

# THE DETERIORATING PEACE IN SUDAN

---

---

## HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN  
RIGHTS AND INTERNATIONAL OPERATIONS

OF THE

COMMITTEE ON  
INTERNATIONAL RELATIONS  
HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

—————  
SEPTEMBER 20, 2006  
—————

**Serial No. 109-236**  
—————

Printed for the use of the Committee on International Relations



Available via the World Wide Web: <http://www.internationalrelations.house.gov/>

—————  
U.S. GOVERNMENT PRINTING OFFICE

29-972PDF

WASHINGTON : 2006

---

For sale by the Superintendent of Documents, U.S. Government Printing Office  
Internet: [bookstore.gpo.gov](http://bookstore.gpo.gov) Phone: toll free (866) 512-1800; DC area (202) 512-1800  
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

COMMITTEE ON INTERNATIONAL RELATIONS

HENRY J. HYDE, Illinois, *Chairman*

JAMES A. LEACH, Iowa  
CHRISTOPHER H. SMITH, New Jersey,  
*Vice Chairman*  
DAN BURTON, Indiana  
ELTON GALLEGLY, California  
ILEANA ROS-LEHTINEN, Florida  
DANA ROHRBACHER, California  
EDWARD R. ROYCE, California  
PETER T. KING, New York  
STEVE CHABOT, Ohio  
THOMAS G. TANCREDO, Colorado  
RON PAUL, Texas  
DARRELL ISSA, California  
JEFF FLAKE, Arizona  
JO ANN DAVIS, Virginia  
MARK GREEN, Wisconsin  
JERRY WELLER, Illinois  
MIKE PENCE, Indiana  
THADDEUS G. McCOTTER, Michigan  
KATHERINE HARRIS, Florida  
JOE WILSON, South Carolina  
JOHN BOOZMAN, Arkansas  
J. GRESHAM BARRETT, South Carolina  
CONNIE MACK, Florida  
JEFF FORTENBERRY, Nebraska  
MICHAEL McCAUL, Texas  
TED POE, Texas

TOM LANTOS, California  
HOWARD L. BERMAN, California  
GARY L. ACKERMAN, New York  
ENI F.H. FALEOMAVAEGA, American  
Samoa  
DONALD M. PAYNE, New Jersey  
SHERROD BROWN, Ohio  
BRAD SHERMAN, California  
ROBERT WEXLER, Florida  
ELIOT L. ENGEL, New York  
WILLIAM D. DELAHUNT, Massachusetts  
GREGORY W. MEEKS, New York  
BARBARA LEE, California  
JOSEPH CROWLEY, New York  
EARL BLUMENAUER, Oregon  
SHELLEY BERKLEY, Nevada  
GRACE F. NAPOLITANO, California  
ADAM B. SCHIFF, California  
DIANE E. WATSON, California  
ADAM SMITH, Washington  
BETTY MCCOLLUM, Minnesota  
BEN CHANDLER, Kentucky  
DENNIS A. CARDOZA, California  
RUSS CARNAHAN, Missouri

THOMAS E. MOONEY, SR., *Staff Director/General Counsel*  
ROBERT R. KING, *Democratic Staff Director*

---

SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS AND INTERNATIONAL  
OPERATIONS

CHRISTOPHER H. SMITH, New Jersey, *Chairman*

THOMAS G. TANCREDO, Colorado  
JEFF FLAKE, Arizona  
MARK GREEN, Wisconsin  
JOHN BOOZMAN, Arkansas  
JEFF FORTENBERRY, Nebraska  
EDWARD R. ROYCE, California,  
*Vice Chairman*

DONALD M. PAYNE, New Jersey  
GREGORY W. MEEKS, New York  
BARBARA LEE, California  
DIANE E. WATSON, California  
BETTY MCCOLLUM, Minnesota  
EARL BLUMENAUER, Oregon

MARY M. NOONAN, *Subcommittee Staff Director*  
GREG SIMPKINS, *Subcommittee Professional Staff Member*  
NOELLE LUSANE, *Democratic Professional Staff Member*  
SHERI A. RICKERT, *Subcommittee Professional Staff Member and Counsel*  
LINDSEY M. PLUMLEY, *Staff Associate*

# CONTENTS

---

	Page
WITNESSES	
The Honorable Michael Hess, Assistant Administrator, Bureau for Democracy, Conflict, and Humanitarian Assistance, U.S. Agency for International Development .....	8
Ms. Mira Sorvino, Goodwill Ambassador, Stop Violence Against Women Campaign, Amnesty International .....	20
The Honorable Roger Winter, former Special Representative of the Deputy Secretary of State for Sudan .....	29
Mr. Warwick Davies-Webb, Research Director, Executive Research Associates .....	35
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING	
The Honorable Christopher H. Smith, a Representative in Congress from the State of New Jersey, and Chairman, Subcommittee on Africa, Global Human Rights and International Operations: Prepared statement .....	3
The Honorable Michael Hess: Prepared statement .....	11
Ms. Mira Sorvino: Prepared statement .....	26
The Honorable Roger Winter: Prepared statement .....	33
Mr. Warwick Davies-Webb: Prepared statement .....	39
APPENDIX	
Material Submitted for the Hearing Record .....	60



## THE DETERIORATING PEACE IN SUDAN

---

WEDNESDAY, SEPTEMBER 20, 2006

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS  
AND INTERNATIONAL OPERATIONS,  
COMMITTEE ON INTERNATIONAL RELATIONS,  
*Washington, DC.*

The Subcommittee met, pursuant to notice, at 2:40 p.m. in room 2172, Rayburn House Office Building, Honorable Christopher H. Smith (Chairman of the Subcommittee) presiding.

Mr. SMITH. The Committee will come to order. Fourteen months ago, I visited Darfur, joined by Greg Simpkins, our distinguished African specialist on the Subcommittee, and we met some of the heroic survivors of genocide at two camps, Mukjar and Kalma camp. When a helicopter landed at the remote Mukjar camp, thousands of women and children danced, clapped, and sang beautiful traditional African songs.

The people of Darfur, as we all know, have a remarkable generosity and spirit, and it was awe-inspiring. At first glance, most of the people had a superficial glow of physical wellness, thanks to a large part to the brave NGO workers bearing food, clothing, and medicine. However, even those necessities now are disappearing due to the insecurity in Darfur caused by a lack of protection of residents and aid workers.

But what profoundly troubled me in having read all the reports is the appalling fear and trepidation that is ever present just below the surface. Among the refugees and IDPs, emotional woundedness and brokenness is everywhere. Like you and me, all that the wonderful people of Darfur really want is to love God and their families and friends and earn a living and to live in peace. Yet they have had atrocities imposed on them that no human should have to bear.

Just about everyone I spoke with, especially the women, told me personal stories of rape, senseless beatings, and massacres by the Janjaweed and Sudanese militias. What is absolutely clear is that the victims of Darfur are relying on the United Nations, the African Union, and governments who claim they care, including ours.

On that same trip to Sudan, I also met with Sudanese President Omar Hassan El-Bashir at his Presidential suite in Khartoum. All Bashir seemed to want to talk about was ending United States trade sanctions, not the horrific loss of life in Darfur. For me, the exchange was eerily reminiscent of a conversation I had in Serbia with the late Slobodan Milosevic after he invaded Croatia, then

Bosnia, and unleashed the Balkan genocide. He too was unmoved by the plight of suffering people.

We are today at a crossroads, and the international community must act and follow through on Human Security Council Resolution 1706 without further delay. In the meantime, the African Union, which is meeting today, must be resolute and extend its mission and mandate to Darfur. That is the bare minimum. To leave now would be unconscionable in the extreme, and it would result in more loss of life.

I have met some of the brave African soldiers who have risked their lives with insufficient resources and equipment, sometimes for less than a dollar a day. Eight of them have been killed in ambushes or battles with the more heavily armed Janjaweed or renegade rebel forces. Meanwhile, the political leadership of the AU has failed to do their part in protecting African civilians in Darfur by deferring to one of its members even when that member state is clearly in the wrong.

While the Chinese Government continues to suppress its own citizens' human rights, they nevertheless can attain some respect on the world's stage by standing with the oppressed in Darfur rather than the oppressor in Khartoum, which has been the case up to now. They have considerable leverage with Bashir, and they need to use it.

The Arab League, despite the pleas of the international community, not only met in Sudan this year but made Sudan its Chair. To their credit, the League members had pledged \$150 million for the AU mission back in March, but at this point, neither the Arab League nor any member nation has actually contacted the AU about when such funding might be made available.

As for the United States' part at this crucial hour, I applaud the Bush Administration for responding to Congress and appointing a Special Presidential Envoy to Sudan. Special Envoy John Danforth made a difference in bringing peace to the south, and we hope Special Envoy Andrew Natsios can make a difference as well in ending the deteriorating lack of peace throughout Sudan and Darfur.

The U.S. Congress must do more as well. Both the House and the Senate have passed a Darfur Peace and Accountability Act. It is time for both chambers to reconcile the differences in the bill and get it to the President for his signature.

When it comes to Darfur, no one could ever say we did not know. Indifference, especially now, makes us complicit in genocide. Ineffectiveness, especially now, makes us unwitting enablers of genocide. The National Congress Party, Government of Sudan, and its Janjaweed militia allies have collaborated to cause the death of more than 200,000—some put it as high as 400,000—people in Darfur and the displacement of nearly 2 million.

They have combined to make life hell on earth for the residents of all three Darfur provinces. Unfortunately, there are other actions contributing to the torment of the people of Darfur, and we need to address those as well.

I would like to now yield to my good friend and colleague, Mr. Payne, for any opening comments he might have.

[The prepared statement of Mr. Smith follows:]

PREPARED STATEMENT OF THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY AND CHAIRMAN, SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS AND INTERNATIONAL OPERATIONS

Fourteen months ago, I visited Darfur and met some of the heroic survivors of genocide at two camps—Mukjar and Kalma camp.

When the helicopter landed at the remote Mukjar camp, thousands of women and children danced, clapped and sang beautiful traditional African songs. The people of Darfur have a remarkable generosity and spirit. It was awe-inspiring.

At first glance, most of the people had a superficial glow of physical wellness thanks in large part to the brave NGO workers bearing food, clothing and medicine. However, even those necessities are disappearing due to the insecurity in Darfur caused by a lack of protection of residents and aid workers.

But what profoundly troubled me, and what by all reports has worsened—is the appalling fear and trepidation that is ever present, just below the surface. Among the refugees and IDPs, emotional woundedness and brokenness is everywhere.

Like you and me, all that the wonderful people of Darfur want is to love God, and their families and friends, and earn a living—to live in peace. Yet, they have had atrocities imposed on them that no human should have to bear. Just about everyone I spoke with—especially the women—told me personal stories of rape, senseless beatings, and massacres by the Janjaweed and Sudanese militias.

What is absolutely clear is that the victims of Darfur are relying on the United Nations, the African Union, governments who claim they care, including ours.

On the same trip to Sudan, I also met with Sudanese president, Omar Hassan El-Bashir at his presidential suite in Khartoum. All Bashir seemed to want to talk about was ending US trade sanctions not the horrific loss of life in Darfur.

For me, the exchange was eerily reminiscent of a conversation I had had in Serbia with the late Slobodan Milosevic after he invaded Croatia, then Bosnia and unleashed the Balkan genocide. He too was unmoved by the plight of suffering people.

We are today at a crossroads and the international community must act and follow through on UN Security Council Resolution 1706 without further delay.

In the meantime, the African Union, which is meeting today, must be resolute and extend its mission and mandate to Darfur. To leave now would be unconscionable in the extreme and would result in more loss of life.

I have met some of the brave African soldiers who have risked their lives with insufficient resources and equipment, sometimes for less than \$1 a day. Eight of them have been killed in ambushes or battles with more heavily-armed Janjaweed or renegade rebel forces. Meanwhile, the political leadership of the AU has failed to do their part in protecting African civilians in Darfur by deferring to one of its members—even when that member state is clearly in the wrong.

While the Chinese government continues to suppress its own citizens' human rights, they nevertheless can attain some respect on the world stage by standing with the oppressed in Darfur rather than the oppressor which has been the case up to now. They have considerable leverage with Bashir and they need to use it.

The Arab League, despite the pleas of the international community, not only met in Sudan this year, but made Sudan its chair. To their credit, League members pledged \$150 million for the AU mission back in March, but at this point neither the Arab League nor any member nation has actually contacted the AU about when such funding might be made available.

And for the United States' part at this crucial hour, I applaud the Bush Administration for responding to Congress and appointing a Special Presidential Envoy to Sudan. Special Envoy John Danforth made a difference in bringing peace to the South, and we hope Special Envoy Andrew Natsios can make a difference now in ending the deteriorating peace throughout Sudan.

The US Congress must do more as well. Both the House and the Senate have passed the Darfur Peace and Accountability Act. It is time for both chambers to reconcile the differences in bill language and get it to the president for his signature.

When it comes to Darfur no one can ever say we didn't know. Indifference, especially now, makes us complicit in genocide. Ineffectiveness, especially now, make us unwitting enablers of genocide.

The National Congress Party government of Sudan and its Janjaweed militia allies have collaborated to cause the death of more than 200,000 people in Darfur and the displacement of nearly two million people. They have combined to make life hell on earth for the residents of all three Darfur provinces.

Unfortunately, there are other actors contributing to the torment of the people of Darfur. The rebel movements that arose in 2003 to defend the interests of the people of Darfur have increasingly participated in their own attacks on those people.

These rebels groups have splintered so often, that it is now difficult to tell where any faction now stands.

In addition to the crisis in Darfur, the Comprehensive Peace Agreement is not being implemented as signed. The Abyei border, despite a border commission decision, has been delayed by the Government of Sudan in its pursuit of continued control of oil resources in the region. This not only interferes with the equitable distribution of oil resources to the Government of Southern Sudan, but it also prevents the installation of administration in that area. That means people in the border area are not receiving vital police protection or other services.

We also must consider the problem of Eastern Sudan. This region is plagued by famine, tuberculosis, malnutrition and other ills, as well as deep poverty. Moreover, landmines remain a hazard for people in this region, as 23 people were killed by mines and two others wounded just last week.

Through no fault of their own, the people of Darfur have had their dreams turned into a nightmare. Any remedy we create must satisfy their desperate need, as well as our own collective conscience.

The people of Darfur deserve to live in peace. They are counting on us to act now.

Mr. PAYNE. Thank you. Thank you very much, Mr. Chairman, for calling this very important hearing. I continue to be encouraged by the interest and support of Members who have been dealing with this issue for so long, as we saw Congressman Wolfe here and Congressman Tancredo visit south Sudan during the first months of his term in Congress. And so I think that together we have to continue to keep the pressure on. And, of course, my colleagues, Ms. Lee and Ambassador Watson and others, have been right here on the case.

There could be no more important or more appropriate time to hold this hearing than today, because while we have all heard of the staggering figures of the genocide, an estimated 400,000 killed and more than 2 million displaced, countless rapes, continued suffering of millions of Darfurians, things are only getting worse. And when you look at the history of Sudan with the north/south conflict, 4 million displaced, 2 million dead, we wonder how long? Just how long?

There is a renewed area of bombardment in Darfur by the Sudanese Air Force. Attacks by the Janjaweed have increased. There were nearly 500 rapes in one camp alone this summer. Humanitarian workers are unable to get into many areas to provide the much needed services to the millions of innocent people caught in the futile clash between militias, rebels, and government forces.

Twelve aid workers have been killed and two in the last few weeks. We must act quickly to send in the nearly 20,000 UN troops authorized last month by Security Council Resolution 1706.

I was quite pleased that President Bush was forceful in his remarks at the 61st opening of the United Nations General Assembly. He said if the Sudanese Government does not approve this peacekeeping force quickly, the UN must act. He went on to say that the UN's credibility was on the line. Well, I agree, and I must add that the credibility of our Government, the United States, is also on the line.

We said genocide is happening in Darfur. The House passed it 422 to 0. The Senate passed it with unanimous consent with no dissensions. Secretary of State Colin Powell announced that as a position of the State Department, and President Bush acknowledged that genocide was occurring. However, although we said genocide is happening in Darfur, we are still watching innocent ci-



vilians suffer for the past 3 years. That was indicated by our illustrious guest here today.

We must not wait for the permission of the killers in Khartoum in order to deploy a United Nations peacekeeping force. Assistant Secretary Frazer, your remarks at the Congressional Black Caucus' Brain Trust on Africa on September 8 where you included in your statement that the United States will not wait for Khartoum to okay the peacekeeping force was very well received. Let us translate that into action for the people of Darfur who have suffered for so long and for too long.

President Bashir has retracted his original threat to kick out the AU and says that they now can stay beyond the 30th of September. The AU is meeting today and is expected to extend the mandate. It is simply unacceptable for this rogue President to decide whether or not the AU force can stay in his country or not when it is his own government which is perpetrating the genocide.

We are not without options to stop the suffering in Darfur. If we had the political will, we can end the suffering. NATO did it. NATO did not ask Milosevic his permission to go into the former Yugoslavia under President Clinton, nor did President Bush ask Aidid for permission in 1992 to go into Somalia. He did the right thing. We must do the same in Darfur.

More than 138 Members cosponsored a bill I introduced last year strongly recommending for the United States to use all necessary measures, including "use of the United States Armed Forces to stop genocide in Darfur, consistent with the convention out of prevention and punishment of the crimes of genocide to enforce United Nations Security Council Resolution 1556 and 1564."

If Bashir continues to reject the peacekeeping force and continues his campaign of terror, we should utilize our military assets already in the region to neutralize Janjaweed or other militia groups intent on targeting civilians, destroy helicopters or fixed aircraft used to attack civilians, target intelligence or military headquarters used to plan and direct attacks against civilians, and impose a no-fly zone in Darfur.

I took a trip last month to Juba, south of Sudan, on my trip to the DRC and Kenya and Ethiopia where we visited political prisoners in Addis who have been imprisoned by the Government of Ethiopia.

But in Sudan, I met with President Salva Kiir and Madam Rebecca Garang and attended the first anniversary memorial service of the late Dr. John Garang. I am not sure how many of you read the helicopter crash investigation report, but I did. I must state clearly the report left a number of critical questions unanswered. Therefore, I strongly recommend and call for a new private investigation in order to clearly answer questions that led to the death of Dr. John Garang, who fought for 20 years to have a comprehensive peace accord, and he served for 20 days in the new south Sudan.

Let me conclude by saying that I welcome the appointment of Andrew Natsios as the Presidential Envoy for Sudan. I look forward to working with him, but I must state clearly that his mandate must be robust. He should have proper staff support and ac-

cess to the White House and the leadership in the State Department.

On my trips to refugee camps of Darfurians in Chad and on the border of Sudan, it was always in consultation with Roger Winter, who long before coming to the State Department, as he was acknowledged by the Chairman, has done tireless work, and it is people like Roger Winter who have made the conditions—even though horrendous—they would be much worse if it were not for people who devoted their entire lives to the struggle of the people of Sudan and other areas. So, with that, Mr. Chairman, once again, thank you for this hearing, and we look forward to hearing the witnesses.

Mr. SMITH. Mr. Tancredo.

Mr. TANCREDO. Mr. Chairman, I understand there are going to be votes in a relatively short time. I therefore have no comment and hope we can get to the witness.

Mr. SMITH. Ms. Lee.

Ms. LEE. Thank you, Mr. Chairman. Let me thank you again and Mr. Payne for your leadership, for this hearing, and I just want to associate myself with the remarks of Mr. Payne. I want to also say that it is time that we revved this up a bit, Mr. Chairman. I think what we see at hand and what we have worried about in terms of this horrific genocide taking place is we could see another Rwanda take place.

And as we witness the killings and the escalation of the violence, I am worried that that is what may happen. And so we have got to do everything and then more. I believe that we have to require sanctions and divestment. And we are going to be introducing the Darfur Accountability and Divestment Act of 2006 that would prohibit multinational corporations which are doing business in the Sudan, make them ineligible for Federal contracts, U.S. Federal contracts. And there are many companies that are doing just that.

Finally, let me just say I think that we have got to, as Mr. Payne said, move forward. How in the world—and we communicated this in a letter to the President—how in the world can we allow this genocidal regime to tell the AU that they cannot—and the UN—that they cannot come in and protect innocent civilians, when in fact they are the perpetrators of this genocide? And so we have got to send a clear message that we are not going to wait any longer. The time for action is now, and thank you for this hearing.

Mr. SMITH. Thank you. Mr. Fortenberry.

Mr. FORTENBERRY. Thank you as well, Mr. Chairman, for holding this hearing. I do not know if you recall, but it was 1 year ago this day that we held a briefing on the deteriorating situation in Sudan, and here we are now with an alarming situation. So I have a fuller statement I will submit for the record in the interest of saving time.

Mr. SMITH. Without objection, so ordered. Ambassador Watson.

Ms. WATSON. I also want to thank you, Chairman Smith, for holding this very timely hearing. As we all know, in recent weeks, the Government of Sudan has once again stepped up its campaign of genocide. According to Human Rights Watch, the Government of Sudan is indiscriminately bombing civilians in villages in the rebel-held north Darfur. The African Union has bravely stepped into the

breach and tried to protect civilians that are living in Darfur, and I understand that today they have agreed to extend their mission in Darfur until the end of 2006.

However, the capacity of the AU to continue their efforts is severely limited. The only situation to this problem is to fulfill the UN Security Council Resolutions that calls for a UN force to enter Darfur to protect civilians. The UN must deploy its peacekeepers as soon as possible. I expect the President to take the lead in ensuring that the UN peacekeepers deploy to Darfur immediately.

Here in Congress, we should take pride in some of our early efforts to bring attention to the ongoing genocide in Darfur. But I am frustrated with the current progress of our efforts, and I want to thank Donald Payne for keeping it in the forefront of our minds and helping us see the suffering in Darfur. One of the most encouraging aspects of America's engagement with the Darfur crisis has been the outpouring of grassroot support for an American intervention to end the genocide.

Across our country, millions of Americans have sought to find ways that they can influence events and in the barbarous crimes of Bashir and his cabinet. One of the most practical ways has been by supporting the grassroots movement to divest from foreign companies doing business with the Government of Sudan. Unfortunately, the movement is still vulnerable to legal challenges. Here in the House, we have passed legislation that would support the divestment movement, but now we find that just this week, Senator Lugar has reintroduced the Darfur legislation in the Senate minus the divestment language.

Mr. Chairman, I really find this appalling, and Senator Lugar certainly has a long and distinguished record of service to our country. Nevertheless, it really angers me that a United States Senator would seek to blunt the voice of the American people as they try to take a stand to stop the genocide. So I am appealing to Senator Lugar to restore the divestment language passed by the House to the Senate version of the Darfur Peace and Accountability Act, and I thought we ought to send a letter, those of us who support divestiture.

And speaking from my own state of California, we carried a divestment bill for 8 years. We brought attention to what was happening in South Africa with apartheid, and we finally got it passed under a very conservative governor, and that equated to \$19 billion withheld from the companies that were still there doing business. It made a difference.

And in 1994, you know the success story. And I think if we can send a letter and get that divestment language back in, we can see the beginning steps of a difference being made in Darfur. Thank you, Mr. Chairman.

Mr. SMITH. Thank you. Ms. McCollum.

Ms. MCCOLLUM. Thank you, Mr. Chair. I have had the chance to visit the victims of the genocide in Darfur twice. I wish not to go a third time to visit victims who have watched family members be murdered, women raped, people permanently disabled. It is wrong, and we need to do more about it. I commend President Bush for bringing the issue up repeatedly, but we must do more

to put more pressure on our international brothers and sisters on the Security Council to take action, and take action now.

I would like to say that on both occasions, I had the opportunity to meet with the brave men and women who participate in the African Union. With little or no equipment, with a mission only to defend themselves if they are attacked, every single day they put their life on the line, every single day.

The last time I was in the Darfur area the AU sustained a fatality, and it took them hours to transport someone back to the hospital for help. With little or no equipment, imagine trying to defend a territory the size of Texas with two helicopters, maybe, at your disposal and couple Toyota trucks. Despite all this, brave men and women are willing to risk their lives, like men that I met from Rwanda that had Rwanda sewn onto their uniform because they meant never again as a statement from their country.

We need to do more. We have to do more. The refugee camps are dangerous places with the government still being able to infiltrate and intimidate those individuals that are still at the refugee camps.

Mr. Chair, I am glad you are holding this hearing, but I think as parliamentarians, we need to also be putting pressure on parliamentarian brothers and sisters in Africa, in Asia, and in Europe—not only administrative pressure—but maybe we need to start writing letters to the speakers of those parliaments asking for their help in making this genocide come to an end. Thank you, Mr. Chair.

Mr. SMITH. Thank you very much, Ms. McCollum. I would like to now introduce our first panelist and welcome him. That is the Honorable Michael Hess, who currently serves as Assistant Administrator for the Bureau of Democracy Conflict and Humanitarian Assistance at the U.S. Agency for International Development. Prior to his appointment at USAID, Mr. Hess worked as Senior Risk Reviewer and Vice President at Citibank. He also has over 30 years of experience in the United States military where he served in humanitarian operations in Iraq, Bosnia, Turkey, and Kosovo.

I would like to point out for the record that Assistant Secretary of State for African Affairs, Jendayi Frazer, was unable to be with us today. She was invited, and I know that it was an honest and very serious conflict. She is at the United Nations today working issues of importance relative to Darfur.

So we will make her statement a part of the record and look forward at a very soon to be announced date that we can work out to have her come and testify and hopefully to be joined by Andrew Natsios, our new Special Envoy. So we will look forward to hearing from her. But again, her statement will be made a part of the record.

Mr. Hess, please proceed.

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

Mr. HESS. Thank you, Mr. Chairman and Members of the Subcommittee. It is an honor to be here today before you and to par-

ticipate in this discussion on the current situation in Sudan and the prospects for a durable peace in this troubled country. I am going to talk today about the humanitarian threats to peace and security in Sudan. In the interest of time, I respectfully submit my written testimony for the record, but I will limit my oral testimony to the situation in Darfur.

Let me begin by giving you a snapshot of the situation there. In the last week, the UN placed the estimated number of people displaced in Sudan at 1.9 million people. Almost all of these are found in 60 internally displaced persons camps. One million more Darfur citizens are struggling to survive in communities still at risk of militia raids and worse. Two hundred and twenty thousand Darfurian refugees are across the border in eastern Chad.

Approximately 13,000 humanitarian workers are currently in the region; 800 of these are international staff working for the United Nations, the international committee of the Red Cross, and non-government organizations. The United States is by far the world's leader in ensuring that these organizations have the manpower and resources they need to mitigate the suffering in Darfur and eastern Chad.

The United States has provided more than \$1 billion in humanitarian assistance in Darfur and eastern Chad since the conflict began in fiscal year 2003. Over \$400 million has been provided this fiscal year. We have consistently provided more than 60 percent of the food aid distributed in the region, and last year it was clear that we had prevented famine in Darfur and made real gains in health and protection.

Now we face the risk of famine again and the loss of other humanitarian gains that we have worked so hard to achieve. In Darfur, the decreasing security means decreasing humanitarian access. The decreasing access can mean that hundreds of thousands of people are cut off from food and health assistance. According to the UN, if we compare the 6 months of February to July 2006 with the same 6 months in 2005, we will find the security incidents have increased by 123 percent.

Over the last 5 months, the humanitarian community has had 12 people killed in Darfur. The most recent death involved a valued USAID partner, the International Rescue Committee, when one of its Sudanese volunteer nurses was killed in his clinic during a raid. This occurred in north Darfur days after a worker from the International Committee of the Red Cross was killed.

The effects of this violence are that humanitarian supplies do not get to those who most desperately need them, and security prevented the World Food Program from delivering the food to approximately 355,000 people in north Darfur in August. For many of them, it was the third month in a row without receiving assistance. The International Committee of the Red Cross, the organization most able to operate in insecure areas in Darfur, has had to halt some of its distributions in north Darfur.

The fact is that security in Darfur is deteriorating to a point comparable to that of the conflict peak in 2004. This deterioration has accelerated since May, and while the international community struggles to support the implementation of the Darfur Peace Agreement, resistance to the agreement has increased in Darfur. Over

the past several weeks, the Government of National Unity has begun to implement its own stabilization plan, launching an organized military campaign to wipe out any opposition forces in Darfur.

Recent bombing campaigns in north and west Darfur, as well as reports of significant troop movements, attest to the Government of National Unity's determination to act despite international condemnation. The government's campaign has already led to new displacements and suffering and will continue to do so if the violence does not stop immediately.

The African Union's mission in Sudan currently provides the only refuge for Darfurian civilians fleeing the renewed violence. The African Union force continues to offer Darfurian civilians hope that an international entity is monitoring the situation. However, the African Union forces have lost their neutrality in the eyes of some of the rebel groups, increasingly becoming targets of attacks themselves.

In some areas, the African Union forces have had to reduce or even halt patrols, with devastating effect on the humanitarian community's ability to protect the displaced. For example, in August, the International Rescue Committee reported that after the African Union mission in Sudan reduced its patrols in Kalma camp in south Darfur, the incidence of sexual assault against women trying to gather firewood outside of the camp increased from two to three per month to over 200 in a 5-week period.

A complete withdrawal of the African Union peacekeepers at this point represents a worst-case scenario for the humanitarian community, and I say this for several reasons. First, the withdrawal of the African Union peacekeepers will result in further deterioration of security and decreased humanitarian access.

Decreased humanitarian access means that approximately 1.9 million displaced people residing in camps risk losing their only source of food and health services. In these circumstances, increased levels of malnutrition and mortality are inevitable. Finally, no peacekeepers and a reduced international humanitarian presence means that there are fewer witnesses in Darfur, a situation which will easily lead to increased humanitarian abuses and return to the atrocities we have previously documented.

This is a domino effect that has begun. There are already new displacements of tens of thousands in Darfur, thousands of new refugees have moved into Chad, and reports of attacks against civilians and sexual assaults are increasing rapidly. Our current worst-case scenario magnifies the current deterioration tenfold and includes the renewed displacements of hundreds of thousands of people within Darfur and up to 100,000 new refugees in Chad.

To meet these challenges, we have stockpiled food and nonfood stocks in the region. We have modified our grants with our partners so that they have the ability to adjust their programs as the situation continues to change in Darfur and eastern Chad. We are focusing on and trying to help our partners to maintain the provision of critical assistance through their dedicated Sudanese staff as volunteers of international humanitarian workers are forced to withdraw from Darfur.

We are working with other key donors, specifically DFID and ECHO, to coordinate plans and identify resource gaps. My staff will tell you what Fred Cuny taught me a long time ago: Hope is not a plan. We have done our best to put a good plan in place, but I would be lying to you if I tried to convince you that this is a great plan. Without peacekeepers in Darfur, international humanitarian workers will leave.

Our partners tell us that as long as their Sudanese staff are able to serve without fear of being targets of debilitating harassment or violence, they will try to continue to provide critical basic services. However, if these workers are targeted—and that I am afraid we have every reason to believe it will occur—the people of Darfur will face catastrophe.

There is no doubt that the picture I presented today is grim. However, my job is to make sure that we understand the impact of the worsening security situation in Darfur and that we try to prepare for it. If the UN re-hats the AU peacekeepers now, we may avert disaster. But I will say it again: Hope is not a plan, and in Darfur, time and hope are running out. Thank you, Mr. Chairman and Members of the Committee.

[The prepared statement of Mr. Hess follows:]

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

Mr. Chairman, members of the Subcommittee, it is an honor to appear before you today to participate in a discussion on the current situation in Sudan, and the prospects for a durable peace in this troubled country. I'm going to talk today about what could be described as humanitarian threats to peace and security in Sudan. They pose the greatest threat right now in Darfur, and I will spend most of my time here addressing these. However, I will begin by briefly touching on events in the East and South.

While Eastern Sudan is home to the country's ports and part of its pipeline, malnutrition and maternal mortality rates are among the highest in the country, and its people suffer from what the World Food Program (WFP) calls chronic structural poverty. Like the residents of Southern Sudan and Darfur, the people of Eastern Sudan have historically held little political or economic power and have struggled with marginalization, repression, and a lack of social services. Left unaddressed these factors combine to fuel opposition in the East. The recent initiation of peace talks between Eastern Front rebels and the government present some promise of change. USAID will continue to support activities there with the aim of improving the lives of the citizens in this neglected, underserved region. USAID activities in Eastern Sudan focus on general food and humanitarian interventions, including food security, emergency health and nutrition, water and sanitation, and livelihood interventions. We will also increase our efforts to support activities which support community-based peace building and reconciliation mechanisms.

In the South, USAID is actively involved in supporting the implementation of the Comprehensive Peace Agreement, which brought an end to Sudan's devastating north-south conflict. While some aspects of Comprehensive Peace Agreement implementation are behind schedule, significant progress towards peace has been made. Peacekeepers are on the ground, roads are being repaired, children are being vaccinated, and refugees and displaced people are returning. Two years ago not many would have believed we would come this far. USAID's reconstruction programs in Southern Sudan are integrated with humanitarian programs to help reduce suffering, promote stability, and mitigate the causes of conflict. Every activity seeks to build human and institutional capacity, increase access to accurate and reliable information, and cultivate systems for good governance and infrastructure development. Our efforts support the implementation of the Comprehensive Peace Agreement, reduce risks that could put peace in jeopardy, and focus on supporting the peace process, democracy and governance, education, health, and economic growth.

The United Nations Secretary General, Koffi Annan, recently stated that a durable peace in the south will not take hold until the crisis in the Darfur is resolved.

Resolving the crisis in Darfur and implementing the Comprehensive Peace Agreement are interrelated issues. In my testimony today, I will discuss what we know about the current security situation in the Darfur region and its effects on humanitarian programming. I will also talk about the steps the U.S. along with our international and non-governmental partners are taking to prepare for a return to widespread conflict and displacement—even as negotiations for the establishment of a robust UN peace-keeping force in Darfur continue.

Let me begin with a snapshot of the situation. Last week the UN placed the estimated number of people displaced within Sudan at 1.9 million. Almost all of these are found in Internally Displaced Persons camps—there are 60. Another 220,000 Darfurian refugees are across the border in eastern Chad. Approximately 13,000 humanitarian workers are currently in the region. 800 of these are international staff working for the United Nations, the Red Cross and non-governmental organizations.

The United States is by far the world's leader in ensuring that these organizations have the manpower and resources they need to mitigate the suffering in Darfur and Eastern Chad. The United States has provided more than \$1 billion dollars in humanitarian assistance to Darfur and Eastern Chad since the conflict began in FY 2003. Over \$400 million has been provided this fiscal year. We have consistently provided more than 60% of the food assistance distributed in the region. Last year, it was clear that we had prevented famine in Darfur, and had made real gains in health and protection. Now we face the risk of famine again, and the loss of other humanitarian gains that we've worked so hard to achieve.

In Darfur, a change in security status can mean that thousands—even hundreds of thousands of people become cut off from food or health assistance. According to the UN, if we compare the six months, February—July, in 2006 with the same six months in 2005 we will find that:

- Overall security incidents increased by 123 percent;
- Car-jackings of humanitarians went up by 230 percent;
- Banditry increased by 40 percent ;
- Security incidents involving non-governmental organizations went up by 76 percent;
- Security incidents targeting the African Union Mission in Sudan (AMIS) increased by 913 percent;
- Armed clashes increased by 100 percent.

The only positive statistic for this time period was a 10% decrease in security incidents involving the UN—though this is overshadowed by the fact that in the last five months, the broader humanitarian community has had twelve of its own people killed in Darfur. The most recent death involved a valued USAID partner, the International Rescue Committee, when one of its Sudanese volunteer nurses was killed in his clinic during a raid. This occurred in Hashaba in North Darfur. Days before, a worker with the International Committee of the Red Cross was killed.

The effect of this violence is that humanitarian supplies do not get to those who most desperately need it. WFP reports that due to insecurity it was unable to deliver food to approximately 355,000 people in North Darfur in August—the third consecutive month that many areas in North Darfur have not received a food distribution. The International Committee of the Red Cross—the organization that is most able to operate in insecure areas of Darfur—has had to halt activities in one of the opposition areas of North Darfur.

The fact is that security in Darfur has deteriorated to a point comparable to that at the conflict's peak in 2004. This deterioration has accelerated since May after the signing of the Darfur Peace Agreement. While the international community has been struggling to support the implementation of the Darfur Peace Agreement, resistance to the agreement has been increasing in Darfur. It is a resistance not only seen in the increased activities of the non-signatory groups, but also in increasing tension in camps for the internally displaced, in increasing mistrust of African Union forces, and even in the harassment and intimidation of humanitarian workers.

Over the past several weeks the Government of National Unity has begun to implement its own stabilization plan—launching an organized military campaign to wipe out any opposition forces remaining in Darfur. Recent bombing campaigns in North and West Darfur, as well as reports of significant troop movements attest to the Government of National Unity's determination to act despite international condemnation. The government's campaign has already led to new displacement and suffering and will continue to do so if the violence does not immediately stop.

The African Union's Mission in Sudan currently provides the only refuge for Darfurian civilians fleeing the renewed violence, and African Union forces continue



to offer Darfurian civilians hope that an international entity is monitoring the situation.

However, as resistance to the Darfur Peace Agreement has been growing in Darfur, African Union forces have increasingly become targets and have lost their neutrality in the eyes of some rebel groups. In some areas, African Union forces have had to reduce and even halt patrols—with devastating effect on the humanitarian community's ability to protect the displaced.

A complete withdrawal of the African Union's peacekeepers at this point represents a worse-case scenario for the humanitarian community, and I say this for several reasons:

- The withdrawal of peacekeepers will result in the further deterioration of security levels in Darfur, and humanitarian access will be further reduced.
- There are 1.9 million people in camps for the displaced who are completely dependent on humanitarian assistance right now in Darfur. Reduced humanitarian access to these people will result in hunger malnutrition, even starvation. People will be forced to move in search of help, and this makes them vulnerable to attack.
- No peacekeepers and a reduced international humanitarian presence will also mean that there are fewer witnesses in Darfur—a situation which will easily lead to increased humanitarian abuses and a return to the atrocities we have previously documented.

This is a domino effect that has already begun: In August the International Rescue Committee reported that after the African Union Mission in Sudan reduced its patrols around Kalma Camp in South Darfur, the incident of sexual assault against women trying to gather fire wood outside the camp increased from 2–3 per month to 200 in a 5 week period. There is already new displacement of tens of thousands in Darfur, and thousands of new refugees have moved into Chad.

Our current worse-case scenario magnifies the current deterioration ten-fold, and includes the renewed displacement of hundreds of thousands of people within Darfur and the movement of 100,000 new refugees into Chad. We have stockpiled food and non-food stocks in the region; we have modified our grants with partners so that they have the ability to adjust their programs as the situation changes in Darfur and Eastern Chad. We are working with other key donors—the United Kingdom's Department For International Development and the European Commission's Humanitarian Office in particular—to coordinate plans and identify resource gaps.

My staff will tell you that I often say: Hope is not a plan. And we've done our best to put a plan in place. But I would be lying if I tried to convince you that it is a great plan. Without peace keepers in Darfur, international workers will leave. We are focusing on trying to help our partners to maintain the provision of critical assistance through their Sudanese staff if international peacekeepers are forced out of Darfur. Our partners tell us that as long as these dedicated workers are able to serve without fear of being targets of harassment or violence, they should be able to continue to provide critical basic services. If, on the other hand, these workers are targeted—and I am afraid there is every reason to believe that this could occur—the people of Darfur will face catastrophe. Hope: despite our best efforts it remains a part of our plan. But it will not prevent disaster.

There is no doubt that the picture I have presented today is grim. However, my job is to make sure that we understand the impact of worsening security in Darfur, and that we try to prepare for it. If the UN re-hats the AU peacekeepers now, we may avert disaster. But time is running out.

Mr. SMITH. Thank you very much, Mr. Hess. Let me just begin the questioning. You point out that overall security incidents increased by 123 percent, yet the AU mission AMIS has increased by 913. Can you elaborate on what that looks like? I mean, what kind of incidents are you talking about? Are these serious firefights? Are they attacks on an individual soldier? Secondly, the issue of food. You talk about the stockpiled food and nonfood stocks in the region. Apparently that is not a problem, sufficiency, am I correct on that? It is all about security and the means of delivering and securing the camps, is that correct?

Mr. HESS. First on your questions on AMIS, there have been patrols that have been attacked. There have been compounds that have been attacked. And when they were guarding some ware-

houses, there have been individual soldiers who were killed and attacked, and that is the nature of those attacks. When you talk about food, I think I testified here a couple of months ago on food aid. We had a situation earlier in the year where there was a break in the pipeline and WFP had to reduce the ration in Darfur.

We have rebuilt the pipeline. Right now the current distribution is 85 percent. There is food in the region. There is food in Sudan, and we are making every effort to make sure that the next pipeline break, which is projected for February, will not happen. We will begin the ordering process in October for that food.

Mr. SMITH. Let me just again stress the security in the camps issue, and you pointed out that some 200 women in a 5-week period in Kalma camp have been raped while gathering firewood, and that is up from two to three per month. And I am wondering, what can be done to ensure that the need for firewood is met by a safe way of procuring it?

I heard those stories when I was there and asked why the men do not go, and they tell me they will get killed as opposed to the women getting raped. Obviously, both are absolutely unacceptable. But what can be done security-wise to protect these women who obviously need to cook for their families?

Secondly, the security in the camps with regards to the workers. As they depart, obviously people get sicker. Medicines are not disseminated properly. Are female aid workers more at risk in the camps scattered throughout Darfur? And what can we do to beef up security right now?

Mr. HESS. You are absolutely right on the rape issue. There have been a number of steps that have been tried: More efficient stoves, better food distributions, types of foods that may not necessarily—but some of this is firewood that they use to sell to try and make a little money, because there is no way for them to make money within the camps. And so these are coping mechanisms that they are trying to survive on. And even if we do have other stoves and stuff, that is not enough, as you can see by the incidents that happened in that 5-week period.

The key point is security from peacekeepers, and we are trying to emphasize that as much as possible. We have also done some other programs in violence against women within the camps. Within this summer, we have actually prosecuted three rape cases. Two policemen and one soldier, Sudanese soldier, have been tried within the Sudanese system. We hope this acts as some form of deterrent, but as you know, this is not a legal system that has been forthcoming. But we are trying incidents like that to try and prevent those.

In terms of the camps themselves, you are absolutely right. Women workers are targeted, and that is why you see most of them or a lot of them are men.

Mr. SMITH. One final question. I have several, but I will submit them for the record in the interest of time.

Mr. HESS. Yes, sir.

Mr. SMITH. It is almost surreal that the United Nations is meeting right now, and that heads of states are making speeches about this very issue. Last night, I watched Bashir on C-Span as he gave his speech, and he was talking about, or attacking Israel because

of Lebanon, and it was almost like watching another world. And I am wondering, do you get any feedback from our mission from the President's visit that the other heads of state and diplomats get it that as they talk and look askance, an entire group of people, a genocide, is occurring under their own noses?

Mr. HESS. Yes, sir. I obviously cannot speak for State directly.

Mr. SMITH. Sure.

Mr. HESS. But obviously that is why Assistant Secretary Frazer is still up there. She is holding meetings, and Secretary Rice is holding meetings with other leaders, and they will continue during the week on this issue as I understand it specifically.

Mr. SMITH. We had heard reports—and this is my final question—that Janjaweed were dressing up as police in and around camps. Is there any validity to that?

Mr. HESS. Not to my knowledge, sir. I have not heard of that.

Mr. SMITH. Mr. Payne.

Mr. PAYNE. Thank you very much and thank you for your testimony. We find that still in western European capitals, there seems to be not the same urgency about Darfur as we see here in the United States. Have you had any meetings with your counterparts, if they have counterparts, dealing with democracy and conflict and humanitarian assistance in the governments in Britain and France and Belgium and Germany? And what has been their response when we try to get them to have a little more concern?

Mr. HESS. That is a very good question, sir. When we had the breaks in the pipeline, I testified the last time that we were providing 87 percent of the food aid in Sudan. That number has now gone down to 66 percent. So our efforts, especially with the EU and our other European allies, have been successful in getting some recognition of the problems. I think the meetings that they are having this week up in New York are a testament to that.

I have met with the head of DFID a couple of times personally, and we talked specifically about this and included meetings with Jan Egeland, the head of UNOCHA, the Office for the Coordination of Humanitarian Affairs. So we have been marshalling the forces and raising the visibility of these issues so that we can get their involvement in these.

Mr. PAYNE. Thank you. Regarding the seasons, we are entering our fall. And in the Darfur region, is there a rainy season or a season that might come up that makes it more difficult for food distribution? Is there any prospect of a planting in the refugee camps? Do you have any fix on those issues?

Mr. HESS. Actually, the rainy season is just ending, sir, and it was a good season, so there are increased plantings. Our concern, though, is when you have got 1.9 million people, that is a lot of food, a lot of tonnage that has to get around. They cannot sustain themselves on that. WFP estimates right now they have to feed 3.5 million people. That is throughout the region. That is a lot of food that we need to get around there. So even though it has been a good rainy season, it is not going to be enough, and we have to get more food in there.

Mr. PAYNE. The AU with the just 7,000 troops I believe will at least extend their mandate. What are the basic problems with the current deployment there in addition to just numbers?

Mr. HESS. Actually, sir, that is not my area, but I can only speak about the security. I mean, if you look at Tawila camp, which is about 40 kilometers from al-Fashir if I remember correctly, we cannot even access that camp, which has half a million people in it by road. We have to access that by helicopter, and it is that access that we are really worried about. If you go into north Darfur, when we cannot reach 355,000 people, that is the real issue for us is can they provide enough security for access?

Mr. PAYNE. Okay. Well, let me thank you very much. I just would also like to associate myself with the remarks of Ambassador Watson, who to our disappointment and almost shock that one of my heroes, Senator Lugar, has actually stripped out of our legislation the right for states to hold state pension funds from being divested in companies that do business in Sudan, multinational companies.

As you know, we have sanctions already on basic United States firms, and the National Foreign Trade Council has evidently reached a Senator who actually supported, even though he said it should be something the court should look at in 1986, divestment from South Africa. His vote was the 67th vote that overturned President Reagan's veto of the Comprehensive Anti-Apartheid Act introduced by Congressman Dellums in 1986. This was 30, 25 years ago.

As a matter of fact, it has been told that if we insist on the legislation to have divestment from state governments that Senator Lugar will not move the bill forward at all. So, because the National Foreign Trade Council wants to continue to have blood money, money with the lives of people dripping from it, money from where women are being raped, that our United States Senator takes out of the bill the fact that plenty of state pension money in New Jersey in 4 months have been withdrawn from companies doing business in Sudan.

So, since they respect nothing else, we thought that another tool would be to take investments from Khartoum. It is tough to go into shooting and fighting and so forth, but can we not at least take money from Sudan, from Khartoum, to continue to strengthen its Air Force and to pave and to buy equipment so that they can more easily kill people?

And it is dastardly that we had a bill passed which Congressman Hyde supports divestment, and we have a Senator that said not over his watch. I am shocked. That is not a question. That is for sure. I do not want to put you on that. All right. Thank you very much. I will yield back the balance of my time.

Mr. SMITH. Thank you, Mr. Payne. Let me before yielding to Chairman Royce recognize and say it is a high honor and privilege for me to recognize the First Lady of the Republic of Tanzania, Salma Kikwete, a teacher by profession and known affectionately as Mama Salma.

She has made a major contribution to the development of education in Tanzania through teaching mathematics and science, and she is also in the fighting of HIV/AIDS. The First Lady has initiated a project known as Every Child As Your Own whose target is to stop the new HIV/AIDS infections in youth, in children. It is

a distinct privilege to welcome you to the Subcommittee. Thank you. Chairman Royce.

Mr. ROYCE. Thank you, Chairman Smith. We are on the brink of something very horrible, and I say that because Congresswoman Betty McCollum and myself and Diane Watson had the opportunity to see what the conditions were like in the Sudan and to talk to some of the survivors, and what they told us was not only that they had been attacked by the Janjaweed.

Children would draw pictures for us of aircraft, Sudanese Government aircraft, that had bombed their villages and certainly pictures of Sudanese soldiers, regular army, that had shot up their families, and killed their family members. The Sudanese Government is about to unleash a round of killing like we have never seen before in Sudan. This calamity is playing out right before our eyes. And I wanted to share with you that 2 years ago, myself and Chairman Hyde wrote a letter expressing one particular concern that we shared with Secretary of State Powell at the time.

And the point we made in that letter, we said we believe that genocide requires exceptional responses by the United States and the international community. We also believe that these responses should be taken with or without concurrence by the Government of Sudan. In short, the Government of Sudan's complicity and participation in a genocide in Darfur has forfeited the sovereignty and territorial integrity reaffirmed by this draft resolution by the UN.

The reaffirmation of these principles through perhaps stock language for the United Nations will be consequential in shaping the international community's response to the Darfur crisis. The United States should not be bolstering the Government of Sudan's ability to frustrate current and potential interventions in Darfur. That is the question we have to ask ourselves. Is this argument of sovereignty a license for genocide?

It is this argument of sovereignty that China is alluding to in its attempts to block the international community from taking decisive action to end a genocide, and I wanted to ask you if you could share with us your perspective on this, Mr. Hess.

Mr. HESS. Obviously, sir, I think that is a question that is better suited for the State Department. We look at the humanitarian assistance, and as you know—I think you know—we provide humanitarian assistance based on need. We have done it in North Korea. We have done it in Darfur. We do it where there is a need. Now we have done it in Zimbabwe. We will provide humanitarian assistance where we need to.

Mr. ROYCE. Well, we could have sent care packages to Auschwitz, but when you know what is unfolding before you, the question becomes a little broader.

Mr. HESS. Yes, sir, I agree with you there. But obviously that is—I am not trying to dodge the question—but it is obviously—

Mr. ROYCE. No, I know. But, Mr. Hess, you have been on the ground.

Mr. HESS. Yes, sir.

Mr. ROYCE. And you are the witness here before us. And so I was going to try to engage you in this dialogue because I think it goes to the crux of the problem. I think the international community is

going to have to intervene if we are serious about stopping a genocide.

Mr. HESS. Yes, sir.

Mr. ROYCE. Well, I will yield back, Mr. Chairman.

Mr. SMITH. Thank you. Ms. Lee.

Ms. LEE. Thank you, Mr. Chairman. First, I would like to ask unanimous consent to enter into the record on behalf of Ranking Member Lantos two statements from Mr. Bahid [phonetic] and Mr. Gito [phonetic], two Sudanese nationals from California's 12th Congressional District.

Mr. SMITH. Without objection, so ordered.

Ms. LEE. Thank you very much. Let me ask a couple of things. First of all, I had the opportunity to visit Sudan twice with Mr. Royce and also recently in a bipartisan delegation with Congresswoman Pelosi. The first time we went, if you remember, Chairman Royce, the Chad/Sudan border was fairly safe for us to travel into the refugees who sought refuge along that area. Recently, when we were back this year, that area had become a very violent, dangerous place.

I am wondering—and we have not heard recently—what has happened in terms of the Sudan/Chad border? What is going on with the refugees? Is there increased aerial bombardment now in that region as well as al-Fashir and the other areas of Sudan? And how are we addressing funding cuts? Because when we were there this year, we heard that there were going to be cuts in funding for health services in some of the camps by USAID.

Mr. HESS. To answer your question first on the border, the border is a big concern of ours. It is very insecure right now. We are getting indications from our partners that there are military operations happening along the border, and that is making it even less secure. So we are very concerned about security of people along that border, and that is why we are increasing our funding in anticipation of problems along that border as people try to flee to Chad.

On your second issue about lack of funding, we have been stockpiling goods. We have been moving as much money and funding for our partners as possible to make sure that the water, sanitation in particular, and health needs of these camps are met. So I am not aware of any shortfalls in those areas, and my staff certainly has not let me know of any of those. We took the money that you all gave us in the supplemental and applied it and are obligating those funds right now in Darfur.

Ms. LEE. Well, I will get you the information with regard to the organizations that said they were being cut.

Mr. HESS. Yes, ma'am.

Ms. LEE. And the aerial bombardment of the village? Of the refugee camps?

Mr. HESS. We have actually not—in the refugee camps you are talking about in eastern Chad?

Ms. LEE. Yes.

Mr. HESS. We have no indication of an aerial bombardment in eastern Chad. Just along the borders.

Mr. ROYCE. Will the gentlelady yield?

Ms. LEE. I will yield.

Mr. ROYCE. We do know for a fact that the Chadian portion of the city of Tine was hit by aerial bombardment by the Sudanese Government flying Antonovs, and frankly, we saw the destruction in east Tine when we were there. So I do not think you can categorically make that assertion, Mr. Hess. I thank the gentlelady for yielding.

Ms. LEE. Reclaiming my time. Thank you, Mr. Chairman. Finally, I too have got to say that with regard to the divestment effort and the non-preemption language of states to move forward on behalf of the people of their states to divest resources and money from companies doing business in Sudan. This is amazing to me that we say one thing and do something else regarding the multinational companies.

And I want to say to Mr. Payne, to the Chairman and to Congresswoman Watson in her absence, that I associate myself with their remarks with regard to moving this bill forward and to making sure the House version of the bill is the bill that is ultimately passed by the Senate.

And I think we need to ask some hard questions with regard to how serious are we about ending this genocide in the Sudan on behalf of our Government, because if our Government issued a declaration of genocide that is taking place, then we should do everything that is necessary, including requiring the profits that are being used to kill people to be divested. And I want that on the record, and we are going to continue to move forward on that.

Mr. SMITH. Will the gentlelady yield?

Ms. LEE. I will yield.

Mr. SMITH. I would just say very briefly that in the scheme of things, empowering states to divest is a minimum requirement of what we should be doing. I mean, it is not even in the area of maximum.

Ms. LEE. That is right.

Mr. SMITH. But it is in the House bill, and we will do everything we can to keep it because I think it should be.

Ms. LEE. Thank you, Mr. Chairman.

Mr. PAYNE. Would you yield?

Ms. LEE. Yes.

Mr. PAYNE. As I indicated before in New Jersey, there was about \$3 billion or \$4 billion that had been invested, and in 120 days, the state treasurer, with the support of former Senator Corzine, who is the new governor, they were given a year to divest. The treasurer of the state of New Jersey, who was a financial person I believe that came from Goldman-Sachs, also identified the companies. Several billion dollars was divested in less than 60 days.

They did it in 2 months rather than a year because everyone in New Jersey, the assembly, the senate, the governor, the treasurer's department, says our fiduciary responsibility to get the best yield said that this is more important than the yield, and I think that these kinds of issues could certainly help in weakening the Government of Sudan. Representative Payne, my brother happened to pass the legislation, but we are very, very disturbed that this is being gutted out of our bill.

We need to think of a way that we can perhaps have a conference or we might look at the legislative process to see. Let them

pass their bill, bring it together and perhaps in conference if it will come to conference, because we have 100 percent support from our Chairman, Chairman Hyde, Congressman Wolfe, who is out of probate, and all the rest. So thank you.

Mr. SMITH. Dr. Boozman. I deeply regret that we do have three votes. So we will have to take about a 15-minute recess, and then we will reconvene and ask our second panel to present their testimony.

Mr. HESS. Thank you, sir.

Mr. SMITH. We stand in recess for 15 minutes.

[Recess.]

Mr. SMITH. The hearing will reconvene, and I again want to apologize to our witnesses for that lengthy delay for the votes that were on the Floor. I would like to begin introducing our witnesses, beginning with Ms. Mira Sorvino, who is the official spokesperson for Amnesty International, USA's Stop Violence Against Women Campaign.

Ms. Sorvino has worked with Amnesty in its ongoing efforts to help reauthorize the Violence Against Women Act, to end the conflict in Darfur, to stop the trafficking of women around the world. Ms. Sorvino is an acclaimed actor who has used this platform to champion human rights throughout the globe. We are happy to say—and Don and I think would attest to this—we are very happy that you also come from the great state of New Jersey.

We will then hear from Mr. Warwick Davies-Webb, who is Research Director for the South African-based firm Executive Research Associates. He has over 20 years of experience working in Africa and has a keen insight into the changing African scenario, especially with respect to the interplay between political, security, and energy developments. This includes a close assessment of big power intervention in Africa and the implications that this has on private sector investment opportunities in the continent. His countries of interest include South Africa, Angola, Mozambique, Chad, and Sudan.

We will then hear from Mr. Roger Winter, who most recently served as the Special Representative on Sudan for the Deputy Secretary of State. His appointment to this position reflected the high priority this Administration attaches to halting the violence in Darfur and supporting implementation of the comprehensive peace agreement.

Mr. Winter has been involved in humanitarian and conflict issues in the Sudan for 25 years. Prior to his last appointment, he served as Assistant Secretary for Democracy Conflict and Humanitarian Assistance with the U.S. Agency for International Development and has frequently over the years been a source of expert testimony for our Subcommittee as well as the Full Committee. And it is great to see Mr. Winter again here before the Committee.

Ms. Sorvino, if you could begin.

**STATEMENT OF MS. MIRA SORVINO, GOODWILL AMBASSADOR,  
STOP VIOLENCE AGAINST WOMEN CAMPAIGN, AMNESTY  
INTERNATIONAL**

Ms. SORVINO. Chairman Smith, Congressman Payne, and distinguished Members of the Subcommittee, I would like to thank you



earnestly for holding this important hearing and for allowing me this opportunity to address the urgent situation in Darfur. I will focus my own comments on the devastating crisis in Darfur. I also respectfully request the opportunity to submit more extensive testimony later this week.

Mr. SMITH. Without objection, so ordered.

Ms. SORVINO. Thank you. I would like to begin by speaking for myself regarding the use of the word "genocide" and its implications for our actions, the United States. Amnesty International uses the terms "war crimes" and "crimes against humanity" to describe the mass murder, torture, systematic rape, mass displacement, and destruction of villages, crops, and livestock perpetrated by the armed proxy militias and government troops in Darfur and eastern Chad.

Since the conflict began in the winter of 2003, hundreds of thousands of people have died, the vast majority civilians, with over 2 million people displaced, including 215,000 refugees in Chad. Regardless of the nomenclature used, the violence is heinous and the Darfuri's people plight dire. Our President has for some time used the term "genocide." It carries with it a strong call to action which has been largely and inexplicably delayed.

Although the U.S. was instrumental in drafting the UN convention on genocide as a response to the atrocities of the Holocaust between 1946 and 1948 and President Truman signed the genocide convention in 1949, Congress did not ratify the convention or pass a similar provision outlawing genocide until the late 1980s. For nearly 20 years, from 1967 to 1986, Wisconsin Senator William Proxmire gave a speech every single day Congress was in session urging U.S. ratification of the genocide convention.

In February 1986, the Senate adopted a ratification resolution. In 1987, Senator Proxmire's Genocide Convention Implementation Act was passed, and on November 4, 1988, President Ronald Reagan signed the Act. Well, after a year and a half of Janjaweed militia and Government of Sudan violence against civilians in Darfur, Colin Powell called the situation "genocide" in an address to Congress in early September 2004.

I remember because I had given a speech about the terrible crisis in Darfur the night before to an assembled group of Congressmen and women, press, and other concerned individuals on Capitol Hill in this very building. All of us working on the issue were delighted by this development. We felt it was a huge step toward the implementation of forceful measures to halt the murderous actions of the Janjaweed and the Khartoum regime.

President George W. Bush soon echoed that term, and it seemed certain that we were on the road to preventing further death and destruction suffered by the Darfuri people. Now, although the UN genocide convention requires of states to do all they can to prevent genocide and to punish those responsible, we have acted with puzzling restraint. We have been somehow reluctant to apply the kind of serious negative pressure on Sudan to create the cessation in atrocities that we and the international community desire.

And in the 2-year interval between the first official use of that term and now, the death toll has risen from 50,000 people to hundreds of thousands. These figures have turned a prescient early un-

derstanding of the situation into a morbidly fulfilled prophecy with not a small share of the responsibility in our own hands for not acting forcefully enough. As in the almost 40 years it took for us to ratify the genocide convention, our current pace of response to an acknowledged dire situation has been shamefully slow.

It is time to change the manner in which we deal with this crisis. In the wake of the failure of the Darfur Peace Agreement to bring peace and security to the region, the only current and lasting solution for civilian protection is the fulfillment of the expanded mandate of the UN Security Council's August 31 Resolution 1706 to send in roughly 22,000 UN peacekeeping troops to take over from the African Union's 7,000 undersupplied and undermanned troops in the Darfur region.

Because the Government of Sudan has threatened to oust the African Union troops by the end of September because of their support for the implementation of the UN's peacekeeping force, we must act vehemently and with effect so that a security void is not created in which the Darfuri civilians are utterly vulnerable and without protection from military and government-led violence. Although the AU today has stated that they will extend their mandate through this December, we fear that Bashir will use this as a further excuse to block the UN forces from entering Sudan.

The much vaunted Darfur Peace Agreement, the DPA, brokered by the AU and western states, failed to gain support from all but one of the rebel movements in Darfur. The signatory rebel group, Minni Minnawi's faction of the Sudanese Liberation Army, has now been implicated in grave human rights offenses in attacks against nonsigners and civilians, launching offensives in concert with the Khartoum regime.

The other rebel factions feel the agreement did not address the reasons that they rebelled in the first place: Their political and economic marginalization and lack of power-sharing in Darfur. Most civilians interviewed feel the agreement failed to ensure even their most basic human rights and security.

Khartoum has begun to deploy some 10,500 troops in the last few weeks to north Darfur and has begun a major military offensive against civilians in areas held by rebels that have not signed the peace accord. As you know, the UN reports that they are bombing civilians again as they did in the early part of the conflict, using government Antonov planes to rain destruction down indiscriminately on rebels and civilians alike.

These acts are all in direct violation of international humanitarian law and the terms of the DPA. Khartoum's threats to oust the AU mission in Sudan also undermine the active and crucial role outlined for them in the DPA. Essentially, the DPA has just been distorted to be used as a perverse tool justifying the Khartoum regime's crushing of any opposition with military force rather than pursuing a political solution.

The situation on the ground worsens every day. The World Food Program warned recently that due to fighting and banditry, 350,000 people in north Darfur had been cut off from food aid. Government forces have driven villagers to flee, leaving crops to wither.

Blocked migration routes cause water shortages and lack of access to health care. Humanitarian aid access on the ground diminishes even further as groups pull their workers out because of intolerable risk. Twelve aid workers have been killed since April. The UN Humanitarian Chief, Jan Egeland, refers to the aid situation as a freefall necessitating the UN peacekeeping troops to avoid a collapse.

The proxy militias fighting in Chad who have destroyed the safe haven for Darfuri refugees who fled across the border, many now have returned to take their chances in war-torn Darfur alongside Chadian refugees fearing for their lives. Those who remain in eastern Chad are in great danger as militias conscript men and boys from the very refugee camps meant to protect them.

The International Rescue Committee reported a dramatic increase in systematic rape there earlier this summer. In 2004, Amnesty International reported huts in which women were raped, sometimes gang-raped, while foraging for their family's water and firewood outside their IDP camps. As we heard earlier today, that has increased dramatically in the past few months to hundreds per month again.

Women have been tortured for information about their husbands, their fingernails pulled out, their faces pressed between wooden sticks, their legs broken if they try to escape. Refusal to comply with their attackers' demands has meant slaughter. These attacks have degraded the women and shamed their men, who will often disown them as victims of sexual violence. These women are vulnerable to HIV, to survival prostitution, and to impregnation by the Janjaweed. This fathering of Janjaweed offspring has often been intentional. The illegitimate children produced by this violence are frequently not accepted by their mothers' communities.

Pregnant women have been slashed in the stomach, killed because they carry the child of the enemy. Children themselves are not immune to extremely cruel forms of killing. And at this moment, I just want to speak a little extemporaneously. Just the other day when I was speaking at the New York rally to save Darfur, I learned from one of the refugees there that he had actually witnessed—and I was warned not to mention this because it might drive people away, but I just feel that it is too upsetting to not bring to the table.

He witnessed children being boiled alive in gasoline tanks, and although this is not confirmed research, it is not incompatible with the kind of violence that occurred in Rwanda, the kind of violence that occurred in South Africa, and frankly, I believe it wholeheartedly. And after hearing that, I have been working on this for awhile, but I just felt such a sense of personal failure that all of these individuals have been killed, slaughtered, all of these children have lost their lives and nothing we have done has saved them.

We have been promising to come in there and save them for years, and hundreds of thousands have died while we have been talking, and I felt the deep sense of personal responsibility even though I as an individual probably cannot do much besides implore all of you in power to do as much as you possibly can to end this. This is the worst kind of violence imaginable. One can think of no

reason that a government would not do everything in its power to prevent such hideous violence against its own people, and yet it is the Khartoum Government that is actually perpetrating it.

The Khartoum regime has been forcibly silencing internal voices of dissent. The Sudanese journalists report heavy harassment. One newspaper was seized and another had a page blanked out for reporting of public arrests on August 30 and September 5, against recent price increases in basic commodities in which hundreds of demonstrators were arrested, including leading political activists and human rights defenders.

The government propagandizes the situation in Darfur and suppresses the fact that almost all political parties in Sudan, including the Sudan People's Liberation Movement, the partner of the National Congress Party, and the Government of National Unity support the deployment of UN peacekeepers. Even the First Vice President, Salva Kiir Mayardit, one of two Vice Presidents in the Government of Sudan and the head of the Sudan People's Liberation Movement, told the independent *Al-Sudani* daily newspaper on September 16 that he supported the entrance of the UN peacekeeping troops because the Sudan Government was incapable of protecting civilians.

And yet President Omar Al-Bashir has repeatedly rejected the peacekeeping mission and threatens to oust AMIS for their support. The regime's contempt for international opinion of their behavior is crystal-clear.

We stand at a critical crossroads in the Darfur crisis. We must not allow a security void to open at the end of this month if AMIS leaves. This would be tantamount to condoning the slaughter of civilians who would be left completely vulnerable to Janjaweed and government violence. The UN peacekeeping troops must be allowed to take over the mission as planned in October. Until that point, the African Union troops must remain, and the United States must do more to take a leadership role in supplying them and supporting their infrastructure.

And now the United States and the UN must begin playing hardball in earnest with the Khartoum regime. The days of offering incentives and waiting for the Government of Sudan to grow a conscience are over. We must apply pressure with serious consequences to propel them to accept the UN peacekeeping mission. Though the United States helped craft a UN Security Council Resolution creating targeted economic sanctions for responsible Khartoum officials, only one has been levied, and this on a retired Air Force official.

Unless we want to send idle threats, we must begin serious asset freezes on Sudanese officials right now. In the absence of current divestiture, this form of economic punishment to those who perpetrate the slaughter could still be extremely effective. Pinch them where it hurts. We must stop turning a blind eye to their behavior by forgiving them their atrocities because of their help on the war on terror. We wash our hands in the blood of the innocent. It is patently clear that Khartoum does not behave with the best interest of its citizens in mind.

We must also share our formidable body of intelligence with the International Criminal Court as it conducts its investigation into

war crimes committed in Darfur, in pursuit of justice and to influence the behavior of officials that risk indictment. We urge the House of Representatives and the Senate to put aside their differences and get the Darfur Peace and Accountability Act before the President before this congressional session ends. We must not allow a delay any further. We must break through this stage of planning and debate and move forward toward action.

We welcome President Bush's announcement of the appointment of Andrew Natsios as UN Special Envoy to Sudan and look forward to his timely contribution to ending the Darfur crisis as rapidly as possible. Diplomatic pressure from the U.S. must be applied relentlessly around the clock. One of the reasons that the Darfur Peace Agreement may have failed is that the senior United States official who helped broker the deal left the table after the one Darfuri rebel group had signed, leaving an unstoppable hole in the fragile dam that had been built.

This week, as the President of Sudan attends the General Assembly of the UN, we must tirelessly pursue the goal of El-Bashir's consent to not only allow the African Union mission to remain but to admit the UN peacekeepers to take over as planned in October. We must make ending the Darfur crisis a genuine diplomatic priority for this Administration.

Speaking for myself, not on Amnesty's part, for myself as an individual citizen, at a certain point, we must begin to consider abandoning the overriding concern that this is not what Khartoum wishes. The UN has concluded that a peacekeeping force is the solution to the current crisis. The African Union has endorsed the decision. The people of Darfur have cried out for its implementation as quickly as possible. However, President El-Bashir has once again voiced his refusal to allow them in. In the past 24 hours, he has reiterated his refusal.

If the Security Council and its member states abandon that solution, they and we lose credibility. We cannot stand by wedded to the idea of inviolable state sovereignty and allow a government guilty of mass murder of its own citizens to do whatever it wants. Again, speaking for myself, I recommend to this important Subcommittee that it consider the need to introduce UN peacekeepers into Darfur without Khartoum's consent, as it is clear that the death toll will continue to soar if the regime is left to its own devices.

Last Friday, September 15, President Bush suggested the possibility of new alternatives to waiting for the Sudan Government's invitation such as "passing a UN resolution saying we are coming in with a UN force in order to save lives." It is my opinion that at the very least, we should begin to enforce UN Security Council 1591, which established a no-fly zone banning Sudanese military flights over Darfur. This has never been enforced, but it must be in order to stop the renewed aerial bombing of civilians.

And lastly, the gatherings assembled around the world on Sunday, September 17 in protest of the ongoing atrocities and in support of the UN peacekeeping mission in Darfur prove the concern of millions of people for the plight of Darfur. I personally spoke at the New York rally, alongside such luminaries as Chairman Smith and Madeleine Albright, and can attest to the robust crowd of 20

to 30,000 people and their heartfelt commitment to ending the atrocities in Darfur.

I also produced and hosted a benefit concert with Amnesty International for Darfur in Portland, Oregon earlier this year and found that the youth audience was incredibly passionate about Darfur. People from all parties, all nationalities, have voiced their outrage and will to change the situation for years now. We have all chanted never again in response to various mass atrocities that have occurred in the past century.

Unfortunately, again is now. It is again. It has happened again. It is currently happening again, and it will continue to happen again until we do something. I do not see why these people are any different from the other groups of people that have been slaughtered, and we have all deplored and cried and said, how could we let this happen? Why are these mothers who love their children any different from the mothers in the Holocaust? The mothers in Rwanda? What is the difference? Why are we pussyfooting around?

Khartoum has to be stopped. We have to save these people. It is our moral responsibility as United States citizens and citizens of the world. It must not be tolerated a second longer. Let us live up to the promise of what Senator Proxmire devoted his entire being to enact. Let us not have the blood of insufficient action on our hands. Let us be the moral leaders that we know we can be, and let us save the people of Darfur. Thank you.

[The prepared statement of Ms. Sorvino follows:]

PREPARED STATEMENT OF MS. MIRA SORVINO, GOODWILL AMBASSADOR, STOP VIOLENCE AGAINST WOMEN CAMPAIGN, AMNESTY INTERNATIONAL

Chairman Smith, Congressman Payne, and distinguished Members of the Subcommittee, I would like to thank you for holding this important hearing and for allowing me this opportunity to address the urgent situation in Darfur. I greatly appreciate the breadth of this hearing to consider the cost of human conflict across Sudan. I will focus my own comments on the devastating crisis in Darfur. I also respectfully request the opportunity to submit more extensive testimony later this week.

INTRODUCTION

I would like to begin by speaking for myself regarding use of the word "genocide" and its implications for action on our (the United States) part. Amnesty International uses the terms "war crimes and "crimes against humanity" to describe the mass murder, torture, systematic rape, mass displacement, and destruction of villages, crops and livestock perpetrated by armed proxy militias and government troops in Darfur and Eastern Chad. Since the conflict began in the winter of 2003, hundreds of thousands of people have died, the vast majority civilians, with over 2 million people displaced, including 215,000 refugees in Chad. Regardless of the nomenclature, the violence is heinous and the Darfuri people's plight dire. Our President has for some time used the term "genocide"; it carries with it a strong call to action which has been largely delayed.

Although the U.S. was instrumental in drafting the U.N. Convention on Genocide as a response to the atrocities of the Holocaust between 1946 and 1948, and President Truman signed the Genocide Convention in 1949, Congress did not ratify the Convention or pass a similar provision outlawing genocide until the late 1980s. For nearly twenty years from 1967 to 1986 Wisconsin Senator William Proxmire gave a speech every single day Congress was in session urging U.S. ratification of the Genocide Convention. In February 1986 the Senate adopted a ratification resolution, in 1987 Senator Proxmire's "Genocide Convention Implementation Act" was passed, and on November 4, 1988, President Ronald Reagan signed the Act.

After a year and a half of *Janjawid* militia and Government of Sudan violence against civilians in Darfur Colin Powell called the situation genocide in an address to Congress in early September 2004. I remember because I had given a speech

about the terrible crisis in Darfur the night before to an assembled group of Congressmen and women, press and other concerned individuals on Capitol Hill in this very building. All of us working on the issue were delighted by this development; we felt it was a huge step towards the implementation of forceful measures to halt the murderous actions of the *Janjawid* and the Khartoum regime. President George W. Bush soon echoed that term, and it seemed certain that we were on the road to preventing further death and destruction suffered by the Darfuri people.

But although the UN genocide convention requires of states to do all they can to prevent genocide and to punish those responsible, we have acted with puzzling restraint. We have somehow been reluctant to apply the kind of serious negative pressure on Sudan to create the cessation in atrocities that we and the international community desire. And in the two year interval between the first official use of that term and now, the death toll has risen from 50,000 people to hundreds of thousands. These figures have turned a prescient early understanding of the situation into a morbidly fulfilled prophesy, with not a small share of the responsibility in our own hands for not acting forcefully enough. As in the almost forty years it took for us to ratify the Genocide Convention, our current pace of response to an acknowledged dire situation has been shamefully slow.

It is time to change the manner in which we deal with this crisis. In the wake of the failure of the Darfur Peace Agreement to bring peace and security to the region, the only current and lasting solution for civilian protection is the fulfillment of the expanded mandate of the U.N. Security Council's August 31st Resolution 1706 to send in 20,000 UN peacekeeping troops to take over from the African Union's 7,000 under-supplied and under-manned troops in the Darfur region. Because the Government of Sudan has threatened to oust the African Union troops by the end of September because of their support for the implementation of the U.N.'s peacekeeping force, we must act vehemently and with effect so that a security void is not created in which the Darfuri civilians are utterly vulnerable and without protection from militia and government-led violence.

#### RECENT DEVELOPMENTS IN DARFUR

The much vaunted Darfur Peace Agreement (DPA) brokered by the AU and western states, failed to gain support from all but one of the rebel movements in Darfur. The signatory rebel group, Minni Minawi's faction of the Sudanese Liberation Army (SLA), has now been implicated in grave human rights offenses in attacks against non-signers and civilians, launching offensives in concert with the Khartoum regime. The other rebel factions feel the Agreement did not address the reasons they rebelled in the first place, their political and economic marginalization, and lack of power sharing in Darfur. Most civilians interviewed feel the agreement failed to ensure even their most basic human rights and security.

Khartoum has threatened to deploy some 10,500 troops in the last few weeks to North Darfur, and has begun a major military offensive against civilians in areas held by rebels that have not signed the peace accord. The U.N. reports that they are bombing civilians again as they did in the early part of the conflict, using government Antonov planes to rain destruction down indiscriminately on rebels and civilians alike. These acts are all in direct violation of international humanitarian law and the terms of the DPA. Khartoum's threats to oust the AU mission in Sudan (AMIS) also undermine the active and crucial role outlined for them in the DPA. Essentially, the DPA has been distorted to be used as a perverse tool justifying the Khartoum regime's crushing any opposition with military force, rather than pursuing a political solution.

The situation on the ground worsens every day; the World Food Program warned recently that due to fighting and banditry 350,000 people in North Darfur had been cut off from food aid. Government forces have driven villagers to flee, leaving crops to wither. Blocked migration routes cause water shortages and lack of access to health care. Humanitarian aid access on the ground diminishes even further as groups pull their workers out because of intolerable risk; 12 aid workers have been killed since April. U.N. humanitarian chief Jan Egeland refers to the aid situation as a "freefall" necessitating the U.N. peacekeeping troops to avoid a "collapse." The proxy militias fighting in Chad have destroyed the safe haven for Darfuri refugees who fled across the border; many have now returned to take their chances in war-torn Darfur alongside Chadian refugees fearing for their lives. Those who remain in eastern Chad are in great danger, as militias conscript men and boys from the very refugee camps meant to protect them.

The International Rescue Committee reported a dramatic increase in systematic rape earlier this summer. In 2004 Amnesty International reported huts in which women were raped, sometimes gang raped, while foraging for their family's water

and firewood outside their IDP camps. Women have been tortured for information about their husbands—their fingernails pulled out, their faces pressed between wooden sticks, their legs broken if they tried to escape. Refusal to comply with their attackers' demands has meant slaughter. These attacks have degraded the women and shamed their men, who will often disown them as victims of sexual violence. These women are vulnerable to HIV, to survival prostitution, and to impregnation by the *Janjawid*. This fathering of *Janjawid* offspring has been intentional. The illegitimate children produced by this violence are frequently not accepted by their mothers' communities.

Pregnant women have been slashed in the stomach, killed because they carry "the child of the enemy." Children themselves are not immune to extremely cruel forms of killing. This is the worst kind of violence imaginable. One can think of no reason that a government would not do everything in its power to prevent such hideous violence against its own people, and yet it is the Khartoum government that is actually perpetuating it.

The Khartoum regime has forcibly been silencing internal voices of dissent. Sudanese journalists report heavy harassment. One newspaper was seized and another had a page blanked out for reporting on public protests on August 30 and September 5 against recent price increases in basic commodities, in which hundreds of demonstrators were arrested including leading political activists and human rights defenders. The government propagandizes the situation in Darfur and suppresses the fact that almost all political parties in Sudan, including the Sudan People's Liberation Movement (SPLM) partner with the National Congress Party (NCP) in the Government of National Unity, support the deployment of UN peacekeepers.

Even the First Vice President Salva Kiir Mayardit, one of two vice presidents of the Government of Sudan and the head of the Sudan People's Liberation Movement, told the independent Al-Sudani daily on Sept 16th that he supported the entrance of the UN peacekeeping troops because the Sudanese government was incapable of protecting civilians. And yet President Omar Al-Bashir has repeatedly rejected the peacekeeping mission, and threatens to oust AMIS for their support. The regime's contempt for international opinion of their behavior is crystal clear.

#### THE NECESSARY RESPONSE

We stand at a critical crossroads in the Darfur crisis. We must not allow a security void to open at the end of the month, if AMIS leaves. This would be tantamount to condoning the slaughter of civilians who would be left completely vulnerable to *Janjawid* and government violence. The UN peacekeeping troops must be allowed to take over the mission as planned in October. Until that point the African Union troops must remain and the U.S. should take a leadership role in supplying them and supporting their infrastructure.

And now the U.S. and the UN must begin playing hardball in earnest with the Khartoum regime. The days of offering incentives and waiting for the government of Sudan to grow a conscience are over. We must apply pressure with serious consequences, to propel them to accept the UN Peacekeeping mission. Though the U.S. helped craft a UN Security Council Resolution creating targeted economic sanctions for responsible Khartoum officials, only one has been levied, and this on a retired air force official. Unless we want to send idle threats, we must begin serious assets freezes on Sudanese officials now.

We must stop turning a blind eye to their behavior. By forgiving them their atrocities because of their help in the war on terror, we wash our hands in the blood of the innocent. It is patently clear that Khartoum does not behave with the best interest of its citizens in mind.

We must also share our formidable body of intelligence with the International Criminal Court as it conducts its investigation into war crimes committed in Darfur, in pursuit of justice, and to influence the behavior of officials that risk indictment.

We welcome President Bush's announcement of the appointment of Andrew Natsios as U.S. Special Envoy to Sudan and look forward to his timely contribution to ending the Darfur crisis as rapidly as possible. Diplomatic pressure from the U.S. must be applied relentlessly around the clock; one of the reasons the Darfur Peace Agreement may have failed is that the senior U.S. official who helped broker the deal left the table after the single Darfuri rebel group had signed, leaving an unstopable hole in the fragile dam that was built. This week, as the President of Sudan attends the General Assembly of the UN, we must tirelessly pursue the goal of Al-Bashir's consent not only to allow the African Union mission to remain, but to admit the UN peacekeepers to take over as planned in October. We must make ending the Darfur crisis a genuine diplomatic priority for this administration.



Speaking for myself as an individual citizen, at a certain point we must begin to consider abandoning the overriding concern that this is not what Khartoum wishes. The UN has concluded that a peacekeeping force is the solution to the current crisis. The African Union has endorsed this decision. The people of Darfur have cried out for its implementation as quickly as possible. If the Security Council and its member states abandon that solution, they and we lose credibility. We cannot stand by, wedded to the idea of inviolable state sovereignty and allow a government guilty of mass murder of its own civilians to do whatever it wants. Again, speaking for myself alone, I recommend to this important subcommittee that it consider the need to introduce UN peacekeepers into Darfur without Khartoum's consent, as it is clear that the death toll will continue to soar if the regime is left to its own devices. Last Friday September 15 President Bush suggested the possibility of new alternatives to waiting for the Sudanese Government's invitation, such as "passing a UN resolution saying we're coming in with a UN force in order to save lives." It is my opinion that at the very least we should begin to enforce UN Security Council 1591, which established a no-fly zone banning Sudanese military flights over Darfur. This has never been enforced, but must be, in order to stop the renewed aerial bombing of civilians.

#### THE MANDATE OF THE PEOPLE

The gatherings assembled around the world on Sunday September 17th in protest of the ongoing atrocities and in support for the UN peacekeeping mission in Darfur prove the concern of millions of people for the plight of Darfur. I personally spoke at the New York rally, alongside such luminaries as Chairman Smith and Madeleine Albright, and can attest to the robust crowd of 20–30,000 people, and their heartfelt commitment to ending the atrocities in Darfur. I also produced and hosted a benefit concert with Amnesty International for Darfur in Portland, Oregon earlier this year and found that the youth audience was incredibly passionate about Darfur. People from all parties, all nationalities have voiced their outrage and will to change the situation for years now. We have all chanted "Never Again" in response to various mass atrocities that have occurred in the past century. Unfortunately, Again is Now. It is happening right in front of our eyes, and we have a grave responsibility as moral, compassionate human beings to step up on behalf of the civilians of Darfur. This crisis must be tolerated not a second longer. Let us live up to the promise of what Senator Proxmire devoted his entire being to enact. Let us not have the blood of insufficient action on our hands—let us be the moral leaders we know we can be, and save Darfur!

Mr. SMITH. Ms. Sorvino, thank you so very much for your very comprehensive and passionate statement to the Committee, and words do matter. We need deeds, but certainly words hopefully animate those deeds, and your words have been I think very well chosen, so thank you so much.

Ms. SORVINO. Thank you.

Mr. SMITH. Mr. Winter.

#### **STATEMENT OF THE HONORABLE ROGER WINTER, FORMER SPECIAL REPRESENTATIVE OF THE DEPUTY SECRETARY OF STATE FOR SUDAN**

Mr. WINTER. Thank you, Mr. Smith and Mr. Payne, for having me here. While Darfur is a humanitarian catastrophe and it is a genocide, it is more than that. It is a planful strategy that we are seeing unfolding in Darfur. It can get worse, and, the way we behave, likely will get considerably worse. I would like to take a couple of moments to try to explain my views on how it will get worse and the links between what is happening in Darfur and my belief that the CPA itself, its survival, is at risk.

The crux of the problem is the National Islamic Front (NIF). After 17 years of being in power, they were responsible for between 1 and 2 million deaths in the south, the Nuba Mountains, Southern Blue Nile, and Abyei, also several million more, actually 4 million more, who had their lives destroyed by being displaced by the National Islamic Front.

The very same people who came to power 17 years ago are still in power, and they have never paid a price for what they did in the south, what they did in the Nuba Mountains, Southern Blue Nile, and Abyei, nor have they paid a price for what they are now doing in Darfur. The agenda has not changed. It has fluctuated sometimes, but it has not changed. The NIF is guided by a radical ideology, by access to riches, and a thirst for personal power.

They respond only to credible threats, not idle talk and posturing, which has been the pattern of critics in the past. Only once in 17 years did they begin to negotiate seriously about changing the pattern in Sudan, and that was when they were confronted by an undefeatable Sudan People's Liberation Army and activist leadership by the United States. That process produced the Comprehensive Peace Agreement that brought security and quietude to most of the south and the other conflict areas that the CPA covered.

I say again I believe that the CPA itself is at risk, and this is a new iteration of NIF policy and strategy. The core National Islamic Front leadership was abhorred by the provisions of the CPA. They were severely rattled a number of times when it began to grow on them what the potential of the CPA was. For example, in April 2005, after the CPA was signed, the first SPLM delegation that went to Khartoum was mobbed by thousands and thousands of people who even broke down the fence around the Khartoum airport to get at the representatives of the SPLM.

Why? To lift them up on their shoulders and dance in the streets because they saw the potential for peace, development, and they saw the potential for a new Sudan. I was there on the 8th of July 2005 when Dr. John Garang for the first time in decades went back to Khartoum.

When he went there, he was greeted by crowds that have been estimated at 6–8 million people. They were not all southerners. They were northerners. They were westerners. They were easterners. And they were also in many cases from the center, because all of the people of Sudan want to be rid of the National Islamic Front.

The National Islamic Front saw finally that the CPA provided the opportunity, the possibility, for a new Sudan. How? Well, the CPA provided that Dr. John Garang would immediately become the first Vice President of the country. And the CPA provided for elections.

The National Islamic Front saw the popularity with the 6–8 million people showing up in Khartoum, and they were concerned about the Army of the south, the Sudan People's Liberation Army, which would, under the CPA continue to exist. Okay. They would be called part of the National Army, but they would continue to exist as an entity.

The south itself would be able to govern itself, and ultimately at the end of an interim period, the south would be able to vote in a referendum on whether they might actually secede from the state of Sudan. As all this was happening, Darfur was in flames, and those flames represented the same, very same tactics that the NIF used in the war in the south. It was mass destruction of popu-

lations. It was blocked and impeded humanitarian access. It was the use of surrogate militias. It was all of that.

So, given these factors, that is, the war in Darfur and also the threat of a new Sudan brought about by the CPA, why did the NIF sign when so many of their members abhorred by many of the CPA's provision? Simply to buy time. They wanted to buy time because the war on terror was on. They wanted to buy time because they were the political berthing place for Osama bin Laden. They wanted to buy time because they were on the American "state sponsors of terrorism" list. It was in their interests "for now" to get into a serious negotiation and ultimately sign the CPA.

But over a 6½-year period, it is always possible that there can be a midcourse correction, and that is what we are seeing now, because 22 days after John Garang arrived in Khartoum, he was dead in a helicopter crash, and those abhorred NIF members saw that in his absence and engaged as they were in Darfur, the power balance was liable to shift, and they recalculated what their objectives were.

There were tasks that they had to complete in order to pursue their new revised agenda. First and foremost was to overwhelm the Darfurian opposition. They had to overrun them. They had to deal with them and get them off the table as a genuine threat to their power.

Secondly, they had to destabilize the Sudan People's Liberation Movement. It was already reeling from the death of Dr. John and its internal consequences, and they exacerbated that by inserting people whose loyalties were to Khartoum into the movement by buying a few very key officials and a number of other things like that that helped destabilize the movement.

Thirdly, they had to abort the possibility of proper elections and a proper referendum. Now elections and a referendum in Sudan, where they have not been held for years and years and years, if ever, take a lot of preparation. They, the NIF, basically control the election process, okay? So, for example, there has not been a census in Sudan, a proper census, since 1983. They are now doing a proper census, which is necessary in order to design the election procedures they control those procedures.

They needed to maintain possession of the oil fields to the maximum extent. The CPA provides that in the case of Abyei, a location that is entirely an oil field, a very significant oil field which is likely to become a part of a separate south if the south ever seceded, that regarding Abyei, the CPA includes a provision for, first of all, determining its boundaries and then, on the basis of that, implementing a civil administration that is reflective of the two sides.

When the Abyei Boundaries Commission issued its report, President Bashir refused to accept it. He still refuses to accept it. The CPA provides for a delimitation of the borders between north and south. This is very important for two reasons: Most of the oil fields span the borders, and in addition, if redeployment of military forces, separation of military forces between north and south, is going to happen, you have to know where the boundaries are. That has not been implemented.

And the NIF had to ensure, lastly, the degradation of the Sudan People's Liberation Army, its opposing military force, the one that stymied them before, and we are complicit in that not happening. So the NIF has seen over the last 14 months progress in all of these aspects of their agenda.

The Darfur opposition elimination is happening now. The NIF believes it has "read" us. It knows what we will and will not do ultimately. They believe actions of the international community will be slow. They believe that whatever actions are ultimately taken will be within acceptable limits. They have marginalized the SPLM within the Government of National Unity. They have done things to implement this entire agenda.

The problem is not just a humanitarian problem. The problem is not just a genocide, although those are core issues. The problem is the Sudan Government is doing this because it is controlled by people who choose to do this for the reasons of power and riches and radical ideology. The war in Darfur and the survival of the CPA are inextricably entwined.

The NIF attempts to liquidate the Darfur opposition combined with the death of Dr. John, who was the only politician who had the loyalties of civilians all over Sudan, north, south, east and west, set the stage for the entire undermining of the CPA, and I believe this will happen without urgent action. We need to deploy nonconsensually now the stymied UN protection force. We need to declare a no-fly zone, and in fact, we have military assets in Djibouti that can be used for those purposes.

Another option, by the way, is to at least consider seriously the blockading of Port Sudan, which is Sudan's outlet to the sea and to the world and its oil outlet. Can it be blockaded? That is one.

Secondly, we need to provide significant assistance to the Sudan People's Liberation Movement to empower its participation in governance at all levels, to be seriously competitive as a national political party, and to effectively govern the south.

Third, we need to focus now urgently on the upcoming elections, which are only about 2 years away, and ultimately the referendum, which is in 2011. Time is flying by, and it takes years of preparation for this massive but critical event. We need to take Abyei seriously. If war breaks out again between north and south, it will begin likely in Abyei. We need to take it seriously because it has tremendous implications, and it is not being dealt with now.

We need to seriously assist the Sudan People's Liberation Army in its transformation to a conventional military force from being a rebel movement. It is a strong army. It is still a poor army. It is still poorly equipped. It has got good morale, but it needs the training. It needs the equipping, because ultimately in any sense of the word, a modernized Sudan People's Liberation Army is the truest guarantee of the survival of the CPA.

And finally, given the fact that there has been no punishment of any kind of the NIF leadership after 17 years of doing what they do, there has to be personal accountability on these guys; otherwise, why should they do any better when they can pursue their own agenda without consequence?

Believe me, we really are in dangerous times regarding the Sudan. It really could happen that the CPA gets stamped "can-

celed” along with thousands and thousands more Sudanese lives. And by the way, if that happened, it would blot out one of the finest United States peace initiatives that we have seen in years and years and years. Thank you.

[The prepared statement of Mr. Winter follows:]

PREPARED STATEMENT OF THE HONORABLE ROGER WINTER, FORMER SPECIAL REPRESENTATIVE OF THE DEPUTY SECRETARY OF STATE FOR SUDAN

Sudan’s National Congress Party is controlled by an intellectually-capable, radically-committed, conspiratorial and compassionless nucleus of individuals, long referred to as the National Islamic Front(NIF). In the seventeen years since they came to power by coup to abort an incipient peace process, they have consistently defied the international community and won. As individuals, the NIF has never paid a price for their crimes. Almost all of them are still in important positions.

The NIF core is a competent cadre of men who have an agenda, the pursuit of which has killed millions of Sudanese and uprooted and destroyed the lives of millions more. While their agenda is radically ideological, it is equally about personal power and enrichment. They are not at all suicidal, but they respond only to credible threats against their power and prosperity. The international community with its limitless posturing and (too often) empty words has, to date, never constituted a credible threat. During its seventeen-year reign, the NIF engaged seriously with critics only once, that being when confronted by a strong Sudanese Peoples Liberation Movement and Army(SPLM/A) and an energetic international coalition led by the United States. The result was the Comprehensive Peace Agreement(CPA), an incredible, detailed document that ended a twenty-two year war between the NIF government and the people of southern Sudan, the Nuba Mountains, Southern Blue Nile and Abyei. Despite Khartoum’s deliberately slow and selective implementation, in my view, the CPA is now at very serious risk of survival.

Power and wealth in Sudan have historically been concentrated in “the center,” in fact in just a few tribes. All the peripheral populations—North, South, East and West—have, as a result, been marginalized, largely destitute, powerless and lacking development, regardless of their religious, cultural or ethnic background. The U.S. initiative beginning in 2001 made rather incredible progress in ending hostilities between the SPLM and the NIF government and opening up humanitarian access to war-affected people, raising the hopes and expectations of a better life for almost all Sudanese. That the peace process took four years is not surprising, given the egregious history to be overcome and the quality of the final text. The CPA was signed in January 2005. In April an SPLM delegation went to Khartoum to begin implementation arrangements. On landing at Khartoum’s airport they were engulfed by joyous throngs of Sudanese of all backgrounds—Muslims, Christians, Africans, Arabs and others—hoisting the delegation onto their shoulders and dancing in the streets. They understood the implications of the CPA to be for all Sudanese. On July 8 when Dr. John de Mabiior, chairman of the SPLM and Commander-in-Chief of the SPLA arrived in Khartoum to sign the Interim Constitution that was to implement the CPA, huge crowds of Northerners and Southerners estimated by some at 6–8 million came out to meet him. His popularity was such that, in a free election, it is likely that he could be elected President of Sudan by all the people. A New Sudan was being born.

But Darfur was in flames.

In February 2003, perhaps seeing the progress of CPA negotiations and concerned about being left out of the benefits of the CPA, “rebels” from Darfur’s marginalized populations who were considered “African” as distinct from “Arab” initiated hostilities against the NIF government. The NIF responded precisely as it had in the war against the SPLA. This involved destruction of civilian populations, denial of humanitarian assistance to war-affected civilians, utilization of surrogate Arab militias in coordination with formal government military forces and pretence of themselves being the aggrieved party, being the “sovereign” government. The violence exhibited a character far beyond that which could fairly be described as “military.” Ethnic cleansing was clear. Genocide was its truer name.

The CPA includes a provision that the South and potentially Abyei can legally secede from the Sudan state if a referendum in those areas, scheduled for 2011, so decides. (The people of Southern Blue Nile and the Nuba Mountains, to their great dismay, have no similar option and fear being overwhelmed by Khartoum eventually). The NIF committed itself to make unity attractive but he war in Darfur has demonstrated to the SPLM that unity in a state dominated by the NIF would be anything but attractive. Many core NIF adherents were appalled by this provision,

not just at the potential dismemberment of the Sudanese state but also because a large percentage of Sudan's known oil reserves, now increasingly coming on line, are located in the South. If the South legally seceded, that oil would then belong to it as a new separate country. Those NIF personnel also saw other CPA interim provisions as contemptible: that Dr. Garang would become Sudan's First Vice President, that the South would have its own government, that the SPLA would continue to exist as a component of "the national army," but separate from the Government's army, and that national elections would be held.

So, why did the NIF government sign the CPA? With its very limited allegiance from the Sudanese public and increasing military threats from Sudan's other disaffected marginalized populations, with the international war on terror potentially having implications for Sudan itself, being on the U.S. list of state sponsors of terrorism and also being the political birthing place for Osama bin Laden, not to mention the NIF's own brand of radical politics, the NIF needed to buy time. It also hadn't, despite a twenty two year war, been able to defeat the SPLA. It was in their interests, at least "for now," to sign. At least signing guaranteed it six and one-half years of protected existence. Who could know what opportunities for a course-correction might materialize within that time-span?

On July 30, 2005 Dr. John de Mabior, the embodiment of the possibility of a united New Sudan, was killed in a helicopter crash. The opportunity had arrived. That very day, I believe, the NIF recalculated its future course of action.

To seize the opportunity, the NIF needed to eliminate the Darfur opposition (civilian and military), destabilize the SPLM, corrupt or abort any potential for a viable referendum, maintain possession of the oil fields of Abyei, and ensure the degradation of the SPLA. The NIF has seen progress on all of these in the last fourteen months.

We are currently witnessing the NIF's attempt to achieve the elimination of its Darfur opposition. Khartoum is attempting to change the realities on the ground in Darfur before the international community gets serious, if that is possible. They believe they have "read" us, the international community, all accurately, the U.S. included. They believe there will be a continued slow response on our part to Darfur's genocide and acceptable limits to whatever actions are ultimately taken. After all, that's been pretty much the case throughout their tenure. Thus, the liquidation of the Darfur opposition is now in motion.

The NIF has successfully marginalized the SPLM within the "Government of National Unity" created by the CPA. The SPLM is largely powerless to affect significant national policy. The NIF has "bought" several SPLM officials and also inserted into the SPLM apparatus other key individuals whose loyalty is to Khartoum. Several veteran SPLM leaders, brilliant, capable men who were critical in achieving the CPA, have now left the country in despair.

The process for undermining the referendum is now underway. The first elections, preliminary to any referendum, are scheduled for 2008. To prepare for them, basic elements, laws and structures must be put in place, especially in a context where there is no history of elections. For example, there has been no proper census in Sudan since 1983. Thus, the architecture for elections is being put in place in a context largely controlled by Khartoum loyalists. And, too, the international community is being of only limited assistance to the SPLM in its conversion from a rebel movement into a nationally-competitive political party, a serious shortcoming.

The future of Abyei, a place little understood by outsiders, is a critical issue as it is the repository of a significant amount of Sudan's oil; most of Abyei is an oil field. Currently that oil is being extracted under Government contracts with oil companies from China, with its UN Security Council veto power, Malaysia, India and Sudan itself. Its products are fueling the NIF's war in Darfur. The CPA provided for an Abyei Boundaries Commission(ABC) to determine Abyei's actual borders, so that oil revenues can be properly allocated. The ABC determined the boundaries but President Beshir has rejected it and also the appointment of an interim local government as provided in the CPA. To buy time as the clock ticks, he refuses to proceed. The highly volatile Abyei area, thus, remains largely in the hands of the Sudanese Army.

The Sudan Peoples Liberation Army is, in many ways, the reason the CPA exists. This rebel army, with very limited resources, could not be defeated by the Sudan army. But that was then; this is now. The balance may be changing. The riches of Khartoum are being used to modernize and equip the Sudan Army. The SPLA is largely as it was several years ago, perhaps even less so. In significant part, this is due to us. Endless debating regarding what the U.S. is authorized to do to the help in the transformation of the SPLA into a modern military force is very dangerous. It could cost South Sudan and potentially all of Sudan tragically in the future. Transformation of the SPLA is the surest guarantee that the CPA will survive.

It is my view the war in Darfur and the survival of the CPA are inextricably entwined, and the NIF sees it. If, through weak international responses to genocide, the NIF succeeds in eliminating its Darfur opposition, and that reality is combined with the reality of the loss of Dr. Garang, the only southern leader who had the stature to compete successfully with Khartoum, the stage is set for the NIF to entirely undermine the CPA. The SPLM can again compete, and its current leadership is trying to so position it, but its recovery from the loss of Dr. Garang and from the destabilization efforts of the NIF will take time. And the clock is ticking.

Based on this analysis, I encourage the following urgent steps:

1. Deploy non-consensually the now-stymied UN protection force. In fact, some of the UN force already in the South, in such places as Wau virtually next door to Darfur, could be moved there quickly. In the meantime, declare and enforce a no-fly zone for Sudan military aircraft throughout Darfur. U.S. resources exist in Djibouti that could be used for enforcement purposes.
2. Provide substantial assistance to the SPLM to empower its participation in governance at all levels, to be seriously competitive as a national political party and to effectively govern the South. The Government of South Sudan also needs assistance in anti-corruption efforts, such as setting up an office of Inspector General of Government. Some of these issues were discussed by Salva Kiir, President of South Sudan, when he met with President Bush in July.
3. Focus now urgently on the upcoming interim elections and ultimately the referendum. Time is flying by, given what needs to be accomplished. Monitor preparations in detail and equip the SPLM to be able to fully participate in preparations.
4. Take Abyei seriously. If war breaks out again between the NIF and the SPLM, it will in my estimation likely begin in Abyei. Expose President Beshir's perfidy in delaying. Raise the issue at the UN Security Council and other appropriate forums.
5. Seriously assist the SPLA in its conversion from a rebel force to a modern military. The delays already caused by U.S. persistent bureaucracies have the potential for actually encouraging war and the ultimate loss of life and of the CPA.
6. Finally, given the "no negative consequences" pattern experienced by the NIF for crimes committed, accountability for past, current and future crimes is a critical issue. Unfortunately for Sudanese, the International Criminal Court seems to have disappeared. An internationally agreed-on system of accountability is desperately needed for Sudan's atrocities. The U.S. should actively take leadership in addressing this crying need.

Believe me, we are in really dangerous times regarding Sudan. It could happen that the CPA is stamped "CANCELLED," along with an incredible additional number of Sudanese lives. And if that happened, it would blot out one of the finest U.S. initiatives of the last decade.

(Note: These are my personal views and have no connection to my prior employment).

Mr. SMITH. Thank you very, very much, Mr. Winter, for that historical perspective and also to bring us to exactly where we are right now. Very sobering and cause for us to obviously take much more additional action. Mr. Webb.

**STATEMENT OF MR. WARWICK DAVIES-WEBB, RESEARCH  
DIRECTOR, EXECUTIVE RESEARCH ASSOCIATES**

Mr. WEBB. Sorry, Mr. Chairman. Thank you very much, Chairman Smith, Congressman Payne, and the rest of the Committee on International Relations for providing myself the opportunity to address this audience here today. In looking at external factors threatening stability issues in Sudan, which was the piece that I was given by the Committee, I am going to try and bring an African perspective to the hearing in some instances.

Emotions are understandably high with regards to Darfur, but from an outsider's perspective, considered policy responses are needed to take into account Africa's peculiarities and the knock-on effect developments in Sudan may have on Africa as a whole.

If it is to promote a peaceful resolution of the crisis in Sudan and Darfur, most notably the Darfur tragedy, it is to some extent undermined by a simplistic view that it is a conflict represented solely by Sudanese aggressors and Sudanese victims. The real situation also involves a number of external actors and individuals pursuing their own specific agendas, and perhaps until United States and international policymakers give greater attention to these external actors, peace and stability in Sudan will remain under threat in the years to come.

With regards to UN forces being deployed in Sudan, there is a growing feeling in some quarters in the country that the entry of UN peacekeepers in Darfur will be construed by some as a sort of occupation force, one having nothing to do with peace but rather one pursuing a western or NATO agenda to destabilize Sudanese unity and sovereignty. This thinking is obviously present in the National Congress Party of El-Bashir and its various state security structures.

However paranoid or idiotic this thinking may be, it is a perception that drives the policy thinking of that country and could result in a conflict with the deployment of UN forces in Darfur. Perhaps a problem to some extent is that there is a perception of balance that has been lost with respect to the transgressions and agendas of other actors in the region such as Chad, Eritrea, Libya, and Uganda, which is being overlooked by the UN and other international actors.

Certainly from an external threat perspective, a very real danger facing UN forces in Darfur, especially one staffed and visibly directed by western troops, would be a catalyst for the mobilization of a militant Islamic backlash in the region. There are reports being received that Islamic Jihad units are being readied for deployment in Darfur, and there have been indications of Al Qaeda media announcements being made to mobilize international forces for this situation should it arise.

For United States policymakers, this results in a new equation being entered into in the security dimension in Darfur. I am not suggesting that the implementation of the UN security force should not go ahead but that rather another look should be taken as to how it is put together.

Greater effort should be made to make the prospect of UN deployment a global rather than a United States- or NATO-led initiative and one in which the composition of such a force is more neutral and includes the deployment of troops from moderate Muslim countries, as suggested by former President Bill Clinton. This would certainly assist the UN in projecting a more objective intervention in Sudan to Khartoum.

But on a more practical level, while the deployment of the UN force could take weeks or months, it is already in place, the African mission in Sudan. The extension of the AU mandate should be an immediate priority, and it would seem that this is what is being



discussed in New York as we speak. So should the strengthening of its capacity.

Consideration could be given to sending UN command and control personnel to the African Union force as well as strengthening its intelligence-gathering capability in Darfur. If the UN can raise the funds and troops for its peacekeeping force, monies could also be raised for an African one. The issue here from an African perspective is that we need to try and make the African Union mission a success rather than letting it collapse and so fuel the levels of African pessimism that tend to exist in Washington and other capitals elsewhere.

Looking at some of the regional actors involved in Sudan and Darfur, it would seem that the conflict in Sudan has often provided a useful smokescreen for outside intervention in the country's internal affairs on a range of levels. They would prefer to see a weakened Khartoum or a weakened Sudan. During the north/south civil war, Uganda's interference in the south was well-documented or has been well-documented.

But more recently, it has been Chad's turn where it has used the Darfur crisis to achieve several interrelated objectives: Supporting rebel forces fighting Sudan in Darfur, deflecting international criticism on the undemocratic nature of the Deby regime, and using anti-Khartoum rebel forces to fight Chadian pro-democracy forces located in Darfur and the Central African Republic.

Whatever the moral arguments for such support, it has undeniably strengthened the resolve of Khartoum to retain its military forces in Darfur. It does have implications for national sovereignty issues, and that is something which is understandable for most countries in the world when faced with what is perceived to be rebel or guerilla attacks sponsored by outside forces. It has also fueled concerns that Chad or elements of the Chad administration were more concerned with strengthening the emergence of a Zaghawa-dominated ethnic region on its eastern borders.

Opposing the conflict in Darfur should not come at the price of underpinning another undemocratic regime which has been complicit in sustaining the Darfur conflict. In recent months, we have seen the movement of rebel forces from Darfur to east Sudan, courtesy of Eritrea. Here we have JEM and factions of the Sudanese Liberation Army being provided with logistical support from Eritrea where on the 30th of June of this year, we saw the formation of the National Resistance Front in Asmara.

It is clearly a major negative development to have a new potential mini-Darfur perhaps emerging in the east of the country. Ironically, the Darfur Peace Agreement has been criticized as being a bad agreement because it could not get all parties to sign up. Yet it would seem that countries like Eritrea and Chad are providing these same rebel groups with an exit strategy to avoid signing the DPA and continue their conflict not just in Darfur but in other areas of Sudan as well.

Major powers like the United States which have the means to influence events in Sudan cannot ignore the role being played by such external actors as Chad, Eritrea, and others, and perhaps until more public attention is given to these outside spoilers, it

seems unlikely that Khartoum would accept the bona fides of Washington and the UN as it currently stands.

The DPA obviously has its weaknesses, and that cannot be denied. Perhaps two come to mind immediately. The first is that some key implementation issues were not properly discussed but held over in favor of getting everyone on board first to sign the agreement. This included effective mechanisms to integrate rebel armies into the Sudan armed forces and to properly monitor the disarmament of the Janjaweed.

Secondly, the key sponsors of the DPA, which included the United States, European countries, and the UN, to some extent walked away from seeing through its proper implementation, and perhaps what was needed was a more hands-on approach by its formulators to try and get everyone on board and ensure that the process actually worked.

Priority clearly needs to be given to making the current agreement work rather than to start from scratch, as is being argued in some quarters; otherwise, the value of future agreements are not worth the paper they are written on. Importantly, this means getting the nonsignatories on board.

Looking at the Comprehensive Peace Agreement, I agree with the speaker before me that the Darfur crisis must not undermine the good work that has been done with the CPA, and certainly not enough credit has been given to the role played by this United States Administration in ending one of Africa's bloodiest and longest civil wars.

The problem, however, is that the focus on Darfur has tended to overshadow growing problems confronting the CPA. This includes disputes over oil revenues, border demarcations, ethnic divides, divisions within the SPLM in the south, a lack of development in southern Sudan, et cetera. It would obviously be a major tragedy if the CPA is allowed to collapse because the world spent all its energies on Darfur.

One major challenge is to bridge a growing policy disconnect between the SPLM leadership in Khartoum and the Government of Southern Sudan. The SPLM in Khartoum needs to reassert its political presence in the Government of National Unity and take joint accountability for the actions of the Government of National Unity in areas such as Darfur. There is an element of passivity which suggests that the SPLM is not willing to put more political pressure, if it wanted to, through structures such as the GNU to resolve the Darfur issue.

There is a real concern that so long as the SPLM is unwilling to assert its political authority in Khartoum, pro-secessionist forces in the south will grow, and with it, tensions threatening the stability of the south will increase, too. Another major concern is that the Darfur crisis coupled to tensions between north and south, growing problems in the east, and localized ethnic tensions in the Nuba region may tear Sudan apart.

Critically, the emergence of disaffected groups in Sudan all demanding some sort of special political dispensation carries with it the seeds of political balkanisation and ultimately civil war preceding secession. This has major ramifications for the future of Africa. It is surely not in the interest of the United States, neither

the UN and indeed the African Union, to see Sudan descend into another Somalia.

To conclude, I would like to suggest that Darfur cannot always be seen in isolation, and what happens in Darfur affects the viability of the CPA and the potential for conflict in the east and in fact the stability of the entire region. A challenge for the United States and other international actors is the need to deal firmly but fairly with all key players in Sudan, including Khartoum, the south, the Darfur rebels, and the variety of external players that influence Sudan today. Thank you very much, sir.

[The prepared statement of Mr. Webb follows:]

PREPARED STATEMENT OF MR. WARWICK DAVIES-WEBB, RESEARCH DIRECTOR,  
EXECUTIVE RESEARCH ASSOCIATES

EXTERNAL THREATS TO PEACE IN SUDAN

Efforts to promote a peaceful resolution of the crisis in Sudan—most notably the Darfur tragedy—are being undermined by a simplistic view that it is a conflict represented by Sudanese aggressors and Sudanese victims. The real situation, however, also involves a number of external actors pursuing their own specific agendas. Until US and international policy makers give greater attention to these external actors, the peace in Sudan will remain under threat.

*UN Forces: Peace-keepers or Occupation Force?*

There is a growing feeling in some quarters in Sudan that the entry of UN peace-keepers in Darfur will be construed by some as a sort of “occupation” force—one having nothing to do with peace, but rather one pursuing a Western or NATO agenda to destabilise Sudanese unity and sovereignty. This thinking is prevalent in the National Congress Party (NCP) and in state security structures.

The problem here is that the perception of “balance” has been lost, with respect to the transgressions and agendas of other actors in the region such as Chad, Eritrea, Libya and Uganda.

*Islamic Extremists*

Another very real danger is that a UN force in Darfur, one staffed and directed by Western troops, would be a catalyst for the mobilisation of a militant Islamic backlash against such a force. Already, reports are being received that Islamic Jihad units are being readied for deployment in Darfur. And even if Khartoum accepted the deployment of UN troops there are no guarantees that groups such as the Janjaweed would do similarly.

As things stand now, imposing a UN force without Khartoum’s approval would be an invitation to more conflict in Darfur not less. Rather greater effort should be made to make the prospect of UN deployment a global rather than a US or NATO initiative, and one in which the composition of such a force is more neutral and includes the deployment of troops from moderate Muslim countries, as suggested by former President Bill Clinton. This would assist the UN in projecting a more-objective intervention in Sudan to Khartoum.

*The African Union Force*

On a more practical level, while the deployment of a UN force would take weeks perhaps months, there is already in place the African Mission in Sudan (AMIS), importantly with the consent of Sudan. The extension of the AU mandate should be an immediate priority as should the strengthening of its capacity. Consideration could be given to seconding UN command and control personnel to the AU force as well as strengthening its intelligence-gathering capability. If the UN can raise the funds and troops for a peacekeeping force, can it not raise the same support for an African one?

*The Role of Regional Actors*

Conflict in Sudan over the past few decades has provided a useful smokescreen for outside intervention in the country’s internal affairs on a range of levels by countries that would have preferred a weakened Khartoum. During the north/south civil war, Uganda’s interference in southern Sudan was well documented. More recently, it has been Chad’s turn where it has used the Darfur crisis to achieve several inter-related objectives:

- Supporting rebel forces fighting Sudan in Darfur.

- Deflecting international criticism on the undemocratic nature of the Deby regime
- Using anti-Khartoum rebel forces to fight Chadian pro-democracy forces located in Darfur and the CAR.

Whatever the moral arguments for such support, it has undeniably strengthened the resolve of Khartoum to retain its military forces in Darfur, and to act aggressively against Chad-backed rebels and their civilian ‘supporters’. It has also fuelled concerns that Chad—or elements of the Chad administration—was more concerned with strengthening the emergence of a Zaghawa-dominated ethnic region on its eastern borders.

Opposing the conflict in Darfur should not come at the price of underpinning another undemocratic regime which has been complicit in sustaining the Darfur conflict.

#### *Other Players*

The conflict of Darfur has spread to the east of Sudan, promoted by some of the Darfur parties as a means to increase the pressure on Khartoum. Thanks to Eritrea, JEM and SLA factions moved to the east where they not only receive logistical support but also founded the National Resistance Front (NRF) in Asmara on 30 June this year. It is clearly a major negative development to have a new, potential ‘mini-Darfur’ emerging in the east.

The DPA is being criticised for being a bad agreement because it could not get all parties to sign on. Yet it would seem that countries like Eritrea and Chad are providing some of these rebel groups with an “exit strategy” to avoid signing the DPA and continue their conflict not just in Darfur but in other areas of Sudan as well.

The role of Islamic extremists fuelling the Darfur crisis also needs closer attention. For example elements of JEM have received some support from Al Turabi’s PCP, again raising questions of who is benefiting from the actions of these rebel proxy groups.

Major powers like the US which have the means to influence events in Sudan cannot ignore the role being played by such external actors as Chad, Eritrea, and others. Until more public attention is given to these outside ‘spoilers’, it seems unlikely that Khartoum will accept the bona fides of Washington and the UN.

#### *Problems with the DPA*

That the DPA has its weaknesses cannot be denied. Two major weaknesses can be identified:

- The first is that some key implementation issues were not properly discussed but held over in favour of getting everyone on board first to sign the agreement. This included effective mechanisms to integrate rebel armies into the SAF and to properly monitor the disarmament of the Janjaweed.
- Secondly, the key sponsors of the DPA have walked away from seeing it through to its proper implementation. A more hands-on agreement was required.

Priority clearly needs to be given to making the current agreement work rather than to start from scratch, as is being argued in some quarters; otherwise the value of future agreements are not worth the paper they are written on. This means getting the non-signatories on board.

#### *The Comprehensive Peace Agreement*

Critical in dealing with the Darfur crisis is the need to maintain the credibility and integrity of the CPA. Not enough credit has been given to the role played by this US administration in ending one of Africa’s bloodiest and longest civil wars.

The massive focus on Darfur has tended to overshadow growing problems confronting the CPA. This includes disputes over oil revenues, border demarcations, ethnic divides, divisions within the SPLM, a lack of development in southern Sudan, etc. It would be a major world tragedy if the CPA collapsed because the world spent all its energies on Darfur.

One major challenge is to bridge a growing policy disconnect between the SPLM leadership in Khartoum and the GOSS. The SPLM in Khartoum needs to assert its political presence in the Government of National Unity (GONU) and take joint accountability for the actions of the GONU in areas such as Darfur. There is a real concern that so long as the SPLM is unwilling to assert its political authority in Khartoum, pro-secessionist forces in the south will grow, and with it, tensions threatening the stability of the South will increase too.

Another major concern is that the Darfur crisis—coupled to tensions between north and south, growing problems in the east, and localised ethnic tensions in the Nuba region—does not tear Sudan apart. Critically, the emergence of disaffected groups in Sudan all demanding some sort of special political dispensation carries with it the seeds of political balkanisation and ultimately civil war preceding secession, which could have disastrous ramifications for the future of Africa. It is surely not in the interest of the US, the UN, and indeed the African Union to see Sudan descend into another Somalia.

*Conclusion*

To conclude, Darfur cannot always be seen in isolation. What happens in Darfur affects the viability of the CPA, and the potential for conflict in the east, and in fact the stability of the entire region. The challenge for the US and other international actors is the need to deal firmly but fairly with all the key players in Sudan, including Khartoum, the South, the Darfur rebels and the variety of external players.

Mr. SMITH. Mr. Webb, thank you very much.

Just to begin, Ms. Sorvino, if I could ask you: In situations of conflict women are usually the most victimized, and you gave some riveting testimony along those lines, especially due to traditional customs that reject women who have been raped. Do you have any recommendations as to what we could do, what aid workers and other interested parties should be doing to try to ensure that those women are not ostracized and treated as pariahs? They should be treated as victims, obviously, and not rejected. Do you have any thoughts on that?

Ms. SORVINO. That is a pretty difficult task to accomplish because we are dealing with a totally different cultural context. Obviously, I believe that as much as possible, there should be female aid workers dealing with the victims of rape so that they feel comfortable as much as possible explaining what has occurred to them. Right now in this time of conflict, I am not sure that you can fix that situation.

I think that this is a long-term strategy where you have to educate, where you have to reverse centuries old ways of thinking about women's virtue. But I think it is also going to have to be a time of healing for the men of the community there as well because they have undergone such an emasculation and shame by this being.

As you have described before that the women are choosing to go get firewood and water for their families and in doing so endure sexual violence against them as opposed to the men going out and then being killed, but the psychological toll that that must take on the male psyche there that they are allowing their women to be raped, it just creates such long-term scars that I frankly do not know.

I would think that more aptly perhaps like a rape counseling specialist maybe should be appointed to advise on this issue, someone from the U.S. who that is their full-time job. I wish I could give you better ideas there.

Mr. SMITH. Sure. Let me for all of our panelists ask you if you think there has been sufficient criticism of China for its complicity in these crimes, first of all in the south of Sudan for all of those years when the oil revenues and the quid pro quo with Khartoum and Beijing of helping each other kept that fight viable against the south, and now blocking any effective action of the UN Security

Council. What are your thoughts on China? Mr. Winter, maybe you would like to begin.

Mr. WINTER. The direct answer to your question is no, I think there has not been sufficient focus on China for its role. It is hypocritical to vote for the UN resolution only if it requires the approval of the government which, at least I contend, is consciously engaged in overwhelming the south. That is a non sequitur that goes around and around and around that does not provide any solution whatsoever.

I think China can be seriously engaged, however. They are a terribly important country. They are on the Security Council. We have to find ways to work with them. I do not have the wisdom to know exactly what those ways are, but I think if we made a big deal about their facilitation of genocide, they would take that seriously. China wants to be an international leader. They are, but they want to be recognized as an international leader, and that means they have to take some leadership in resolution of problems, and what they have provided for is not a resolution.

Mr. SMITH. The conventional wisdom with most of us was that with your departure and that of Bob Zoellick, there was a large hole in terms of our intensity in focusing on Darfur. I would be interested in knowing—from you especially, Mr. Winter—what your feeling is about that, and all of you, what recommendations you might make to Andrew Natsios, who is obviously no stranger to humanitarian crises, having most recently been in charge of USAID. Do you think it is too late? Does he come at the right time? Can he help cobble together a shuttle diplomacy or whatever it takes to get this back on track?

Mr. WINTER. First of all, if I might start, yes.

Mr. SMITH. Yes.

Mr. WINTER. Andrew has the distinct advantage of knowing Sudan. He has been involved over a period of about 16 years in one way or another, in the first Bush Administration, then working on Sudan with World Vision, and then again as Administrator of USAID.

It is not well-known, but the peace initiative of this Bush Administration, which was intended at the beginning of the Administration, really gained traction when Andrew in a meeting with the Foreign Minister of Sudan, being the first significant United States official visitor to Sudan in a long, long period of time, since Sudan went on our state sponsors of terrorism list, proposed what became the entry point to the Nuba Mountains ceasefire.

He simply proposed that there be a 24-hour military stand-down to allow one American food flight from the government-controlled territory to the rebel-controlled territory. He proposed it. They bought it. The CPA was the outcome ultimately. So he is an experienced individual.

I am not sure how much there was of a vacuum within the State Department, and I have limits as to how much I would like to speculate on that here. I can tell you I think Andrew is a good choice. The question is, does he have the right mandate, will he be adequately staffed, and does he really have direct access to the President? Without those, he will be hobbled, and it will not produce the outcome we want to see.

Mr. WEBB. Sorry, Mr. Chairman.

Mr. SMITH. Yes, Mr. Webb.

Mr. WEBB. I would not like to follow and try to answer the previous question because it is a United States sort of policy dimension, and from our perspective, I would not be able to answer it effectively, but I would like to try and get back to your question on China.

Mr. SMITH. Please.

Mr. WEBB. China is interesting in the sense that it faces a strategic dilemma in Sudan. We know that one of the key reasons why China went to Sudan was because of the oil supplies that were based in their country. It now faces a dilemma in the sense that a lot of those reserves fall into what could be southern Sudan, depending on the demarcation on those borders.

So one sees the situation arising where there have been diplomatic and political openings made to the south. For example, El-Salva Kiir visited Beijing last year for discussions with China. So one would start to predict that China will show some major flexibility with regards to how it deals with Sudan. But it does pose some very difficult questions for it to try and resolve in how it deals with UN Security Council Resolutions. Thank you.

Mr. SMITH. Thank you. Let me just ask with regards to Mr. Winter, you had mentioned your concern that the CPA is at risk. When I first met with Salva Kiir 7 days into his tenure in office, he expressed that concern—that if Darfur is not resolved, the CPA could be put at risk—and he has not changed, at least from meetings that we have had with him as he has visited the United States.

So my question is, the Darfur Peace and Accountability Act has language in it on the Senate side that would permit nonlethal aid to the SPLA Army, which if I am not mistaken is something on the order of 80,000 to 120,000. I would appreciate your sense as to how large it is. And that is something that we need to work out with the Senate. Would you be advising that we accept that so that they can become a counterweight? And secondly, you mentioned the blockade. And if you could expand on that if you would, it would be very helpful. Thank you.

Mr. WINTER. Yes. The Sudan People's Liberation Army proved itself an effective fighting force. It stymied the government's military and really provided the environment for the CPA to be created. The government's military has been growing stronger. It is benefitting from oil revenues. It is being equipped. It is expanding. And at the same time, while SPLA soldiers are finally getting paid, they are not benefitting from all that they need in order to be an effective modern military in the environment in which they now function.

Frankly, within our Government, we have sacrificed I believe through legal debates about what under our laws we can do. We can certainly do certain kinds of training, but what else can we do? And that has basically meant that our efforts to help transform that military have been less than halfhearted when all is said and done because you have different entities within the U.S. Government debating with each other, lawyers getting paid, but the SPLA not getting all the assistance it needs.

I suggested that an effective, modernized, transformed Sudan People's Liberation Army will be the best security for the survival of the CPA. I believe it is an urgent thing to resolve. And while I am not personally convinced that this language had to be in, because I thought the authority was already there, I would say that if that is what breaks the logjam on assisting the transformation of that military, it is a terribly important thing to do, because time is passing very, very quickly on the CPA calendar. I am sorry, Mr. Smith. I forgot what you asked at first.

Mr. SMITH. You mentioned the blockade.

Mr. WINTER. Yes. I am not confident that I am conversant with all the legal and political issues. I know everybody is concerned about what boots on the ground in Darfur means. I think everybody is concerned about what enforcing a no-fly zone might entail. I think we have the assets to do it. I think they are well-positioned to do it, but there are concerns about how that level of violence might grow into something quite terrible.

There is this other idea that is circulating within the Sudanese aficionado community, if I could say that, that is it possible to navigate the legal paradigm to see when you are facing a situation like genocide and when you are concerned about actually engaging in hostilities against a government which is committing genocide, what are the legal implications of taking a nonmilitary confrontational military approach and actually trying to blockade the port?

That port is the exit point for their oil. It is their only significant access to ocean shipping of any kind, and so it has significant implications for Khartoum. It might even have at least the threat of a significant implication for China. Maybe not positive, but I do not know how they would receive it. So I only present it not as a well-defined option, but an option that at least to my own knowledge I am not aware has been teased out in a serious manner.

Mr. SMITH. Thank you. One final question. Then I will yield to Mr. Payne. The issue of the National Islamic Front and its imposition or attempt to impose Sharia on the south of Sudan, is largely overlooked as just another manifestation of forced Islamicization, and I would appreciate your views, whoever would like to answer, as to whether or not that is your take on the whole matter. You mentioned radical ideology. Is that what you are talking about, or is it just simply people who are crazed with power and seeking to enrich themselves and their government?

Mr. WEBB. Mr. Chairman, the NIF, as one understands it, is split in terms of an ideological spectrum between the National Congress Party and the PCP, People's Congress Party of el-Turabi. So if there was an ideological aspect driving, for example, El-Bashir's party in Khartoum, it to some extent split away when the split took place in 2000, 2001.

So it is a question of a government which has to some extent turned its back on an Islamic ideology to maintain power but is perhaps flexible to the extent that it is willing to sign agreements like the CPA to in its own mind ensure the continuation of its power base. But it is not inflexible in the sense that it would look at all means to maintain its base in Khartoum.

Mr. SMITH. Mr. Payne. Anybody else?



Ms. SORVINO. Can I just refer briefly back to the question you asked me earlier?

Mr. SMITH. Sure.

Ms. SORVINO. I had a little brainstorm while I was sitting here. In terms of affecting the balance of the rape survivors and how they are accepted in their communities, what about the U.S. lending its support to the ICC in prosecuting rape as a crime with the Janjaweed and the GOS soldiers?

Because if the blame was publicly placed squarely on the soldiers of the male perpetrators and done rather thoroughly and ubiquitously, perhaps then the social dialogue would begin to change and people could put their anger on the rapist rather than the rapees. That would be sort of an immediate future way to try and affect the cultural balance there in terms of how it is perceiving this rape.

Mr. SMITH. Thank you.

Mr. WINTER. On your question, let me make just a couple of points. There is of course a school of thought that the spread of Islam is blocked by southern Sudan in Africa significantly. I am not sure how heavily that holds true, and I do think that while there is a radical Islamic element to the National Islamic Front's action, what we have in Darfur is basically Muslims killing Muslims, and so it is not exactly entirely an Islamic issue. It is also an Arab versus African issue.

And to have Arab Muslims killing African Muslims does not lead to a very effective evangelization program for Islam. So it is problematic in a number of ways. I think it is more or it has become more about power and personal riches, and the fact that they have never been punished or in any way paid a price for what they have done allows them or is an incentive for them to continue to try to pursue power and riches.

Mr. SMITH. Thank you. Mr. Payne.

Mr. PAYNE. Thank you. Thank you very much. It is good to see you again, Ms. Sorvino, and you continue to do God's work.

Ms. SORVINO. Thank you.

Mr. PAYNE. I think it was several years ago we met in the office, but I wonder have you taken your campaign, as asked before in general, to Europe? And have you had the opportunity to speak in other parts of the world? And what has been, if you had, the reaction of the treatment of women, the violence on women in other capitals or other parts of the world, in particular, in Europe?

Ms. SORVINO. I wish I could say that I had been on a worldwide tour of lectures, but it has been pretty much U.S.-based. I have not been invited, but I have also had two children in the past 2 years, so I have been kind of busy on my own personal front. But I would welcome the chance to do that. I would be very curious.

I cannot really imagine that once people are actually exposed to the real situation that many cultures could be indifferent. But certainly many of the European countries are much more allergic to intervention in other states' affairs than we have been historically. So I think that that would be put up as kind of a barrier. But the plight of women I think in the sort of at least western European cultures would resonate.

Mr. PAYNE. Okay. Thank you. I think it is something we need to pursue. We hear about the borders and the borders especially of Abyei, but other borders have not been concluded. And I wonder, Mr. Winter or Mr. Webb, can you tell us what areas are still sort of in dispute and whether there is oil in that area? We are supposed to have defined borders, but there are still I guess Nuba and some other places that are supposedly in dispute. And has the border commission met to sort of conclude where these borders are to your knowledge?

Mr. WINTER. There are. To be as clear as I can, there are really two issues that stand out. One is the Abyei situation and the other is the border broadly between north and south. There are significant oil fields. Abyei basically is an oil field, firstly, and, secondly, much of the oil spans the border.

Okay. So implication one really is who owns the oil and who during the interim period until the CPA basically goes to referendum, the referendum as implemented, who shares the revenues? In what percentages?

Okay. The CPA recognizes very clearly that Abyei is a special area and so singled it out with its own protocol to the comprehensive agreement. It provided for an Abyei Boundaries Commission. The commission consisted of equal numbers of representatives of the SPLM and the government and an international five, I believe.

The two Sudanese parties could not agree on where the border should be. The international parties entirely sided with the SPLM. Under the CPA, the report of the Abyei Boundaries Commission goes to the President. It is a report which the President is not really authorized in the CPA to change, modify, or anything like that in order to resolve the issue. President Bashir, however, has rejected it.

He has rejected it. And as one of the consequences of that, besides general destabilization of the area and continued Sudan Army military control, it also means that in this very volatile area, there is no civil administration whatsoever to begin to cater for the population's needs.

So it is a very dangerous kind of situation that has implications both for oil revenues but also for military deployments. It is supposed to be presumably the SPLM that is equally in charge in Abyei. It is a joint kind of military force along with the UN in charge rather than such a heavy Government of Sudan presence.

The other issue is the broader border definition, and the implications are very similar. It affects military deployment. Where do you pull the forces back from if you do not know where the line is? And it affects the issue of oil revenues also. Neither provision of the CPA has been fully implemented in regard to that.

Mr. PAYNE. In the CPA, the oil in the south is shared 50-50 with the government in Khartoum, but oil in the north I guess is not shared with the south, so the more that the Government of Sudan can say is a part of the line is not in south Sudan, they keep all of the oil revenue, and so they would like to take those oil rich areas and conclude that they are a part of the north so they share none of the revenue with the south.

Mr. WINTER. Or minimally.

Mr. PAYNE. Or minimally.

Mr. WINTER. I believe that is their intent.

Mr. PAYNE. Yes. There were problems with the oil accounts. Do you know whether the south has now gotten that corrected, or is there any real definitive way for the south to verify how much oil revenue there really is?

Mr. WINTER. I do not know the exact status of that issue. I do know what you are referring to. I guess what I can say is there is no way, however, to be definitive because the border issue is not resolved, and therefore, the allocation percentages are applied against what, because where the border is makes a difference, as you pointed out.

Mr. PAYNE. Okay. Just two quick final questions. In your opinion, many observers have suggested that the Vice President, Ali Osman Taha, has his hand in a lot of the planning and execution of the atrocities in Darfur. Now has our tribunal, the ICC, investigations taken a look at Taha? Because it is alleged that he is actually sort of a commander of the Janjaweed almost. That was his idea to unleash them.

And secondly, Egypt certainly has close ties or has had close ties with Sudan. They still around the first of the year get \$2 billion just to start, and they probably pick up another \$400 million or \$500 million with some maybe education of refugees in Egypt, et cetera, et cetera, et cetera, part of Camp David accords. Every year at least a minimum of \$2 billion.

And Mubarak, it is bad enough that he puts in prison his opposition, but why do we continue to allow Egypt to simply actually defend Sudan? We talk about China, and we talk about Russia, but here is our great so-called ally, Egypt, that gets our taxpayers' money every year, first January 1 \$2 billion to start, arresting their own people, et cetera. But they say that is what happens. But why can we not kind of pressure? Why cannot our Administration at least have some come to Jesus talks with the Government of Egypt?

Mr. WINTER. With respect to Vice President Taha, you do not get to be in his position in the National Islamic Front if you are not heavily ideological and you are not prepared to be brutal. On the other hand, he was very useful I think in the CPA process. There is no question about that.

In the Naivasha negotiations—and I was a participant at those—he actually left, which caused the shutdown of negotiations for a while, I clearly understand to go and help arrange for the National Islamic Front or Khartoum's approach to what was happening in Darfur, and I think that has been documented fairly well. There is no question about that.

It is also the case that he is the head of, as it were, the Sudan chapter of the Islamic Brotherhood, which exists in a number of other countries. So in fact, despite his very intellectual ways and pleasant manners and so forth, he is a radical Islamist. There are plenty of rumors about whether he is in favor or out of favor and so forth. Right now he is kind of off the screen a little bit, and I would say what we are seeing is El-Bashir absolutely run wild right now, and I suspect he is laying back a little bit and biding his time to see how things materialize. But we have not seen the last of Ali Osman Taha.

With respect to Egypt, I do not know all I need to know to adequately answer your question. I would only say that Egypt is not alone in that regard. As far as I can tell from news reports, the entire Arab League voted to limit the international community's ability to deal with the Darfur situation.

I am not sure how it is they can live with themselves in doing that, but Saudi Arabia is clearly one of our major partners in the region, and they voted for that, too. So I think what we have is a generalized problem both within the Arab League and within the organization of Islamic countries when it comes to sorting out whatever the ultimate arrangement is with Khartoum.

Mr. PAYNE. Thank you. Well, the Congressional Black Caucus is attempting to set up a meeting with the Ambassador from China and the Arab League, and we just have some serious questions to ask them, and we expect those meetings. We strongly requested those meetings next week. We will see what happens. Thank you.

Mr. SMITH. Mr. Tancredo.

Mr. TANCREDO. Thank you, Mr. Chairman. Roger, thank you again for your very, very straightforward and I think provocative testimony. I was able to read most of it, although I was not able to hear what you said. But what you wrote was pretty powerful stuff, and once again, it is just so good to be able to talk to somebody who is as informed as you are and as willing to actually say what needs to be said.

You know in this kind of a situation how many times we are here, people sitting down there talking about this, but everybody talking around the issue and nobody really wanting to address it because of the fear of a variety of things. But you certainly have to be commended in your forthrightness, and I appreciate it, and also I am encouraged because we have some new ideas really in front of us.

When you talk about the idea of a blockade, that has not been discussed. When you talk about the idea of the ICC being used perhaps as another way of going after the issue of rape in Darfur, this is good stuff, and I really commend you all for that, because a lot of times we spend a lot of time here and walk away afterwards thinking, well, what was that all about? Was there anything really meaty that came from it?

We have used in the past and I know we are presently using people, private security organizations, to help train people in the south, to help train the military in the south. Why would we not be able to use the same structure and not therefore worry about all the other kinds of legal issues that may get involved with "boots on the ground"? But why would we not have that as another option, using private security firms in Darfur specifically?

Mr. WINTER. Personally, I have never understood the debates lawyerly in character—I mean no offense to anybody as a lawyer—as to why we could not effectively do a broadbased program. It never to my knowledge has been an issue of money. It has been an issue partly of perhaps procedure. Who does it? What elements actually do it?

But it mostly seemed to be a debate about angels dancing on the head of a pin while Darfur bleeds, and I confess I have never understood it. But to the extent I did, I believed that existing law, ex-

isting appropriations language, already allows us to do a panoply of things that people who understand military affairs could choose from to actually put together an adequate program. But somehow it never comes together. My intention and I think others might consider it, too, is to try to see that this is on the top of Andrew Natsios' agenda.

Mr. TANCREDO. Good. And I have been told by someone who just returned from a lengthy stay there a number of things, first of all, that there have been some violent protests that have occurred in Khartoum very recently I think over—if I remember correctly now, I am trying to recall—but I think it was over the cost of food and/or gasoline and that they were put down, but with unusual force and violence.

Not to draw too much from that. We are talking about a dictatorship that does not shrink from violence, that is for sure, but there were other indications that perhaps the Government in Khartoum was becoming concerned about the domestic situation and their own ability to control events. And we all know of course that they are paranoid about what may happen in other parts of the country with these "rebel" groups. But what is your thought on their hold on power in Khartoum today? What is the possibility of a coup? Well, I guess I will stop there for a minute.

Mr. WINTER. They have a 17-year track record of unusual violence both in the south in Darfur but also against elements that get too out of line in Khartoum, and particularly they have had it against displaced southerners who were up in Khartoum in those huge camps that still exist for large numbers of southerners. I guess what I am most familiar with right now is rumors about coups that really relate to Bashir.

His behavior has become so blatant, so confrontational on the issue of the UN force and so forth. There are I think some elements within the National Islamic Front who are not suicidal and who realize that if the international community is on the tipping edge here, that it may undermine ultimately their whole agenda.

Mr. TANCREDO. I see.

Mr. WINTER. You know, if the international community comes in, it really becomes a major limiting factor on Sudan, and so some of those rumors relate to the fact that maybe Bashir is coming to the end of his usefulness, and the movement itself or the NIF itself ought to change its approach, to recalibrate again exactly where they are. And that is the kind of coup you hear about, not a coup for democracy, not a coup for major reform. At least I have not heard discussion of that kind of thing. I think the NIF pretty much still has its hands on the levers of forceful, violent power in Khartoum.

Mr. TANCREDO. Thank you. And just the last one. The same reports or I guess I should say reporter who talked to me about events there indicated that there seemed to be a lack of participation on the part of the SPLM in the sort of lower level negotiations that go on every single day in a variety of ways in order to implement the CPA. They do not show up in meetings, do not pay attention to it, and do so as if it is not a concern anymore.

And number one, have you heard those kinds of rumors? If they are true, can you give us any indication as to what may be moti-

vating it or maybe why there is a lack of motivation to actually participate?

Mr. WINTER. Well, I would say perhaps two things. One is that the SPLM has been marginalized within the Government of National Unity clearly. It is a minority. Not just a minority in the way we talk about minority in this hearing room in terms of the Membership of the Committee or anything like that. We are talking about it is distinctly and hugely a minority within the apparatus of government, and the National Islamic Front or the National Congress Party is the heavyweight. I think that is very clear.

I have read reports about the functioning of the Assessments and Evaluations Commission, for example, which is the DPA-created body.

Mr. TANCREDO. Yes.

Mr. WINTER. And it is also the case that the government does not show in those meetings generally. And the level of discussion is not great. And the assessment that I have received from people that are often in the room is that it did not pay for the SPLM to show up because the government was not there much of the time, and if they were there, there was not a productive discussion. That may explain why the system has atrophied. It is potentially a good system, but it requires two to tango in terms of a negotiation to actually work out the elements needed to actually implement many of these CPA provisions.

Mr. TANCREDO. Thank you very much, Roger. I have no other questions, Mr. Chairman. Thank you.

Mr. SMITH. Thank you, Mr. Tancredo. Ambassador Watson.

Ms. WATSON. Thank you. Coming in late to this part of the hearing, I would like to just throw out to the three of you to respond to what do you see in the very near future? How can we mediate and mitigate the genocide that is going on, and who would it take to lead that effort? Can we do it through the UN? Through the State Department? Through the AU? Or will it take all of those organizations and groups coming together to focus on Darfur and see if we can bring some sense to what is happening and cease the atrocities that have taken place? Let us start with Mr. Webb, Winter, and Ms. Sorvino, please.

Mr. WEBB. Yes. Thank you very much, Congressman Watson. The idea which has been mentioned is perhaps bringing in an international heavyweight like Nelson Mandela who would be able to straddle the divide, that is his tremendous strength, and would be acceptable to most protagonists in Darfur. He has the clout to be able to bring people together, and he has a way with dealing with people who are difficult and recalcitrant in their ways.

Ms. WATSON. Could Bishop Tutu play that role as well?

Mr. WEBB. He certainly can and did play that role in South Africa to some extent. He was able to win over the opposition in many ways to his point of view. They are able to rise above the petty, personal entities or feuds that sometimes govern the thinking, for example, in South Africa.

Secondly would be to reinforce the structures of the DPA to get that back on track. Essentially, to some extent, there was a vacuum created with the departure of Deputy Secretary Zoellick and other heavyweights that were involved in that process, and it has

been left to just sort of peter on and it has no real direction as such. Maybe it is time to get people back at the table again.

In many ways, if one uses the South African situation, there was a distinct lack of a willingness to get together to discuss issues before actually reaching an agreement on issues. Before the formalization of a new constitution, there were a lot of informal meetings between the different oppositions, the different groups that were trying to formulate a new constitution for the country. So people actually got to know each other much better on a personal level, and that does tend to help tremendously.

One finds in Darfur and Sudan there is just a distinct lack of shared thoughts or people getting to meet each other and actually understand what their problems are and what their fears and aspirations are. So maybe in trying to get the DPA back on track, there is a need to get people around the table again, the key stakeholders, and try and get people to understand what the other person's fears and aspirations are.

Thirdly, in a sense, one should look at obviously putting boots on the grounds in terms of a possible UN deployment of forces, but in the interim, given the time constraints that one faces, it is to strengthen the African Union force there. It is in place. It can be given capacity, and it is a question of strengthening that capacity which would be acceptable to all sides.

Mr. WINTER. My own view is a bit different. It is really not a time for personalities. This is a matter of addressing interests. It is not in my view a Bishop Tutu or a Nelson Mandela. It is giving the National Islamic Front a threat that is viewed by them as credible, because they are very smart fellows, and they do make judgments that will protect their ultimate interests at least for a period of time.

Ms. WATSON. Can you clarify what you mean by "giving them a threat"? What would be the nature of that threat?

Mr. WINTER. I would say that nonconsensual deployment of a UN force, a clear agreement within appropriate elements of the international community to move that forward. That is suddenly, given all that has happened over the last little while, a credible threat. And these are smart gentlemen in the top positions within the Government in Khartoum. And if they make the judgment that they are really being threatened now, that it is not just posturing and it is not just talk, they will deal.

Ms. WATSON. Please define what you mean by "the effective threat." I am still not clear what you mean by that.

Mr. WINTER. If the international community were to decide in some meaningful way to deploy the force, if a coalition of members of the international community decided to let us say—while you were not here at the time—let us say blockade Port Sudan or really to implement a no-fly zone and enforce it, for example, the United States with the assets it has at Djibouti, they would I think see that as a serious threat. It is real, and they make logical judgments about how to defend and protect their interests. That is what I think they do as a pattern.

They are not whacked out. They are enjoying their power. They are enjoying their riches, and they also enjoy exercising their ideology. And so I do not think it is another personality.

Ms. WATSON. Let me just query. Are you saying call their bluff?

Mr. WINTER. Yes. Absolutely.

Ms. WATSON. Because we are dealing with fanaticism in other areas where people are willing to strap themselves with bombs and burn—

Mr. WINTER. Right. Yes.

Ms. WATSON [continuing]. And all these things to a threat.

Mr. WINTER. That is not the leadership of the NIF.

Ms. WATSON. Okay.

Mr. WINTER. The NIF is a very sophisticated, articulate crowd in my view. Now the other problem with the personality approach in my view is what do you do in Darfur in the meantime? Okay. Nelson Mandela does not walk in and suddenly everybody wants to make up. We are talking about a long process. So how do we protect people in the meantime? And so I go back to what is in my written statement. We need to produce a genuine credible threat in order for them to back down, because they have an agenda, because the agenda is in motion, and they have no reason to fear us based on the last 17 years they have been in power.

Ms. SORVINO. Yes. I agree that basically they have grown accustomed to an atmosphere of impunity for their behavior, and for some reason, although we have made very strong statements of censure on them about genocide and their behavior, we have not applied negative pressure.

We offer them incentives such as perhaps the lifting of the arms embargo, and it is like placating them and treating them as though we are afraid of them and that we will not actually do anything to them. And historically this government has really only responded to negative pressure where it stands to lose something very real if it does not finally act in the way desired.

I still go back to what I said in my speech about the targeted sanctions. I think that they are an easily applied option relative to a military option, relative to the divestiture, which has become so divisive obviously in our own Congress. You target the individuals who are well-documented to have been involved in the behavior, the killings, the mass killings, the torture, the rape, who are in the government.

You make it impossible for them to use their money. Freeze their money. Follow the money. This regime has a great deal of money in all kinds of businesses, and as we have heard tonight, that they are very much motivated by the concept of the retention of their own finances and power. It is not necessarily an ideological conflict that is occurring. It is a kind of more traditionally greed-based regime.

I think the blockade is an interesting idea as long as you can exempt food aid or fly it in. That is something you have to be very careful about just because you do not want to starve out the already weak and dying as you try and punish the people who are controlling the money side of the shipping in and out. But I think that is an interesting idea.

I also know that although the United States has been kind of ambivalent about the International Criminal Court, this is an instance where it really should be used and should be supported to the best of our ability. We have fantastic intelligence in this coun-



try, and we are not cooperating to help indict these people in power. Once again, to give them negative pressure.

If they are going to be tried in the way of a Milosevic or as we see right now what is happening in Iraq, then they have some serious consequences to their actions. If they are going to lose their money, they have serious consequences to their actions. And I do fully support the implementation of the UN ground forces, whether or not Khartoum accepts it at this point, because I think we are seeing in El-Bashir a dictator along the lines of a Hitler or a Idi Amin or someone who is patently immune to any feelings of conscience toward the people that he is killing.

So I think at that point, you stop treating them as though they are responsible leaders, sane responsible leaders, and you intervene on behalf of the innocent lives that are being lost.

Ms. WATSON. Getting back to Mr. Winter, you mentioned a no-fly zone. If they violate that, are you saying we need to shoot down the craft? How do we punish if they go into this no-fly zone? If we do that, would they see this as an invasion? How would we implement these threats that you say are needed? Can you explain what you mean?

Mr. WINTER. I am not a military expert.

Ms. WATSON. No, I do not need you to be.

Mr. WINTER. So there are limits to what I can say.

Ms. WATSON. Let me say this. You put it out there that we need a threat. You mentioned several things. One is a no-fly zone. Have you thought it through enough, since that is your opinion, that if someone violated the no-flying zone, what then posture will be taken by those who are involved? And if that is taken, would it be seen as an invasion?

Mr. WINTER. A no-fly zone is useless unless enforced.

Ms. WATSON. Okay. Think it through now. What would the consequences be of violation?

Mr. WINTER. My belief is, but I could not prove it, my belief is if you shot one of them down, that would be enough. Then you have got a credible threat.

Ms. WATSON. Is that provocation for them to respond militarily?

Mr. WINTER. I do not think they are in a position to respond, frankly.

Ms. WATSON. But would that be provocation?

Mr. WINTER. You could call it provocation. I think what they are doing is provocation. Justification.

Ms. WATSON. What I am trying to get out of you three who have spent your time and have a great amount of commitment to help guide us is what we need to do and what kinds of policies, what stand we as a Government need to take, and that is why I am querying you, Mr. Winter, because you are the one who mentioned threat. The other two looked at alternative ways of doing it, but I wanted to kind of pin you down. I do not think we need to get into a military conflict over this.

Mr. WINTER. I would not want that either.

Ms. WATSON. Okay.

Mr. WINTER. I do not believe it is necessary to do that. I believe if there is sufficient agreement of a serious character that we will

move to those kinds of activities, a judgment will be made, and if it is violated, a single incident will make the point.

Mr. PAYNE. Would you yield on that a minute?

Ms. WATSON. Yes. I want to go to Ms. Sorvino.

Mr. WINTER. Keep in mind what we did in 1998, okay? We bombed what turned out to be the pharmaceutical plant in Sudan. We missed it I should say. I am not saying I want to see that. I hope we never get involved in something like that in the current situation, okay? But it sure woke people up in Khartoum, because very quickly after that, they started cooperating with us on the war on terror.

So there are certain actions you can take that are wakeup calls, and that is the call I am talking about, because this is a very capable crowd. I am not encouraging a violent action. I am encouraging a credible threat which may have to be enforced once to be credible, which I hope would never happen.

Ms. WATSON. I yield.

Mr. PAYNE. Yes. I was just going to sort of second what Mr. Winter said. You say what are the ramifications if there was a violation of the no-fly zone and you took a plane down? What is happening now is that they are bombing and killing people right now, and it is being done without any intervention. So the worst case is that they will keep doing what they are doing.

But I agree with Mr. Winter. If you take a couple of those Antonovs down—see, right now the reaction, if they were not bombing their own people, then you might say, well, if we took a plane down, then they may retaliate.

Well, they are already retaliating. They are already bombing people. They have renewed the bombings with the Antonovs. They had stopped for a while. They have renewed them in the last month or 2. So even if they retaliated, that is what they are doing now. But I agree with Mr. Winter that if you took down a couple of planes that violated the no-fly zone, they are not going to fly in the zone, and that is what will stop the bombing. The retaliation, they are retaliating already. They are not retaliating. They are attacking unarmed people.

Like he said, they are bright people in Khartoum and they enjoy a very, very nice lifestyle, and so I believe that if you put some affirmative action behind the threat, and they knew it was serious, I think that would send the message. So thank you.

Ms. WATSON. Reclaiming my time. You mentioned that they are bombing. I was referring to “we.” He said a threat. Who is the “we,” and if we shot down a plane, would that be seen as provocation? That is what I wanted to know.

Mr. PAYNE. No, I think it would be seen as justification. If you are using your Air Force to kill innocent people and the next time one came through you shot it down, that is not provocation.

Ms. WATSON. Who are you talking about shooting it down?

Mr. PAYNE. The UN forces.

Ms. WATSON. Okay. The UN forces.

Mr. PAYNE. Probably supplement. We had a no-fly zone in Iraq for 10 years. You could not fly in, you could not fly out, and we knew everything that went on inside, and that is what we are talking about. Kurds were not attacked in Iraq by Saddam Hussein be-

cause we had a no-fly zone and they could not fly in. He wanted to. He would love to. But when you got close to the no-fly zone and once you went over that no-fly zone, the plane would evaporate.

So people know how and these are unmanned. You do not have to use a single—boom in the air. It is done by gadgets and things they tell me. I am not a military man either, but it worked in Iraq before the invasion.

Ms. WATSON. And this is the last part. Ms. Sorvino, I just wanted to hear from you.

Ms. SORVINO. Well, it is not like inventing the no-fly zone. The no-fly zone has already been established by the UN Security Council Resolution 1591. It already exists, but it is a paper tiger. We have done nothing with it. So it has been another empty threat that we have given them.

The decision has already been made to establish a no-fly zone. So with that came the understanding and the planification that if it were violated, there would be a consequence, and that consequence I am assuming would be taken by the UN's peacekeeping troops or the unmanned aircraft.

But it is not like we are proposing now a new no-fly zone that does not have any precedent. It already exists on the books, and they are laughing at us because we are not implementing it and because we are for some reason afraid of them. But I basically see them as—the analogy may seem cheesy—but it is basically a parent of a family that is abusing and torturing and murdering their own children. And at a certain point, other people come in and intervene and stop that behavior regardless of how the parent feels about it.

Social services come in and take your kids away. These people are not responsible anymore. And whether they are angry at us stopping them from using the Antonovs and the Hueys from dropping bombs in innocent people, it does not have the same weight as our moral responsibility to stop the bombs being dropped on the people.

Ms. WATSON. I would just conclude by saying that it is going to take for me further discussion in terms of how we start a process, we in terms of policy here, the UN organization, the AU already there, and what should our policy be? I am one of those who believes we have got to intervene. We have got to stop this, and the way we do it is going to be very telling to the rest of the world since we are in battle over in Iraq, and we are trying to create democracies in the Middle East.

The way we do it has to be the correct way. Those of you who have spent a great part of your life looking at this issue can be very helpful. We have got to take in your input, and as a policy-making body, as a Committee, we need to take from your experiences and move in a direction that will bring about the results we want. Maybe we are getting there. I have not quite heard it yet. I would hope it would lack the punitive aspect, the militaristic aspect, but maybe that is what is needed. Thank you so very much, witnesses. I appreciate the time that you are spending with us. Thank you, Mr. Chairman.

Mr. SMITH. Thank you. I would like to thank our witnesses. I would like as one final question if I could, I know you have been

very patient with your time. The International Criminal Court obviously provides one venue for holding—as you, Mr. Winter, have said at least a half a dozen times, for 17 years, there has been no accountability. There has been no penalty whatsoever, and maybe the ICC can make a difference, but, frankly, I would not hold my breath.

Is there any room in your view for a similar court, as we saw in Sierra Leone? David Crane, the chief prosecutor, I believe, did a magnificent job. Do you see any possibility for the service of that kind of court, or do you think the ICC will ultimately hand down indictments and hold those responsible for genocide?

Mr. WINTER. I am not competent to answer that very well. Let me say this. We did see the ICC for a limited period of time, but it seems to have disappeared. I do think these individuals, having watched things like Charles Taylor disappear and things like that, do take the ICC as a meaningful problem for them. My wish would be that they or some other duly constituted court could engage seriously and visibly now, because I do think it is an important factor. They see accountability coming that seems serious, that will mean something in the mix.

Mr. SMITH. Mr. Webb.

Mr. WEBB. It is an interesting quandary to put to the panel in the sense that looking at some African situations where this has taken place, the problem with Sudan is that the people who have reportedly perpetrated human rights violations are in power. That is the situation at the moment. Now, in terms of looking at resolving the situation in Sudan, one of the problems that perpetuates government regimes in perpetuating their position is what happens to them once they leave power.

On the South African situation, we went about dealing with the situation by holding a Truth and Reconciliation Commission where there was a question of let everyone know what happened in the past, and in a sense, those that were involved in human rights violations basically apologized to both the victims and the country as a whole.

But it was in a way a vehicle that assisted us to break through the logjam of negotiations. If a situation had arisen where we had so-called war crimes in terms of those leaders that were perpetrators of apartheid, we would not have had a resolution of that country's problems now.

And a similar situation exists in Zimbabwe. One of the reasons why Robert Mugabe does not want to relinquish his power is that there are certain problems that he faces, for example, his culpability in the Matabeleland massacre back in the early 1980s where his troops went into Matabeleland and killed about 25,000 Matabeles. These are issues that still haunt him and people like him and, for example, Angola's Dos Santos, in many ways where they fear that by stepping down, there are no guarantees in terms of what will happen to them.

So what happens is that this perpetuates their hold on power to the detriment of society and the people that are affected by that. And that in many ways I think is a question of tossing the coin as to what one wants to try and achieve, obviously trying to bring

them to trial but at the same time understanding that by doing so, one perhaps perpetuates total tyranny in those countries.

Mr. PAYNE. Mr. Chairman?

Mr. SMITH. Yes.

Mr. PAYNE. Yes. On that, I think this whole question of International Criminal Courts, whether it is a special tribunal like the Crane prosecutor or whether it is the ICC, I think some of these leaders are starting to think about it a little bit.

As a matter of fact, I would not be so sure that Bashir and Taha, Taha in particular since he is the one usually pointed at, Soli Gos [phonetic], I am not so sure that their reluctance to have the UN troops come in is because they feel that there may be some apprehension of them. I think it is a little bit more you have got UN troops in Sudan anyway. You have got 15,000 maybe. I do not know. Ten to 15,000.

Mr. WINTER. Right down the street from Darfur.

Mr. PAYNE. Right down the street right now. It is just that their mandate is not to deal with Darfur. So no one is taking the ICC lightly anymore. I think they are starting to think about it a little bit.

Everyone is talking about Charles Taylor, and he is on his cell phone and he is doing this in Liberia and all that. Well, that is good. I was happy to hear he was on a cell phone, because we know then exactly where he was. We knew anyway, but the cell phone verified it.

And so as he took off, he is up in the Hague somewhere, and he is going to trial, and he is going to be convicted, and he is going to go to jail. So this business of these leaders, the impunity, the behavior in the past, they are really giving some second thought.

As you know, I am a strong believer in the ICC. I wish that one day we would join it, but even if we do not, then make some other court. Just so there is some court. Call it the CCI then if you do not like ICC. Call it whatever you want to. But have the same kind of responsibility of apprehending and then prosecuting.

The weak link right now is when you indict in our country and then you go and apprehend. If you are a bad guy and you get indicted, then someone is there to take you away. Right now the missing link in this ICC is the policemen to handcuff you and put you in a holding cell until you have your trial, and so I think that is what is on the mind of these Sudanese guys, that maybe these fellows might have a couple of people here to put the handcuffs on me to take me to some court and try me.

So that is going to be a problem. However, I still believe that we have to show them that we just cannot be grown men here in 2006, going into 2007 pretty soon, and worry about how Sudan feels about us if we take some strong affirmative action. They are killing people. They are murdering people. Four million on the north/south were displaced, 2 million dead. Close to 400,000 dead now. Two million displaced.

I could not care less what they thought about us, whoever the "us" is. You take a few of them out. You go and destroy some of those helicopters, gun ships sitting on the ground. We know where they are. Just take them out. I think they will give it some second thought. What are they going to do then? All they do is kill chil-

dren and women and all. And maybe that will give them a second thought about that. Thank you, Mr. Chairman.

Mr. SMITH. Let me ask one final question. I recently convened a hearing on the Human Rights Council believing that it is not living up to its advertisements of being a reformed Human Rights Commission. It seems to have gotten right back into the same old ways of doing nothing but bashing Israel, and it is worth noting that the Arab League has a disproportionate power base on the Human Rights Commission or Council I should say.

And my question would be: Are you aware of the deployment of reporters or people to investigate atrocities in Darfur pursuant to anything that the Human Rights Council has done? Because to the best of my knowledge, they have done nothing, but I would love to be shown otherwise.

Ms. SORVINO. We are not aware of it.

Mr. SMITH. Okay. If there is nothing further, unless you have any further final comments you would like to make, I want to thank—

Ms. SORVINO. Thank you very much.

Mr. PAYNE. I have one question for Roger. He is the most knowledgeable about our State Department. There was a group, Back Water or Black Water, that has attempted to try to get in to assist south Sudan in protection, but for some reason, the State Department will not—it is a U.S. company—will not allow them to do anything. Do you know anything about that and what the reluctance is to have them involved?

Mr. WINTER. I do not know. I had the opportunity to meet with Black Water. They seemed to be a very impressive group, but I was operating in a different sector. The African Bureau at the State Department and the contracting people are making those decisions, and I am afraid I was not dealing with it directly.

Mr. PAYNE. Okay. Thank you very much.

Mr. SMITH. On probably the only pleasant note, Dan Freeman, who is our parliamentarian, was the technical advisor for a movie, *Mira*, that you starred in in 1994. It was called *Quiz Show*.

Ms. SORVINO. Yes.

Mr. SMITH. So he advises us.

Ms. SORVINO. Yes. Today I had a little déjà vu when I walked in here because we had a scene where I watch another character in a congressional hearing. It was very testimonial.

Mr. SMITH. That is probably the only pleasant note of today. But I want to thank our very distinguished witnesses. All three of you have provided extremely useful insights and counsel for the Subcommittee, and I thank you so very, very much.

Ms. SORVINO. Thank you.

Mr. SMITH. The hearing is adjourned.

[Whereupon, at 6:27 p.m., the Subcommittee was adjourned.]

# A P P E N D I X



MATERIAL SUBMITTED FOR THE HEARING RECORD

Questions for the Record Submitted to  
 Michael Hess  
 Assistant Administrator for Democracy, Conflict and  
 Humanitarian Assistance  
 U.S. Agency for International Development  
 April 1, 2006

THE DETERIORATING PEACE IN SUDAN

Mr. Smith: There are millions of people expected to return home to southern Sudan over the next few months. Have the conditions they face experienced much noticeable improvement? What are the prospects for housing, medical and education services to be brought up to adequate levels for these returnees?

Answer: The signing of the Comprehensive Peace Agreement (CPA) in January 2005 set the stage for many of the 4 million displaced southern Sudanese to return to their homes. The World Food Program (WFP) estimates that 600,000 internally displaced people have returned to southern Sudan and the Three Areas (Abyei, Blue Nile, and Southern Kordofan) in 2006. The U.S. State Department indicates that 86,000 refugees have also returned from outside Sudan. The rate of return is likely to increase as routes become established, communications between returnees and those who have not yet returned improves, and the annual rainy season in the south comes to an end. However, the flood of returnees that was once anticipated has not materialized, as many displaced people have jobs and children in school where they are now living, and equivalent services—particularly education—may not be available in their home areas.

Conditions faced by returnees vary by region, but in general there have been noticeable improvements in the south and Three Areas since the



signing of the CPA. Greater stability has enabled increased investment to support the CPA and assist the Government of Southern Sudan in providing visible, tangible benefits of peace. Improvements in security and roads are supporting the rapid development of markets and private sector enterprises capable of multiplying the impact of investment. USAID has made significant investments in capacity building, education, health, economic growth, water, sanitation, and infrastructure, and the Multi-Donor Trust Fund, after a slow start, is beginning to support similar programs, as well as rule of law, public health reform, agriculture, and private sector development initiatives.

The needs in southern Sudan and the Three Areas are immense—not just for returnees, but for resident communities that stayed behind and were affected by conflict. There also are significant gaps in the ability of the Government of Southern Sudan to meet the basic needs of its people. USAID's humanitarian programming is helping to fill some of these gaps, and will continue to do so in concert with development programming that works to strengthen both public and private sector capacity.

Mr. Smith: In your testimony, you confirmed that the United States provides the overwhelming majority of the humanitarian assistance given to Darfur. What are the prospects for the other donors to fulfill their pledges and reduce the percentage of overall donations provided by our government?

Answer: In FY 2006, the United States provided nearly 46 percent of all humanitarian assistance in Darfur; most of this was food assistance, which currently makes up the largest part of humanitarian programming in Darfur. In FY 2006, the United States provided half of WFP's total CY 2006 appeal thanks to the supplemental passed by Congress last summer. At present, U.S. food aid represents nearly 70 percent of all contributions confirmed by WFP in CY 2006, including our first contributions of the new fiscal year.

USAID has also encouraged additional contributions from other donors following WFP's May announcement that it would have to cut rations to Darfur. USAID issued formal demarches to other key donors and held discussions with counterparts in Khartoum, Europe, and Asia. We have worked very closely with our colleagues at the State Department to ensure that funding for humanitarian assistance in Darfur is on the agenda for every meeting on Sudan with key donor counterparts.

Although it is difficult to attribute directly to these efforts, other donors have increased their contributions to WFP operations in Sudan in the past four months: in May we had provided 85 percent of confirmed contributions to WFP; in October that number fell to 65 percent. While 65

percent is still significant—and we will use every opportunity to continue to encourage other donor contributions—this does represent an improvement.

Mr. Smith: You state that incidents targeting the African Union force increased more than nine times during their mission because of their loss of neutrality in the eyes of the residents. Why do you believe they became such a target? Could you elaborate on why Darfur residents lost faith in them so significantly? Was their lack of defensive capability also a reason for their targeting?

Answer: After the DPA was signed by only the GOS and Mini Minawi of the rebel Sudan Liberation Army (SLA), attacks against AMIS increased dramatically. This is largely due to non-signatory rebel groups wrongly perceiving AMIS to be aligned with the GOS and Minawi, rather than as an impartial peacekeeper. Missteps by the AU, including the expulsion of non-signatories from the Ceasefire Commission and support to Minawi, further fueled misplaced speculation that AMIS was taking sides. Though AMIS has taken steps to reach out to the non-signatories, some have disingenuously used AMIS missteps as an excuse to attack its convoys and take valuable resources (vehicles, fuel, arms, and ammunition) by force.

With a new AMIS Force Commander, the AU is working diligently to reinforce its impartiality and robustly interpret its mandate for self protection and the protection of civilians.

Mr. Smith: There has been discussion about the use of waivers to allow for the reconstruction of southern Sudan, including the restoration of rail service to bring people and supplies to the south and also to Darfur. How significant a role does the lack of infrastructure play in the difficulty in delivering humanitarian assistance and human services in Sudan?

Answer: The lack of proper rail infrastructure in Sudan—in Darfur and southern Sudan in particular—significantly limits the provision of humanitarian assistance, because of the high cost of road and air transport. Poor roads in the vast rural areas of Darfur and southern Sudan raise the cost of trucking. As a result, humanitarian operations in Sudan are among the most expensive in the world, both in magnitude and in cost-per-unit of delivering supplies.

The lack of a rail infrastructure also complicates the ability of southern Sudan to establish new market linkages—both with northern Sudan and neighboring countries, like Kenya and Uganda—that will ultimately enhance development efforts and decrease the need for humanitarian assistance.

Rehabilitating the railway system requires caution, however, given its history of transporting Sudanese Armed Forces hardware and troops. The ultimate goal should be to encourage a privatized railway system not controlled by a government-managed monopoly.

In addition, the Darfur Peace and Accountability Act and an accompanying Executive Order recently signed by the President, lift the prohibitions for all US businesses --but petroleum and petrochemical industries-- to operate in southern Sudan, Southern Kordofan, Blue Nile, and Abyei, Darfur and other marginalized areas. This exemption will have a positive impact on the South, as it will expand their ability to access services and markets. Separate export restrictions administered by the Department of Commerce on dual-use items such as computers will remain in effect throughout Sudan.

Mr. Smith: Eastern Sudan is among the poorest and most remote regions in the country. As such, the population has low levels of education, poor access to services, and suffers from high levels of malaria and TB. The cumulative effect of these issues has resulted in a real and perceived political and social marginalization, and serves as one of the main drivers of conflict in the region. Moreover, the international community has been notoriously absent in Eastern Sudan, particularly in the rural areas. What are your specific plans to bring more effective humanitarian assistance to the population of Eastern Sudan when the government has expelled NGOs delivering such services?

USAID is cautiously optimistic that the new Eastern Sudan Peace Agreement (ESPA) will result in improved access to the people of eastern Sudan. USAID is currently planning the next steps in our provision of assistance there, which will include strengthening and diversifying livelihoods and improving access to basic services.

Although the United Nations was forced to suspend operations in eastern Sudan this year during the withdrawal of the Sudan People's Liberation Army forces, temporary restrictions imposed by Khartoum were lifted, and the World Food Program has resumed regular distributions. Access to much of the east remains limited, however, and, apart from the United Nations, USAID has only two partners working there—IRC, working out of Khartoum and Kassala, and Samaritan's Purse, operating across the border from Eritrea. Activities include the provision of basic humanitarian assistance, water and sanitation, health care, animal health, and support for livelihoods.

Mr. Smith: Does the United States have development assistance goals to help small scale enterprises in southern and eastern Sudan? Are conditions stable enough to shift focus onto livelihood assistance in those areas?

Answer: In both eastern and southern Sudan, USAID is working to meet immediate needs while simultaneously transitioning to longer-term reconstruction and development activities.

The main constraint in eastern Sudan is not instability, but lack of access due to travel restrictions placed on NGOs – and sometimes on the UN – by federal authorities in Khartoum. Despite limited access, USAID is supporting several small-scale enterprise and livelihood interventions including three fishing groups in Red Sea State; animal health activities in the opposition area of Kassala; six women’s groups in Kassala; and 12 farmer groups and 20 livestock activities in Red Sea and Kassala. USAID plans to build on these activities should access to the east increase.

In southern Sudan, our humanitarian programming in newly secure areas supports numerous livelihood and small enterprise activities—including fishing, processing, marketing, carpentry, gardening, trucking, and transport—that seek to create a transition to developmental activities focused on agriculture and small-scale enterprise. USAID partners are programming nearly \$1 million in small-scale enterprises, mostly to women’s groups, and are also working with farmer associations and cooperatives to reconnect the links between rural producers and urban



markets that were destroyed by the war. USAID development assistance supports the Sudan Microfinance Institution which has branches in Juba, Yei, Maridi, Yambio, and Rumbek. This institution has disbursed \$1,312,269 in loans to 2,723 clients, who have a repayment rate of 97.8 percent. Outreach to remote areas is planned, as is more credit for women, intensive training for staff, and a microfinance forum to promote best practices.

PREPARED STATEMENT OF THE HONORABLE DONALD M. PAYNE, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. Chairman, I commend you for calling this very important hearing on the deteriorating peace in Sudan. There could not be a more appropriate time to hold this hearing than today because while we have all heard the staggering figures of the genocide—an estimated 400,000 killed, and more than 2 million displaced, countless rapes, continued suffering of millions of Darfuris—things are only getting worse.

There is renewed aerial bombardment in Darfur by the Sudanese Air Force. Attacks by the Janjaweed have increased. There were nearly 500 rapes in one camp alone over the summer. Humanitarian workers are unable to get into many areas to provide the much needed services to the millions of innocent people caught in this futile clash among militias, rebel groups and government forces. Twelve aid workers have been killed and two in the last few weeks. We must ACT QUICKLY to send in the nearly 20,000 UN troops authorized last month in Security Council Resolution 1706.

I was quite pleased that President Bush was forceful in his remarks at the 61st opening of the 61st United Nations General Assembly. He said: "If the Sudanese government does not approve this peacekeeping force quickly, the United Nations must act." He went on to say that the UN's credibility was on the line. Well, I agree and must add that the credibility of our government is on the line. We said genocide is happening in Darfur, yet we have watched innocent civilians suffer for the last three years.

We must not wait for the permission of the killers in Khartoum in order to deploy a U.N. peacekeeping force. Assistant Secretary Frazer, your remarks at the Congressional Black Caucus Brain Trust on Africa on September 8th which included a statement that the U.S. will not wait for Khartoum to ok the peacekeeping force, was very well received. Let us translate that into action. The people of Darfur have suffered for far too long.

President Bashir has retracted his original threat to kick out the AU and says they can now stay beyond the 30th of this month when their mandate expires. The AU is meeting today and is expected to extend the mandate. It is simply unacceptable for this rogue president to decide whether or not the AU force can stay in his country or not when it is his very own government which is perpetrating the genocide.

We are not without options to stop the suffering in Darfur. If we have the political will, we can end the suffering. NATO did not ask Milosevic his permission to go into the former Yugoslavia. President Bush did not ask Aidid's permission in 1992 to go into Somalia. He did the right thing. We must do the same in Darfur. S More than 138 Members cosponsored a bill I introduced last year, strongly recommending for the United States to use all necessary measures, including "use of the United States armed forces, to stop genocide in Darfur, consistent with the Convention on the Prevention and Punishment of the Crime of Genocide, to enforce United Nations Security Council Resolutions 1556 and 1564."

If Bashir continues to reject the peacekeeping force and continues his campaign of terror, we should utilize our military assets already in the region to neutralize Janjaweed or other militia groups intent in targeting civilians; destroy helicopters or fixed aircraft used to attack civilians; target intelligence or military headquarters used to plan and direct attacks against civilians; and impose a No-Fly Zone in Darfur.

I took a trip last month to Juba, South Sudan (as well as to DRC following the elections, Kenya, and Ethiopia to visit with demand the release of political prisoners). In Sudan, I met with President Salva, Madam Rebecca Garang, and attended the first anniversary memorial service of the late Dr. John Garang.

I am not sure how many of you read the helicopter crash investigation report. I did. I must state clearly, the report left a number of critical questions unanswered. Therefore, I strongly recommend and call for a new private investigation in order to clearly answer these questions.

Let me conclude by saying that I welcome the appointment of Andrew Nastios as the Presidential Envoy for Sudan. I look forward to working with him. But I must state clearly that his mandate must be robust, he should have proper staff support, and access to the White House and the leadership at the State Department.

On this note, I would like to thank Roger Winter for his tireless efforts over the years on the part of the people of Sudan.

Thank you.

PREPARED STATEMENT OF THE HONORABLE JEFF FORTENBERRY, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF NEBRASKA

Mr. Chairman, thank you for scheduling this hearing. A year ago this day we participated in a briefing on the deteriorating situation in Sudan. Regrettably, the humanitarian situation in Sudan, and particularly in Darfur, has worsened alarmingly during the past year. The Darfur Peace Agreement is hanging by a thread and we find ourselves at a critical juncture.

Several weeks ago, on September 6, 2006, this Subcommittee held a hearing to assess the prospects for a new United Nations Human Rights Council to emerge as a viable instrument to hold Member States to account for grave human rights violations and to help them meet their commitments to abide by the principles enshrined in the Universal Declaration of Human Rights. I mention this because I believe that the disaster in Darfur and the credibility of the Human Rights Council are inextricably linked.

Clearly, the series of ongoing atrocities which continue to comprise the genocide in Darfur will test the credibility of the United Nations and its new human rights mechanism. The Human Rights Council may show promise but has yet to demonstrate that it constitutes a genuine improvement over the discredited Human Rights Commission. On Monday, Secretary General Annan urged the Council not to "disappoint the hopes of humanity," and it is my sincere hope that the Members of the Council will heed his call.

I had the opportunity to meet with Ambassador Bolton in Nebraska recently and told him that I was encouraged to learn of our efforts to establish a new and credible peer review process within the Human Rights Council. I believe that the ongoing tragedy in Darfur makes this initiative all the more urgent and would welcome the thoughts of our witnesses on the immediate prospects for Council action on Darfur during the September 18–October 6 Council session in Geneva.

The adoption of Security Council Resolution 1706 to strengthen the U.N. Mission in Sudan demonstrates the will of the international community to support the people of Darfur and work with the Government of Sudan to end the violence and bring peace and stability to this region. I was greatly encouraged by the President's appointment of former USAID Administrator Natsios as a Special Envoy to help quell the violence in Darfur. However, recent offensives by the Sudanese government and the continuing unwillingness of President Bashir to address the humanitarian crisis are cause for grave concern. Given President Bashir's recent comments that "We categorically and totally reject the transformation of the African Union forces in Darfur to a UN force," and that this "was an attempt to 'dismember Sudan' into five states," I look forward to hearing the recommendations of our witnesses on how we might realize the re-hatting of the African Union Mission to an expanded U.N. peacekeeping force.

---

WRITTEN TESTIMONY OF DR. ABDELGABAR ADAM, PRESIDENT, DARFUR HUMAN  
RIGHTS ORGANIZATION USA AND DARFUR PEOPLE'S ALLIANCE

US DARFURI DIASPORA URGING INTERVENTION IN DARFUR

Chairman Smith, Ranking Member Lantos, Honorable Members of the Committee:

On behalf of Darfur People's Alliance, Darfur Human Rights Organization of the USA and my fellow countrymen, I thank you and I extend my thanks to the committee for African Affairs for your tireless efforts and leadership that you display to bring an end to the genocide in Darfur.

Darfur is a region about the size of Texas with six to seven million people of which 2/3 are African groups while 1/3 are Arab. It is severely under developed and neglected by the central government in Khartoum.

The conflict in the region began in the early 1980's when the government and the Islamic National Front together with the Libyan regime decided to bring Arab settlers from different North African Arab countries to replace the African owned land in Darfur in the land of Masslit tribe. The first group was named the First Premier Islamic Army and this was followed by the Second Premier Islamic Army after which random killings of Africans began as armed robberies or what the government called them to minimize the scope.

Soon after people in Darfur discovered maps and other documents that showed the ambitious motives of the Arab groups to establish a state in the region which was named Ghuraish #2.

The violence gradually escalated and tribal groups were forced to leave their land and villages, being forcefully displaced, and not knowing where to go because the

government persistently denied any knowledge of the violence and sometimes calling it armed robberies.

In 2003, when the African groups formed two rebel groups to protect their families and the innocent populations, the Government of Sudan saw that as a threat to the stability of the country and formed the Arab militias known as Janjaweed to implement the policy of genocide in Sudan. The Government of Sudan, which is Islamic fundamentalist, adopted the Sudan genocide campaign and is a full partner with the Arab League and Gaddafi in the planning and the execution of the genocide in Darfur.

The facts show that high ranking intelligence and officials are coordinating the operations in the air and the ground prior to any Janjaweed invasion. That can only explain the failure of the Sudanese Government to protect the civilians in the first place and secondly the involvement of the Arab League explains why when the international community began to take effective measures to stop the genocide, they intervene to delay or encourage the Sudan Government to expel the AMIS so that there will be a vacuum to complete the eradications of the remaining African groups in Darfur.

Mr. Chairman, this is a repeat of what happened in Rwanda. Please do not let it happen again. Instead of mourning genocide, what if we could stop this one in Darfur? The radical Islamic government in Khartoum and the Arab militia are determined to carry-out a deliberate policy of extermination of African tribal people in Darfur by killing, burning, poisoning, starvation and disease that will ultimately lead to death.

Let us remember what George Clooney said after visiting Darfur, "if we give them our back, they will vanish." These people are every Darfuri's mother, father, sister, brother, cousin, uncle, aunt, niece, nephew and grandchild.

Recommendations:

1. The immediate deployment of UN peacekeeping forces with a robust Chapter 7 mandate to protect the innocent civilians and bring stability to the region.
2. The immediate disarmament of the Janjaweed militias that can be verified by the UN and African Union.
3. Provision of humanitarian aid for the millions of civilians who desperately rely on it for survival
4. Implementation of the DPA.
5. The ICC must be allowed to investigate and prosecute perpetrators and hold them accountable.
6. Since the conflict is just a symptom of the underlying cause which is Islamic fundamentalism and radicalism of the governing body, we demand regime change in Sudan.

Finally, on behalf of my fellow Sudanese in general and Darfuri's in particular, we thank you for this opportunity. To the members of the committee, thank you for your commitment to stop the genocide in Darfur, and for your tireless contributions to bring peace, justice and stability to the region. We extend our thanks to all member organizations in the Save Darfur Coalition for providing us the window of opportunity to navigate and to work with the grassroots organizations and the different social, religious, students and individual citizens to bring awareness to the genocide in Darfur with unlimited support day in and day out over the years in the name of humanity and brotherhood.

Thank you.

---

WRITTEN TESTIMONY OF SILVESTRO BAKHIET, THE SAN FRANCISCO BAY AREA  
DARFUR COALITION

THE VOICE OF SUDANESE PEOPLE ON THE SITUATION IN THE SUDAN

Chairman Smith, Ranking Member Lantos, Honorable Members of the Committee:

On behalf of my fellow Sudanese people, thank you for the opportunity to address the committee and for your leadership addressing complex situations in the region, particularly the Darfur region in Western Sudan. I would like to also express my gratitude to the American people who have raised their voices and exercised their rights as free citizens on behalf of myself and my fellow Sudanese. Over 1 million Americans have written letters to the President Bush, hundreds of thousands have rallied across the country and dozens, including members of this committee, have

been arrested to protest the human crimes the Government of Sudan has committed against its own people.

The situation in Darfur is man-made by the leadership of Islamic government in Khartoum. As many as three hundred thousands lives have been lost. Over two million are internal displaced and many more thousands cross the border to Chad without clean water, no shelter, no security and with no food.

The human crimes against black African people in the Darfur region are the worst in the world. The rape of women, rape of young girls, burning of children in their parents' houses, destruction of property throughout Darfur by the government-sponsored militia are the same tactics that have been used against the people of South Sudan for the last twenty two years.

Chairman, I am here today to give my testimony to this committee as a victim and witness of human crimes to my family members by the Islamic government in Khartoum. My fifty year old aunt, Ms. Atonita, was raped to the point of death by an armed group organized by Islamic government in Khartoum at my village at Pageri, South Sudan. My uncle Danty was shot dead at Pageri by the Khartoum government army. My uncle Isaac was also shot dead by the militia organized by the Khartoum government.

Mr. Chairman, the most painful thing was my younger sister Veronica Bakhiet, sixteen years old, had committed no crime but was shot dead under her sleeping bed by the militia men armed by the Khartoum government. This happened in Juba, South Sudan. Mr. Chairman, the human crimes committed by the Islamic government in Khartoum was not only to my family members, this crime was committed to over two million people in the South Sudan. It has also happened to over three hundred thousand black Africans in Darfur in western Sudan and an unknown number in Eastern Sudan.

Mr. Chairman, the human crimes committed by the Islamic government in Khartoum on the Sudanese people in many different regions of the country have gone unpunished. The world has failed to protect the people in Sudan, particularly in the Darfur region.

Recommendation:

1. This committee has to make sure the international community sends UN peacekeeping forces to the Darfur region with the full mandate to protect the people in Darfur. Additionally, it should disarm all armed groups in the region as soon as possible without any permission from the Sudanese government in order to allow the Darfur refugees and displaced person to return to their villages without any fear.
2. This committee has to work with the international community to make sure the Darfur peace agreement between Sudan government and SLAM must be implemented by both party and the left out party also must press to sign the agreement so that the people in Darfur see full peace in the region.
3. The international community has to come up with funds for the relief and other services for the people in Darfur. The international community has to pressure Sudan government to honor all the agreement she signed with all party in the country.
4. This committee with the international community has to follow up the Comprehensive Peace Agreement (CPA) between the government of Sudan in Khartoum and SPLM in the South to be implemented.
5. This committee with the international community has to pressure Khartoum government to respect the outcome of Abyei Boundaries Commission (ABC).
6. This committee with the international community has to pressure Khartoum government to allow the National Petroleum Commission (NPC) to function independently so that the 50% of oil revenue share shouldn't complicate the CPA.
7. This committee with the international community has to pressure Khartoum government to make sure the North-South Boundary Commission does their job as it was spelled out clearly in CPA for the people in the South to enjoy the election year of 2011 and oil revenue share as stated in CPA.
8. This committee with the international community must pressure Khartoum government to respect the Civil Service Commission (CSC) which is spelled out clearly in CPA in order to allow the people in the South Sudan their rights of 28% of the civil service positions under the national government.
9. This committee and the international community has to support all the political party in the Sudan in order to give internal pressure on the Sudanese government as it had happened during the time of comprehensive peace agreement (CPA).

Thank you for this opportunity.

---

WRITTEN TESTIMONY OF SULIMAN GIDDO, CO-FOUNDER AND PRESIDENT, DARFUR  
PEACE & DEVELOPMENT ORGANIZATION

EMPOWERING THE DIASPORA TO ADDRESS THE NEEDS OF DARFUR

Since the war was erupted in Darfur in 2003, Darfur Peace and Development Org. has been working to educate the American people and the world community about the crimes and the atrocities in Darfur. As a Darfuri grass roots organization, we used all the connections we had, including information from our relatives who have been living through the tragedy, to get updated information from the ground. To achieve updates as promptly and accurately as possible, Darfur Peace and Development Org. trained 230 volunteers from 34 different grass roots organizations to provide Darfur Peace and Development Org. updated information in a timely manner and have gathered over 12,000 first-hand documents including videotapes, interviews with victims, photographs and eye-witness accounts; we hope to turn this documentation project into an Archive in the United States.

In 2004 Darfur Peace sent two assessment team one to Chad and the other one to Darfur. Our findings were 85 % of the victims of this war are women and children and over 300,000 people were beyond the reach of the international community.

Darfur Peace and Development Org. has innovated the schools project to support students who already lost three years of their academic lives. Today with the support of the Darfur Diaries project and the American community we are able to bring hope to over 2000 students and a similar number will be added by next month. That is still just a fraction of the 9775 students in the same area who still struggle to continue their education in miserable conditions after their schools were burned to ashes by the government of Sudan's military forces.

Darfur Peace and Development Org. is also working in Trauma Healing for the women and is arranging 26 community dialogue conferences all over the Darfur region.

In 2005 another team was sent to evaluate our progress. In 2006 I traveled to Nairobi to train more people to work for the documentation project. Darfur Peace and Development Org recently completed a 45-day assessment in the Darfuri refugee camps in Eastern Chad.

Darfuri grass roots organizations have an imperative role to play which can fill the gap of international organizations. Because we are intimately familiar with the situation on the ground, we can quickly assess what is happening and what is needed without needing to spend time and resources on learning and understanding the conflict, society, geography, etc. We also believe that change must come from Darfurians themselves through directly supporting and providing relief such as schools, trauma healing and community dialogue to re-establish the destroyed social and economic structure in Darfur.

Several challenges face Darfuri grass roots organizations. To mention just a few of these:

- Access to the media and the government officials
- Darfuri grass roots organizations are driven by deep connection and commitment to Darfur and its people. We try do whatever is possible, but find it hard to gain the attention and legitimacy that governments and media give to large international organizations.

Thank you for your ongoing commitment to the people of Darfur. We respectfully request Congress' support of our efforts to help our own people. In addition, please continue to pressure President Bush to appoint a special envoy for Darfur and to make every possible effort to pressure the Government of Sudan and its supporters to accept UN peacekeeping troops in Darfur. The people of Darfur are desperate for our help.

Thank you for this opportunity.

