place.

Today, I stand with my colleagues in strong support of efforts to achieve a peace agreement and to remedy the crisis in Darfur. I have co-sponsored H. Con. Res. 403 and I am committed to working to overcome this crisis.

PREPARED STATEMENT OF THE HONORABLE EDWARD R. ROYCE, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRMAN, SUBCOMMITTEE ON  
AFRICA

The killing in western Sudan demands the world's attention. Thank you for calling this hearing, and mark-up of H. Con. Res. 403, which condemns Sudan's government for attacks against civilians in the Darfur region.

The numbers are grim. The Government's scorched earth policies have killed tens of thousands, and displaced a million people, many forced into Chad. Hundreds of villages have been burnt to the ground and irrigation systems destroyed. Government-backed militias have committed widespread rapes and other atrocities. Denied access to this region by the Government, we can only imagine the full extent of this campaign, which has the look of genocide. We'll hear today that it threatens the lives of hundreds of thousands.

The Administration deserves credit for its sustained commitment to bringing peace to Sudan. Congress has backed its effort with the Sudan Peace Act. The Committee has closely followed negotiations between Khartoum and the Sudan People's Liberation Movement.

But after several years, it's less and less likely that the negotiations will succeed. The Administration's Sudan Peace Act report of last month noted the stagnant pace of these talks. The political will just doesn't seem to be there. We also need to keep in mind that any agreement reached would face major challenges being implemented. Africa has seen many failed peace agreements. Khartoum's true colors, I'm afraid, are being shown in Darfur. At this point, I have little faith in any peace agreement it signs.

If we remain engaged in this peace process though, Darfur must not be discounted. Two weeks ago, the Africa Subcommittee held a hearing looking back on the Rwandan genocide. During the run-up to that killing of a million people, the United States and others were dulled to its warning signs because of their commitment to a domed peace process. In Rwanda, like in Sudan today, its government denied its support for militias carrying out ethnic cleansing. Khartoum should know that peace agreement or not, there will be no normal relations with the United States as long as it's committing atrocities in Darfur.

The Administration brought Darfur to the world's attention last week at the United Nations Commission on Human Rights annual session in Geneva. That its proposal to censure the Sudanese Government was widely rejected is yet more evidence that the Commission is a very troubled institution. It also makes it harder to believe that other countries have much of a commitment to peace in Sudan. Moving ahead, our assumptions on Sudan—that the international community will provide material support and be an honest broker if a peace agreement is signed—should be rethought.

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PREPARED STATEMENT OF THE HONORABLE SPENCER BACHUS, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF ALABAMA

Mr. Chairman, I appreciate you holding this hearing and allowing me to participate. As one of the architects of the Sudan Peace Act signed by President Bush in October 2002, I am completely dismayed at the continuation and the possible repeat of another civil war in Sudan. Previously, countless Christians have been killed or starved to death simply because of their ethnicity and religious beliefs. Now in Dafur in the West, an area roughly the size of France, unlike the situation in the South, this is not Christian versus Muslims. It is genocide of black Africans by the Arabic government and Jangaweed (nomadic Arab tribesman).

Today, the current humanitarian crisis in Sudan is considered one of the worst in decades. According to the World Food Program (WFP), the Sudanese, "are facing serious food and water shortages due to the combined disruptions of civil war and drought." In the West, hundreds of thousands malnourished villagers, having been burned out of their homes in a systematic campaign of terror, are starving to death.

Foreign correspondents from major newspapers have reported at least 700,000 Dafur residents are living in camps or have fled to villages to stay with families or friends. Women, girls, students, and teachers are systematically beaten and gang-raped. One villager, as quoted this week in a London newspaper, gave this simple explanation, "We got harassed on a daily basis by people in uniform." Furthermore he said, "they (Jangaweed) used to be herders, we know who they are, but the government had guns and uniforms and told them to hurt the blacks." Despite millions of dollars of humanitarian aid from the United States, the Sudanese, particularly the black Africans in Dafur, continue to suffer.

The conflict between the government of Khartoum/Jangaweed and the black Africans in Dafur must be stopped. While I am pleased with the announcement that the State Department will be sending American aid experts to inspect to humanitarian needs, what we really need to be done is for the Administration to stop this genocide and begin negotiations as soon as possible to end this long-standing humanitarian crisis.

Thank you Mr. Chairman. I look forward to hearing testimony from the witnesses today.

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PREPARED STATEMENT OF MOST REVEREND JOHN H. RICARD, SSJ, BISHOP OF PENSACOLA-TALLAHASSEE AND CHAIRMAN, COMMITTEE ON INTERNATIONAL POLICY, UNITED STATES CONFERENCE OF CATHOLIC BISHOPS

The Darfur region of Sudan is rapidly becoming the newest symbol of human depravity and ethnic cleansing. Without greater attention and action by the international community, the world risks being a passive witness to yet another humanitarian catastrophe.

Since 2003, tens of thousands have died, and more than a million have been displaced. Together with the Sudanese military, government-backed militias are attacking innocent civilians, raping women and young girls, destroying homes and fields, and preventing humanitarian aid from reaching millions of people in desperate need in what appears to be an ethnic cleansing of the region. Janjaweed militias and similar groups are reportedly attacking refugee camps and committing other atrocities in Sudan and neighboring Chad. Meanwhile, an April 8, 2004 ceasefire agreement between the Khartoum government and the two main rebel groups in Darfur, the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM), has not been observed. Human rights abuses have been committed by all parties to the conflict.

Sudanese church leaders have called for an end to attacks on civilians and the government's support for militias in the region, unconditional humanitarian access, and a commitment by all parties to an immediate cease-fire and a negotiated settlement.

We are encouraged by the efforts of the Bush administration to bring greater attention to this crisis, as demonstrated most recently by its resolution condemning ethnic cleansing at the U.N. Human Rights Commission. We pray that the United States, working with the international community, will respond effectively to the humanitarian crisis in Darfur and will continue to press the Sudanese government to end the violence and seek a negotiated solution to this conflict. We urge the international community to provide greater protection for displaced persons and refugees in the region and consider third country resettlement for the most vulnerable. In addition, the government of Chad must play a more constructive role in the promotion of a political settlement. Unless and until the conflict in Darfur is brought to an end, the peace process in southern Sudan cannot achieve its long-sought goals of peace, stability, and respect for the fundamental human rights and dignity of all Sudanese.



**CONDEMNING THE GOVERNMENT OF THE REPUBLIC OF THE SUDAN FOR ITS ATTACKS AGAINST INNOCENT CIVILIANS IN THE IMPOVERISHED DARFUR REGION OF WESTERN SUDAN**

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**THURSDAY, MAY 6, 2004**

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON INTERNATIONAL RELATIONS,  
*Washington, DC.*

The Committee met, pursuant to call, at 11:43 a.m. in Room 2172, Rayburn House Office Building, Hon. Edward R. Royce presiding.

Mr. ROYCE. The only item on the business agenda is House Concurrent Resolution 403, condemning the government of the Republic of Sudan and government-supported militia groups for gross violations of international humanitarian law committed in the Darfur region of western Sudan and, particularly, the government's indiscriminate attacks against innocent civilians.

Without objection, the resolution will be considered as read and open for amendment at any point, and the amendment in the nature of a substitute which the Members have before them will be considered as read and be considered as the original text for purposes of amendment.

The Chair now recognizes himself for a motion. The Subcommittee on Africa reports favorably the House Concurrent Resolution 403, with an amendment in the nature of a substitute, and moves its favorable recommendation to the Full House.

[H. Con. Res. 403, as adopted by the Subcommittee on Africa, follows:]

**[COMMITTEE PRINT]**

APRIL 22, 2004

**[Showing H. Con. Res. 403 As Adopted by the Subcommittee  
on Africa]**

108TH CONGRESS  
2D SESSION

**H. CON. RES. 403**

Condemning the Government of the Republic of the Sudan for its attacks  
against innocent civilians in the impoverished Darfur region of western Sudan.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 2004

Mr. WOLF submitted the following concurrent resolution; which was referred  
to the Committee on International Relations

[The amendments consist of a new preamble, a complete substitute text, and an amendment  
to the title]

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**CONCURRENT RESOLUTION**

Condemning the Government of the Republic of the Sudan  
for its attacks against innocent civilians in the impover-  
ished Darfur region of western Sudan.

Whereas since early 2003 a conflict between forces of the  
Government of the Republic of the Sudan and rebel  
forces in the impoverished Darfur region of western  
Sudan has resulted in attacks by Sudanese Govern-  
ment ground and air forces against innocent civilians  
and undefended villages in the region;

Whereas Sudanese Government forces and government supported militia groups have also engaged in the use of rape as a weapon of war, the abduction of children, the destruction of food and water sources, and the deliberate and systematic manipulation and denial of humanitarian assistance for the people of the Darfur region;

Whereas United Nations officials and nongovernmental organizations have indicated that the humanitarian situation in the Darfur region is extremely urgent, particularly in light of restrictions by the Government of Sudan on the delivery of humanitarian assistance for the people of the region;

Whereas on December 18, 2003, United Nations Undersecretary General for Humanitarian Affairs, Jan Egeland, declared that the Darfur region was probably “the world’s worst humanitarian catastrophe”;

Whereas on February 17, 2004, Amnesty International reported that the organization “continues to receive details of horrifying attacks against civilians in villages by government warplanes, soldiers and pro-government militia”;

Whereas on February 18, 2004, United Nations Special Envoy for Humanitarian Affairs in Sudan, Tom Eric Vraalsen, declared following a trip to the Darfur region that “aid workers are unable to reach the vast majority [of the displaced]”;

Whereas Doctors Without Borders, the Nobel Peace Prize-winning medical humanitarian relief organization and one of the few aid groups on the ground in

the Darfur region, reported that the region is the scene of “catastrophic mortality rates”; and

Whereas nearly 3,000,000 people affected by the conflict in the Darfur region have remained beyond the reach of aid agencies trying to provide essential humanitarian assistance and United Nations aid agencies estimate that they have been able to reach only 15 percent of people in need and that more than 700,000 people have been internally displaced in the past year: Now, therefore, be it

1       *Resolved by the House of Representatives (the Senate*  
2 *concurring), That Congress—*

3           (1) strongly condemns the Government of the  
4       Republic of the Sudan and government supported  
5       militia groups for attacks against innocent civilians  
6       in the impoverished Darfur region of western Sudan  
7       in violation of Common Article 3 of the 1949 Geneva  
8       Conventions, which specifically prohibit attacks on  
9       civilians, and demands that the Government of  
10       Sudan immediately cease these attacks;

11           (2) calls on the international community to  
12       strongly condemn the Government of Sudan for  
13       these attacks and to demand that they cease;

14           (3) urges the Government of Sudan and all par-  
15       ties to honor commitments made in the ceasefire  
16       agreement of April 8, 2004;

1           (4) urges the Government of Sudan to imme-  
2 diately disarm and disband government supported  
3 militia groups, to demonstrate respect for human  
4 rights, and to allow the delivery of humanitarian as-  
5 sistance for the people in the Darfur region; and

6           (5) urges the President to direct the United  
7 States representative to the United Nations to seek  
8 an official investigation by the United Nations to de-  
9 termine if crimes against humanity have been com-  
10 mitted by the Government of Sudan and government  
11 supported militia groups in the Darfur region.

Amend the title so as to read: “Concurrent res-  
olution condemning the Government of the Republic  
of the Sudan and government supported militia  
groups for gross violations of international humani-  
tarian law committed in the Darfur region of west-  
ern Sudan, and particularly the Government’s indis-  
criminate attacks against innocent civilians.”.

Mr. ROYCE. I now recognize myself for 5 minutes to explain the resolution. This resolution condemns the government of Sudan for its attacks against innocent civilians in the Darfur region of western Sudan. The resolution states what we have heard, that the Sudanese government is using rape as a weapon of war, destroying food and water sources, and systematically manipulating and denying humanitarian aid to the people of Darfur.

More than one million Sudanese have been displaced. The Sudanese government has once again used allied militias to carry out a scorched-earth policy, as it did in southern Sudan.

We are now stalled in peace negotiations between the government of Sudan and the Sudanese Peoples Liberation Movement (SPLM), negotiations that have been underway for more than a year. As I said in my opening statement to this hearing, peace negotiations cannot lead us to discount the atrocities being committed in Darfur. The Sudanese government must cease its attacks against civilians and allow the unfettered delivery of humanitarian aid.

This resolution urges the President to direct the U.S. representative to the United Nations to seek an investigation to determine if the Sudanese government is committing crimes against humanity in Darfur.

The Chairman now recognizes our Ranking Member of the Africa Subcommittee for any statements he may make, and I also want to recognize and acknowledge the contributions made by Congressman Wolf with respect to this resolution. Mr. Payne.

Mr. PAYNE. Thank you very much. I would like to also mention that Mr. Tancredo actually has put forth the amendment—the resolution in general, okay, and we will go to the amendment later.

Let me just thank the Chairman for calling for the marking up of this resolution. I associate myself with your remarks. We feel that this is very serious, and we think that action must be taken. We must continue to put the spotlight on the heinous situation going on in Sudan. Perhaps if this were in Europe, we would have TV cameras all over the place; but since it just happens to be another government in Africa persecuting its own people, then that is not important.

So I certainly hope that we can draw more attention to this so that the world will know about this genocide which is going on, and I thank you for bringing up this resolution. Thank you, Mr. Chairman.

Mr. DELAHUNT. Mr. Chairman?

Mr. ROYCE. Mr. Delahunt.

Mr. DELAHUNT. I thank the gentleman, and I support the resolution. The testimony we have heard here today is chilling. Let me associate myself with the remarks of yourself and Mr. Payne, as well as the Chair of the Full Committee and the Ranking Member, Mr. Lantos. I congratulate Mr. Wolf, Mr. Tancredo, and others, obviously yourself included, for bringing this forth.

It would seem to me that there has been what lawyers would describe as a prima facie case, that a number of norms in terms of international law have been violated. I would ask, as this moves to the Floor, that in addition to requesting an official investigation by the United Nations to determine if crimes against humanity have,

in fact, been committed, that at the same time there be an additional request contemporaneously that this party encourages the convening of an ad hoc tribunal so that it becomes clear that those who have encouraged these crimes against humanity, this ethnic cleansing, this genocide, will be brought to justice.

We should, I believe, create a context, a sense of urgency, that justice will be done and that there ought not to be any delay. One can have a contemporaneous investigation with the convening of an ad hoc criminal tribunal to process, as that obviously requires some time, if you will, and prosecute those that are responsible. With that, I yield back.

Mr. ROYCE. Thank you, Mr. Delahunt. We will share that thought with Chairman Hyde and with the Speaker of the House.

On behalf of Mr. Hyde, I now offer a substitute amendment, which, without objection, will be considered as read, and I recognize myself to explain the substitute amendment because we have added some changes in the resolve clauses.

[The information referred to follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H. CON. RES. 403  
OFFERED BY MR. HYDE AND MR. LANTOS**

Strike the preamble and insert the following:

Whereas, since early 2003, a conflict between forces of the Government of the Republic of the Sudan, including militia forces backed by the Government, and rebel forces in the impoverished Darfur region of western Sudan has resulted in attacks by ground and air forces of the Government of Sudan against innocent civilians and undefended villages in the region;

Whereas Sudanese Government forces and government supported militia forces have also engaged in the use of rape as a weapon of war, the abduction of children, the destruction of food and water sources, and the deliberate and systematic manipulation and denial of humanitarian assistance for the people of the Darfur region;

Whereas, on December 18, 2003, United Nations Undersecretary General for Humanitarian Affairs Jan Egeland declared that the Darfur region was probably “the world’s worst humanitarian catastrophe”, and in April 2004 reported to the United Nations Security Council that in Darfur, “a sequence of deliberate actions has been observed that seem aimed at achieving a specific objective: the forcible and long-term displacement of the targeted communities which may also be termed ‘ethnic cleansing’”;

Whereas, on February 17, 2004, Amnesty International reported that it “continues to receive details of horrifying

attacks against civilians in villages by government war-planes, soldiers, and pro-government militia”;

Whereas, on February 18, 2004, United Nations Special Envoy for Humanitarian Affairs in Sudan Tom Eric Vraalsen declared, following a trip to the Darfur region, that “aid workers are unable to reach the vast majority [of the displaced]”;

Whereas Doctors Without Borders, the Nobel Peace Prize-winning medical humanitarian relief organization and one of the few aid groups on the ground in the Darfur region, reported that the region is the scene of “catastrophic mortality rates”;

Whereas, on April 20, the United Nations Office of the High Commissioner for Human Rights delayed the release of a report citing gross human rights abuses, crimes against humanity, and war crimes committed in Darfur in a bid to gain access to Sudan for investigators;

Whereas the Government of Sudan continues to deny humanitarian assistance for the people of the Darfur region by denying them unrestricted access to humanitarian aid organizations;

Whereas attacks on civilians in Darfur continue despite an April 8, 2004, temporary cease-fire agreement;

Whereas nearly 3,000,000 people affected by the conflict in the Darfur region have remained beyond the reach of aid agencies trying to provide essential humanitarian assistance, and United Nations aid agencies estimate that they have been able to reach only 15 percent of people in need and that more than 700,000 people have been displaced within Sudan in the past year; and

Whereas the United States delegation to the 60th Session of the United Nations Commission on Human Rights sponsored a resolution condemning the Government of Sudan for grave violations of human rights and humanitarian law occurring in the Darfur region: Now, therefore, be it

Strike all after the resolving clause and insert the following:

1 That Congress—

2           (1) strongly condemns the Government of the  
3       Republic of the Sudan and militia groups supported  
4       by the Government of Sudan for attacks against in-  
5       nocent civilians in the impoverished Darfur region of  
6       western Sudan, in violation of Article 3 of the Gene-  
7       va Conventions, done at Geneva August 12, 1949,  
8       and entered into force October 21, 1950, which spe-  
9       cifically prohibit attacks on civilians, and demands  
10       that the Government of Sudan immediately take ac-  
11       tions to cease these attacks;

12           (2) urges the Government of Sudan to imme-  
13       diately disarm and disband government supported  
14       militia groups;

15           (3) urges the Government of Sudan and all par-  
16       ties to honor commitments made in the cease-fire  
17       agreement of April 8, 2004;

18           (4) calls on the Government of Sudan to grant  
19       full, unconditional, and immediate access to Darfur

1 to humanitarian aid organizations, the human rights  
2 investigation and humanitarian teams of the United  
3 Nations, including protection officers, and an inter-  
4 national monitoring team in compliance with the  
5 temporary cease-fire agreement that is based in  
6 Darfur and has the support of the United States  
7 and the European Union;

8 (5) encourages the Administrator of the United  
9 States Agency for International Development to  
10 work with donors to immediately deliver humani-  
11 tarian assistance to Darfur, including the delivery of  
12 food by air if necessary;

13 (6) calls on the Secretary of State to develop a  
14 plan for further bilateral and multilateral action in  
15 the event the Government of Sudan fails to imme-  
16 diately undertake the actions called for in paragraph  
17 (3), including a plan to seek a Security Council reso-  
18 lution addressing the Darfur situation;

19 (7) deplores the inaction of some member states  
20 of the United Nations and the failure of the United  
21 Nations Human Rights Commission to take strong  
22 action with respect to the crisis in Darfur; and

23 (8) urges the President to direct the United  
24 States Representative to the United Nations to—

1           (A) seek an official investigation by the  
2           United Nations to determine if crimes against  
3           humanity have been committed by the Govern-  
4           ment of Sudan and government-supported mili-  
5           tia groups in the Darfur region; and

6           (B) work with the international community  
7           to ensure that the individuals responsible for  
8           crimes against humanity in Darfur are held ac-  
9           countable for their actions.

Mr. ROYCE. Very quickly, those changes are that this resolution now specifically calls on the government of Sudan to grant full, unconditional, and immediate access for humanitarian-assistance-protection officers and monitors of the cease-fire agreement. It also encourages USAID to work with donors to immediately deliver humanitarian assistance to Darfur, including by air, if necessary.

It calls on the Secretary of State to develop bilateral and multilateral strategies in the event that the government of Sudan refuses to grant access to those mentioned above, including a plan to seek a Security Council resolution addressing the situation in Darfur, and it deplores the failure of certain members of the U.N. and the U.N. Commission on Human Rights to take stronger action with respect to the crisis in Darfur.

I should share with you that the primary sponsor, Representative Frank Wolf, supports this amendment, as does Chairman Hyde, myself, Mr. Lantos, and Mr. Tancredo.

I now recognize Mr. Tancredo for an amendment he would like to put forward at this point.

Mr. TANCREDO. Thank you, Mr. Chairman. I do have an amendment to the amendment in the form of a substitute.

Mr. ROYCE. And without objection, the amendment will be considered as read. The gentleman is now recognized for 5 minutes. [The information referred to follows:]

**AMENDMENT OFFERED BY  
MR. PAYNE AND MR. TANCREDO  
TO THE HYDE/LANTOS AMENDMENT IN THE  
NATURE OF A SUBSTITUTE**

Page 4, line 22, strike “and” at the end.

Page 5, line 9, strike the period at the end and insert “; and”.

Page 5, after line 9, add the following:

1           (9) strongly urges the President to impose tar-  
2           geted sanctions, including a ban on travel to the  
3           United States and freezing of personal assets,  
4           against officials and other individuals of the Govern-  
5           ment of Sudan, as well as Janjaweed militia com-  
6           manders, who are responsible for war crimes and  
7           crimes against humanity in the Darfur region.

Mr. TANCREDO. Mr. Chairman, this amendment, supported by my colleague, Mr. Payne, does not limit the President to banning travel or freezing personal assets of individuals involved in the atrocities in Darfur but, rather, highlights them as options within the scope of the President's existing authority to impose targeted sanctions. If I had Mr. Delahunt's proposal earlier, we would have tried to perhaps think of a way of working it into that; but I think it is certainly one worthy of our continued analysis, and I do support the concept, at least at first blush.

At any rate, we certainly hope that the North and South reach a comprehensive peace agreement and that the South will be part of the national government. It will become, however, increasingly difficult for us to hold accountable those in the current regime who have directed the violence in Darfur once the SPLM and other southern contingencies are part of the national government, as we should not punish southern groups for violence committed by individuals in the current regime. Therefore, imposing targeted sanctions is an appropriate and necessary mechanism for directing punishment at those who truly are responsible rather than those who are not. So, with that, Mr. Chairman—

Mr. ROYCE. The question now occurs on the gentleman's amendment. All of those in favor say "aye."

[A chorus of ayes.]

Mr. ROYCE. Those opposed, no.

[No response.]

Mr. ROYCE. If there are no further amendments, the question occurs on the substitute amendment. All in favor will say aye.

[A chorus of ayes.]

Mr. ROYCE. All opposed, no.

[No response.]

Mr. ROYCE. The ayes have it, and the question now occurs on the amendment in the nature of a substitute, as amended. All in favor, please say "aye."

[A chorus of ayes.]

Mr. ROYCE. Opposed?

[No response.]

Mr. ROYCE. The ayes have it, and without objection, the Chairman is authorized to seek consideration of the resolution under a suspension of the rules.

The business meeting is now adjourned.

[Whereupon, at 11:52 a.m., the Committee business meeting was adjourned.]

