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SUDAN: PEACE BUT AT WHAT PRICE?

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SUDAN: PEACE BUT AT WHAT PRICE?

TUESDAY, JUNE 15, 2004

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 2:29 p.m. in room SD–419, Dirksen Senate Office Building, Hon. Lamar Alexander presiding.

Present: Senators Alexander, Brownback, Biden, and Feingold.

OPENING STATEMENT OF SENATOR LAMAR ALEXANDER

Senator ALEXANDER. Good afternoon. The hearing of the Senate Foreign Relations Committee will come to order. I want to welcome all of you here, especially to welcome our witnesses. We have two panels of witnesses today, plus we have three Presidential nominees who have been nominated for Ambassador. We want at least to get through the hearing on our main subject today by 4 o'clock or shortly before because we have a series of votes that begin at 4 o'clock which will interrupt the proceeding.

So what I will ask our witnesses to do is to summarize their testimony, if they will, for their opening statement to no more than 7 minutes and that will give committee members a chance to ask questions and to have a fuller discussion of the very important issues.

We are here to examine the complex and difficult choices that are facing the United States in Sudan. We see a struggle there to solidify a fragile peace in the south of Sudan and we want to mitigate the impact of what is the worst humanitarian crisis in the world today in the western part of that country. Civil war has consumed the southern part of Sudan for more than two decades. The heart of the conflict is a clash between the Muslim government in Khartoum, which identifies more with the Arab world, and the Christian rebels in the south, which identify more with sub-Saharan Africa.

President Bush and Congress have responded to this ongoing conflict. Prior to my joining the U.S. Senate, in 2002 our majority leader, Senator Bill Frist, led the charge to pass the Sudan Peace Act. He was then the ranking member of the Subcommittee on African Affairs and was joined in the effort by Senator Feingold, who then was chairman of the subcommittee, as well as a former chairman, Senator Helms, Senators Lugar, Biden, Brownback, and others expressed a great interest in the Sudan Peace Act. That legislation provided a framework for the peace negotiations in Sudan.

Since that time, progress on the peace talks moderated by the United States, by Great Britain, Norway, and Kenya has been slow. But the talks have finally yielded results. Senator John Danforth has served as President Bush's special envoy in this effort. Just a few weeks ago on May 26, the Government of Sudan [GOS] and the Sudan People's Liberation Movement signed three protocols to finally end that conflict. The difficulties of implementation of those protocols are still ahead, but I am hopeful that conflict is finally at an end.

This is a tremendous success story, but it has been obscured by a growing tragedy in another part of Sudan. At the same time peace was being negotiated between the north and the south, a new campaign of terror erupted in the western region of Darfur. The prospect of a just peace with the south apparently provoked rebel bands in the west to try to get their piece of the pie. The Government of Sudan responded to rebel raids swiftly and brutally, beginning a campaign designed not just to root out the rebels among the population, but to systematically uproot and destroy the people of Darfur.

It is worth noting that this western conflict has nothing to do with religion. Both sides are Muslim. The conflict is about ethnic rivalry and control of territory.

The scope and results of this rampage are only now becoming clear. Somewhere between 25,000 and 50,000 natives to Darfur have been killed. Some 200,000 refugees have fled across the border into neighboring Chad. Over 1 million are estimated to be displaced in Darfur and 1.2 million are at risk of starvation if sufficient food assistance is not provided.

Many now believe the Government of Sudan, through its Janjaweed militias in Darfur has been engaged in an active campaign of ethnic cleansing. Some have called it genocide. I expect our witnesses will have more to say on that point.

The international community has failed to respond to the crisis. The United Nations Human Rights Commission, which is supposed to confront flagrant abuses of human rights, especially when they occur on such a mass scale, has failed to adopt a United States resolution condemning the actions of the Government of Sudan. That body, the U.N. Human Rights Commission, has become a travesty, condoning the very activity it was intended to prevent, largely because human rights-abusing member governments outnumber those who are eager to prevent such abuse and they vote accordingly.

President Bush and his administration have stated clearly and repeatedly that what has been happening in Darfur is wholly unacceptable and must be dealt with quickly. At the same time, it is not clear how ready we are to push that principle with the Sudanese Government.

Some of our friends are reportedly concerned that confronting Khartoum too directly about atrocities in Darfur will jeopardize any prospect for lasting peace in southern Sudan. They may be right, but if hundreds of thousands of lives are the price of peace in southern Sudan the price is too high.

Today we are fortunate to have two distinguished panels to testify before the committee on this topic. The first panel, from the ad-

ministration, will share the actions taken by our government, the U.S. Government, in Sudan and what we hope to accomplish as we move forward. The second panel will provide expert advice on U.S. strategy as well as an in-depth look at the atrocities in Darfur.

Before the first panel begins, let me turn to my colleague Senator Feingold and ask for his opening statement. Senator Feingold.

OPENING STATEMENT OF SENATOR RUSSELL D. FEINGOLD

Senator FEINGOLD. I thank Chairman Alexander for calling this important hearing and I thank all the witnesses for being here today.

I wish that I had been in a position to celebrate when the government in Khartoum and the Sudanese People's Liberation Movement reached a set of historic agreements in late May that hold great promise for a final comprehensive peace accord. I do commend the administration for working tirelessly in this effort and of course I welcome the prospect of an end to the north-south civil war that has claimed the lives of millions and caused such intense suffering to those who have survived.

But the relentless stream of appalling reports coming out of Darfur makes it terribly difficult to celebrate. A brutal campaign conducted by Sudanese military forces and government-backed militia forces has left tens of thousands of dead, over a million displaced, and hundreds of thousands at immediate urgent risk. The massacres and widespread rapes, the destruction of villages, mosques, and farms, all of this violence and horror has given rise to a second, even more costly wave of suffering as civilians are left with no capacity to sustain themselves as the rainy season approaches.

There seems to be some disagreement about whether what is happening in Darfur is or is not genocide. Frankly, I believe that to argue over the semantics is to miss the point. What is happening is appalling. It is an affront to all humanity, to all faiths, and we cannot stand by and simply watch this unfold if we are to be the people and the country we wish to be.

We are a party to the Convention on the Prevention and Punishment of the Crime of Genocide for a reason. We did not ratify the convention so that we could confront a situation such as the one unfolding in Sudan today and take our time reflecting on whether or not the massacres and rapes in Darfur fit the bill. We ratified the convention because doing so was an act that affirmed our commitment to basic human decency and affirmed our understanding of our own obligations to act to prevent genocide from occurring.

I look forward to hearing the concrete proposals of the witnesses before us today and to working with my colleagues and with the administration to move forward on policies that address the humanitarian crisis, but also address the underlying political issues that first ignited this conflict. I hope to work toward ways to address the fact that some made a deliberate decision to unleash this horror on the Sudanese people. These individuals should be held accountable for their crimes.

Finally, Mr. Chairman, I want to take this opportunity to make one point perfectly clear to the Government of Sudan. There can be no normalization of relations between the United States and

Sudan while this crisis continues. That government should expect no support, financial, political, or otherwise, from the U.S. Government and the U.S. taxpayers until meaningful action has been taken to stop the violence, to protect civilians, and to cooperate with relief efforts rather than bogging them down with shakedowns and obstructions disguised as petty administrative requests.

I do not understand what the Government of Sudan hopes to gain by its actions right now, but I certainly do understand what that government stands to lose.

Mr. Chairman, I look forward to the testimony and I also believe that the ranking member of the full committee, Senator Biden, would possibly like an opportunity to make an opening statement later on. Thank you, Mr. Chairman.

Senator ALEXANDER. We thank you, Senator Feingold. Earlier I mentioned that the Sudan Peace Act had been enacted with your leadership as chairman of the African Affairs Subcommittee, and we will welcome Senator Biden when he is able to come and interrupt at that time and he will have a chance to make his statement.

We will now proceed to the first two witnesses. Charlie Snyder is the first. He is currently the Acting Assistant Secretary of State for African Affairs. Connie Newman will soon fill that post. Mr. Snyder has been extremely active in our efforts in Sudan. He has personally traveled there multiple times to help move the peace process forward and to address the crisis in Darfur.

After that, Roger Winter, Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance at the U.S. Agency for International Development. Roger has been instrumental in our plans for southern Sudan as well as our efforts to mitigate a humanitarian catastrophe in Darfur.

I would ask each of you to summarize your remarks in 7 minutes so we will have a chance to come back to you. But first I would like to welcome the ranking member of the Senate Foreign Relations Committee, Senator Biden, and ask him if he has an opening statement.

OPENING STATEMENT OF SENATOR JOSEPH R. BIDEN, JR., RANKING MEMBER

Senator BIDEN. Thank you, Mr. Chairman, and thank you for your indulgence. I do, if it please the committee.

Let me say I want to thank you for holding this hearing on an extremely important issue and at a very timely moment. The administration has worked very hard over the past several years to support the peace process in Sudan between the government in Khartoum and the Sudanese People's Liberation Movement. With the signing of the last three protocols on May 26, that peace process is on the verge of success and that is a truly significant achievement.

Mr. Chairman, the impact of that agreement has has been severely diminished and we have all been diminished by the horrific attacks on civilians that are being perpetrated by the Government of Sudan and its allied militias in Darfur. These attacks have precipitated what U.N. officials have called the worst humanitarian crisis in the world today.

We have already witnessed ethnic cleansing on a massive scale. Nearly two million people have been displaced. Already as many as 30,000 people have been killed, and our USAID Administrator stated 2 weeks ago that, "Under optimal conditions, we could see as many as 320,000 people die by the end of this year as a result of the violence, disease, and famine."

A U.N. factfinding team, quote, "identified massive human rights violations perpetrated by the Government of Sudan and its proxy militia which may constitute war crimes and-or crimes against humanity." The violations reported by the U.N. include targeting of civilians during military strikes, the widespread rape of women and girls, the intentional destruction of homes, foodstores, livestock, and crops, the razing of villages, forced displacements, and thousands of disappearances.

This in itself demands that we seek to save the lives still in jeopardy, safeguard and feed refugees and displaced people, and help establish security so that people can return home, and hold those responsible accountable.

The administration has responded with humanitarian aid and raised the issue repeatedly with officials in Khartoum. The U.N. has sent teams out to investigate. These are very important steps, but I suspect we would all agree they are not enough. The international community must condemn Khartoum's actions unequivocally and must insist that Khartoum stop attacks on civilians by government troops and militias and provide unfettered access for humanitarian workers in Darfur. We must hasten the arrival of international cease-fire monitors.

The U.S. should bring real money to the table to respond to the crisis rather than the empty promise of money it does not have. To that end, I call on the administration to request a budget supplemental that will provide the funds needed to address the humanitarian crisis now, not next year. I will soon introduce legislation to authorize such funds and to make the provisions of money to support the north-south peace agreement contingent on Khartoum's stopping the killing.

We must also determine the true nature of what is happening. The question for our administration witnesses is this: Is the Sudanese Government engaged in or has it been engaged in genocide? The press reports that the question is finally under active consideration in the executive branch. Kofi Annan first raised alarm bells about genocide in April, but the administration has appeared reluctant to ask the question.

Let me be clear. We already know more than we need to know to take urgent action to stop violence and provide humanitarian aid. But we also must confront the question of whether or not what is going on is genocide. If we do not, then we will fail ourselves as well as the people of the Sudan. If we do not confront the genocide question, we will renege on the promises we made after World War II and in the wake of Rwanda to not stand by and let genocide unfold again.

Genocide is a crime so shocking to our collective conscience that the world agreed on a treaty dedicated solely to prevent its reoccurrence and to punish perpetrators. If we do not confront the genocide question, we will fail on moral and legal grounds to live up to

that obligation and we will rob ourselves of the opportunity to enlist the help of others. The genocide convention states very clearly in article 1 that "Parties to the convention undertake to prevent the destruction of a people," not just act after it has happened.

Finally, each and every time we fail to identify genocide and stop it we numb our collective conscience to the crime and embolden potential perpetrators to continue.

I hope that our administration witnesses are prepared to explain whether this is genocide, what the U.S. course of action should be to stop it, and how we plan to meet the humanitarian needs with $188 million that is yet to be appropriated. I think I speak for everyone in this room when I say that I do not want to see the United States stand by while genocide unfolds. If we do not ask the tough questions and give honest answers and if we do not act, that is precisely what might happen. The truth of the matter is there are a lot of other considerations, but none in my view rise to a level that should prevent us from meeting our responsibility in making that tough determination.

I thank you, Mr. Chairman, and I look forward to hearing our witnesses.

Senator ALEXANDER. Thank you, Senator Biden.

Now, Mr. Snyder first and then Mr. Winter. Thank you for coming.

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

Mr. SNYDER. Thank you, Senator. I will sum up my statement in respect to your wishes.

Let me talk first about where we are in the peace process north-south. I think you pretty well brought the hearing up to date on where we are in terms of a significant breakthrough. We now have the essence of the peace agreement in terms of the north-south process. What we need to do next and what we will do next is attach to that two annexes. One of the annexes will be the detailed cease-fire process agreement, which will include things like demobilization, positioning of people, and so forth. We expect the talks on that subject to begin on June 22 and continue for at least 4 weeks.

The second missing part is an implementation date for the political agreement that they have made, what is the date that the interim agreement begins, et cetera, et cetera. We believe that as soon as the cease-fire talks end, probably in the middle of July, we will be able to move on to that. The Kenyan mediator actually hopes to wrap these talks up in about 8 weeks from June 22. I think he is optimistic, but I think, given the breakthrough and the partnership that seems to have developed between Vice President Taha and John Garang, it is not unreasonable to press for a quick settlement.

One of the tragedies of this process—now let me turn to Darfur—is that this agreement that they have just signed actually has the kernel of settlement in it. The decentralization features, the power-sharing features, et cetera, can solve the underlying political problem in Darfur. We have urged and will continue to urge that these partners in peace, Vice President Taha and John Garang, turn

their peace friendship in the direction of Darfur and act as national leaders to help to begin to end this process. They have assured us that they will do that and we are waiting for them to begin that process. I think that is one of the necessary pieces that is missing from this so far.

Let me turn to what we have done about the tragedy in Darfur. We have already used the term "ethnic cleansing." I think the Secretary said it best and let me quote him: "All I know is that there are at least one million people who are desperately in need and many of them will die if I cannot get the international community mobilized and if I cannot get the Sudanese to cooperate with the international community, and it will not make a whole lot of difference after the fact what we call it."

So we are already as mobilized on this subject as we could be, whether we call it genocide or not, although I agree we need to answer that question, certainly for the record and certainly for holding those that are responsible for it guilty. But as always, we are faced with a tough dilemma: Do we pursue adequate relief immediately and set aside our justice concerns in order to press for that?

We will not do that in the long run. We are in the process of trying to come up with a list of people who are responsible, people among the Janjaweed who are hoping to actually name, to begin this process so that the impunity that several of the members have referred to will begin to end here. And we will go further than that if we do not get the kind of response we are hoping to get.

We are on this and we are pressing all parties. You quoted Mr. Natsios. The reason Mr. Natsios and I were in Geneva was to rally the assistance and the support, financial and otherwise, from the European Community, to begin to turn their attention to this as a serious process and not a case where the Americans are carrying this out of proportion. I think we have begun that education process and the Europeans are beginning to pledge money.

For instance, most tangibly, they pledged $15 million, and it is the first money other than our million to hit the till, to get the African Union [AU] cease-fire team on the ground and in place to begin to have eyes and ears on the ground in an official sense, to begin to force the government and the rebels to honor the cease-fire agreement they have made.

I am somewhat optimistic that we can push this out the door and we can actually have some success in this. When we began the process in the Nuba Mountains we faced the same dilemma, getting two parties who are fighting each other by no civilized rules to stop. It took us 30 days, but it took us getting the monitors on the ground to begin that process. So I have some reason to hope if we can get the African Union moving—and it is moving—the first elements are in Al Fashir and several other elements are moving out to subordinate areas—that they may begin to reverse this process.

Again, the $15 million that the European Union put on the ground says that this is quite a serious process and that they intend to respect it. More significantly than that, they have put men on the ground, as we have. We have got our own men in this African Union peacekeeping force——

Senator ALEXANDER. We have an evacuation, so we will evacuate now and resume following the evacuation.

[Recess from 2:51 p.m. to 3:33 p.m.]

Senator ALEXANDER. The Committee on Foreign Relations will come back to order. I want to thank the witnesses for an orderly evacuation. This is getting to be more frequent.

Now, Mr. Snyder, you were testifying when we evacuated. Let me say in a preliminary way, we still have votes scheduled beginning at 4, and what we will do is go until shortly after 4, which will give us time to get through this first panel for sure, and then I will need to go vote. Hopefully, Senator Feingold and I can work something out where we go back and forth and we can continue the hearing while we vote. We may have to take a short recess for that purpose.

But this is a very important hearing and we are anxious to develop a full record and make a full statement. We have had a chance to hear from Senator Feingold and Senator Biden.

Mr. Snyder, why do you not continue, and you are welcome to summarize again where you were or to recapture anything that you said, and then we can go to Mr. Winter. Then we will go to questions.

Mr. SNYDER. Thank you, Senator. I think I will pick up by detailing the actions we have taken in a more specific way than I was doing. The President, the Secretary, the National Security Adviser, Mr. Natsios, as I mentioned earlier, have all raised Darfur several times with President Bashir, Vice President Taha, and of course the Foreign Minister. The President issued a strong public statement on April 7 in which he condemned the atrocities being committed and insisted that the Government of Sudan stop the Janjaweed violence.

Senior U.S. officials have visited Darfur several times since last fall to call attention to the situation and to press the GOS to stop the violence. In fact, we are now hoping to send out Pierre-Richard Prosper, the Ambassador at Large for War Crimes, as well as the Assistant Secretary Lorne Craner, to take a look at the human rights situation before the end of the month.

In this same regard, we have pressed the United Nations to be as active as possible and we have some assurances from Secretary General Annan that he will attempt to visit Darfur as early as he can, possibly later this month, but certainly before the African Union summit begins in early July.

We played a decisive role in brokering the cease-fire between the government and the Darfur armed opposition that was signed in Chad on April 8. We followed up the last week of May in Addis to help broker the agreement to actually deploy the monitors led by the African Union to Darfur. The United States has pushed for a special briefing on Darfur in the Security Council on April 7. This in part put the pressure on Sudan to sign the cease-fire agreement that they did on April 8.

The World Food Program Director and Acting High Commissioner for Rights Berti Ramcharan briefed the Security Council again May 7. The council has also heard from NGOs in an informal session and has been briefed a third time.

We took the lead in drafting a strong Presidential statement that the council adopted, after some negotiation May 25. That statement, and I quote, "expressed its grave concern over the deteriorating humanitarian and human rights situation and strongly condemned the indiscriminate attacks on civilians, sexual violence, forced displacement, and acts of violence, especially those of an ethnic dimension."

A U.S.-UK sponsored U.N. resolution was passed June 11 to welcome the protocols at Naivasha. But at our insistence, the resolution also refers to the situation in Darfur and ensures that the United Nations Security Council will remain seized of this issue.

At our initiative, the U.N. chaired a June 4 Geneva meeting on Darfur with donors to send a concerted message to the GOS and to stimulate additional pledges to meet the urgent humanitarian assistance needs. As you know, the United States has pledged $188 million, bringing our total planned contribution to nearly $300 million.

At the U.N. Human Rights Commission [UNHCR] meeting in April this year, we co-sponsored a resolution calling for the appointment of a Special Rapporteur for Sudan under item 9. The head of our delegation made a strong statement in which he condemned the atrocities taking place in Darfur and held the international community accountable for a lack of action. Ultimately, the CHR adopted a weaker decision, appointing only an independent expert.

Finally, as I mentioned earlier in my statement, I want to underscore that we have made it clear to the Government of Sudan we will not normalize relations, even if there is a north-south peace agreement, unless and until the GOS takes the steps necessary to address the situation in Darfur.

These steps have resulted in some improvement in the situation, but not nearly enough in the face of the enormity of this crisis, and we continue to remain active on that front. I have given you what we have done to date and I have begun to outline what we hope to do. We will attempt to find those responsible and name them, if we can, by name so that the idea of impunity does not become attached to this crisis. And we will look at more and more extraordinary steps as time goes by to force the Government of Sudan to honor its pledges.

The simple fact of the matter, as Senator Feingold I believe pointed out, is that despite the high level reassurances we have had, we have been thwarted at many turns by the bureaucracy, and we have made it very clear that this is not acceptable in the face of the enormity of this crisis. In fact, I am hoping for the Secretary to press this point again in the next day or so with the Foreign Minister, who has become somewhat of an intermediary in this process and begun to get some satisfaction for our demands on the ground, but again not nearly enough.

Just to reiterate one last time, the administration considers resolving the situation in Darfur to be one of its highest priorities. We said so in our memorandum of justification that accompanied the President's certification under the Sudan Peace Act and we have been faithful to that pledge. We have not stinted, certainly in

diplomatic channels, but our USAID colleagues have not stinted on the practical side, from pushing this as far and as fast as we can.

I will close with that and let my colleague Roger Winter have his say.

[The prepared statement of Mr. Snyder follows:]

PREPARED STATEMENT OF CHARLES R. SNYDER

Mr. Chairman and Members of the Committee: I am honored to have the opportunity to appear before you to discuss our government's efforts to achieve a just and comprehensive north-south peace accord, and to address the grave humanitarian and human rights problems in Darfur. We are exerting strong leadership on both issues and have made tremendous progress toward ending the north-south conflict over the past three and a half years. We intend to use some tools that have proven most effective to address the humanitarian and human rights crises in Darfur. The situation in Darfur requires urgent attention, and will, if not resolved, negatively affect prospects to conclude and implement a comprehensive peace accord between the Government of Sudan (GOS) and the Sudan People's Liberation Movement (SPLM). Given the right resources, I am confident that we can end the tragedy in Darfur.

The signing of the three protocols on power sharing, the two disputed areas of the Nuba Mountains and Blue Nile, and Abyei were a major breakthrough in efforts to achieve a north-south peace accord. Both sides agree that all the substantive issues have now been resolved. What remains is to work out the details of a formal ceasefire and related security arrangements, and implementation modalities. In their signing a declaration on June 5 in Nairobi, Vice President Taha and Chairman Garang committed themselves to do this quickly. We are, therefore, hopeful that a final comprehensive peace accord will be signed within the next 8-12 weeks. The situation in Darfur complicates this process, however, and clouds prospects for implementation of a peace accord. We are pushing the parties to sign a final peace accord as soon as possible while simultaneously working to end the violence in Darfur.

The GOS and SPLM will meet on June 22, again under the auspices of the Intergovernmental Agency on Development (IGAD), to work out a formal north-south ceasefire agreement including details relating to disengagement and redeployment of forces, and disarmament, demobilization, and reintegration. We are sending a strong team of experts to those talks to assist IGAD mediator Sumbeiywo. The security talks will be followed by a session on modalities to implement the accords that have been signed. Once these details have been worked out the GOS and SPLM will sign a comprehensive peace accord encapsulating all the agreements that have been reached.

Immediately following that, the six-month pre-interim period will begin, followed by the six-year implementation period. We are working now to identify the resources that will be needed to support implementation, as well as reconstruction and development. A strong commitment of support will reinforce U.S. leadership in the peace process and will enable us to push other donors to ensure equitable burden sharing among the international community.

The title for this hearing, Mr. Chairman, asks the question "what price peace?" The price of war has been enormous. We estimate that over two million people have died in the course of the north-south conflict, approximately 700,000 refugees have fled the country, close to four million are displaced within Sudan, and development has been severely retarded throughout the entire country. We cannot and will not lessen pressure on the Government of Sudan and allow what is happening in Darfur to continue in order to achieve a north-south peace accord. We have made clear to both the Government of Sudan and the Sudan People's Liberation Movement that peace throughout Sudan, including Darfur is essential to the implementation of a north-south accord. Continued instability in western Sudan would fatally complicate efforts to implement a north-south accord.

Even if this were not the case, the situation in Darfur would still merit the most vigorous possible effort by the United States. The violence and atrocities being perpetrated in Darfur simply must not be allowed to continue.

A humanitarian crisis of major proportions exists in Darfur. I want to review how this situation developed and inform you about the steps we are taking to address it. Darfur is an area where traditional conflicts between nomadic herders, who are largely Arab, and sedentary agriculturalists, who are largely African Muslims, have long existed. The government's perceived marginalization of the region and favoritism towards Arab tribes have contributed to growing popular dissatisfaction among the three primary African groups: the Fur, Zaghawa, and Messalit. This dis-

satisfaction crystallized as the people of the region looked at the progress being made in the north-south peace talks and became increasingly focused on the need to address their grievances. There two armed opposition groups in Darfur: the Sudan Liberation Movement (SLM) and the Justice and Equality Movement (JEM). Both groups draw some support as a result of western grievances, but neither group has a clear political agenda. Although it is clear that the Government of Sudan is responsible for the humanitarian and human rights crises, we should not assume that the armed opposition groups are entirely without blame.

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

The effective military operations carried out by the SLM and the JEM, particularly the attack on the regional capital of Al Fashir last year, raised grave concerns within the GOS. As a result, the government launched an all-out effort to defeat the armed opposition. As a major part of that effort, the government armed and supported Arab-based "jingaweit" militias have attacked and displaced civilians. These attacks are coordinated and supported by government security forces. African villages have been systematically attacked in a scorched-earth type approach. Villages are burned to the ground, water points destroyed, crops burned, and the people are forced from their land. The African population has been brutalized by the jingaweit through widespread atrocities including mass rape, branding of raped women, summary killings, amputations, and other atrocities. Estimates of civilians killed range between 15,000-30,000. As many as one million people have been displaced, and tens of thousands have sought refuge across the border in Chad. All of this amounts to "ethnic cleansing" on a large scale.

The United States has exerted strong leadership to stop the violence. We have consistently told the Government of Sudan—at the highest levels—that it must take the following steps on Darfur: end the jingaweit violence; agree to a ceasefire with the armed opposition and allow international monitoring of the ceasefire; and allow unrestricted humanitarian access.

I want to detail actions we have taken:

- The President, Secretary of State, National Security Adviser, USAID Administrator have raised Darfur with President Bashir, Vice President Taha, and Foreign Minister Ismael.
- The President issued a strong public statement on April 7 in which he condemned the atrocities being committed and insisted that the GOS stop jingaweit violence.
- Senior U.S. officials have visited Darfur several times since last fall to call attention to the situation and to press the GOS to stop the violence.
- The United States played a decisive role in brokering a ceasefire between the government and the Darfur armed opposition that was signed in Chad on April 8.
- We then followed up the last week of May in Addis Ababa to help broker an agreement to deploy international monitors, led by the African Union, to Darfur.
- The United States pushed for a special briefing on Darfur in the United Nations Security Council (UNSC) on April 7; this helped pressure the GOS to sign the ceasefire on April 8.
- World Food Program Director and Acting High Commissioner for Human Rights Berti Ramcharan briefed the Security Council again May 7. The Council has also heard from NGOs in an informal session and has been briefed a third time.
- The U.S. took the lead by drafting a strong Presidential Statement that the Council adopted, after some negotiation, May 25. That statement "expressed its grave concern over the deteriorating humanitarian and human rights situation" and "strongly condemn[ed]" the "indiscriminate attacks on civilians, sexual violence, forced displacement, and acts of violence, especially those with an ethnic dimension."

- A U.S./UK sponsored UNSC resolution was passed June 11 to welcome the three protocols at Naivasha. At our insistence, the resolution also refers to the situation in Darfur and ensures that the UNSC will remain seized of this issue.
- At our initiative the UN chaired a June 4 Geneva meeting on Darfur with donors to send a concerted message to the GOS and to stimulate additional pledges to meet the urgent humanitarian assistance needs. The United States pledged $188.5 million bringing our total U.S. planned contribution to nearly $300 million.
- At the UN Human Rights Commission (CHR) meeting in Geneva in April of this year, we co-sponsored a resolution calling for appointment of a special rapporteur for Sudan under Item 9. The head of our delegation made a strong statement in which he condemned the atrocities taking place in Darfur and held the international community accountable for lack of action. Ultimately, the CHR adopted a weaker decision, appointing an independent expert.
- And finally, as I mentioned earlier in my statement, I want to underscore that we have made clear to the GOS that we will not normalize relations—if there is a north-south peace agreement—unless the GOS takes the necessary steps to address the situation in Darfur.

The steps that we have taken have already yielded some results, though not enough given the enormity of the crisis in Darfur. The ceasefire signed between the GOS and the Darfur armed opposition provides a basis to end the violence. The agreement specifically holds the GOS responsible to stop the activities of the jingaweit militia. The ceasefire agreement provides for international monitoring, and this is to be under the auspices of the African Union. With our logistical support, the first team of monitors has just deployed to Darfur. In addition to representatives from African countries, U.S. and European Union (EU) personnel are members of the team. We are working with the AU to ramp up this team and to begin investigations on an urgent basis. Getting these monitors on the ground and helping them work effectively is of critical importance. You will recall the pivotal role that getting monitors into Sudan has played in maintaining the ceasefire in the north-south conflict and helping move political resolution to the conflict forward.

While there has been some diminution in violence and some improvement in humanitarian access, the situation in Darfur remains grave. USAID estimates that as many as 350,000 people could die over the coming months if humanitarian assistance is not put in place urgently. However, most of the violence is being perpetrated by the jingaweit. In addition, there have been several unconfirmed reports of aerial bombardment and/or use of helicopter gun ships. Getting international monitoring in place and stopping the jingaweit violence is crucial to facilitating unrestricted humanitarian access. International humanitarian workers simply cannot gain access to many areas while the violence is continuing. Moreover, those displaced fear receiving humanitarian assistance, because that provokes further jingaweit attacks to loot supplies.

The perpetrators of the violence and atrocities in Darfur must be held accountable. The Government of Sudan has a responsibility to end the impunity in Darfur. The perpetrators of the violence and atrocities in Darfur must be held accountable. We described in detail in our Sudan Peace Act report the atrocities that are taking place in Darfur. While the information available to us is far less precise than we would like, we are working hard to identify those responsible. We are exploring actions that we can take against these people, specifically by freezing assets they may have in the United States and prohibiting the issuance of visas to them. We are working hard with the UN and other partners to ensure that concerns about Darfur received appropriate mention in any Security Council statements on the situation in Sudan. It is also essential that the results of ethnic cleansing not be allowed to stand. The African ethnic groups forced from the land must be allowed to return voluntarily and their protection must be ensured.

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

The progress in the north-south negotiations provides an important opportunity to intensify efforts on Darfur and to test the Government's commitment to peace.

Both Vice President Taha and Chairman Garang have told us they understand that a north-south peace accord cannot be effectively implemented without peace in Darfur and that they have pledged to work together to resolve the Darfur problem. We intend to hold them to this commitment.

A political process will be essential as part of the solution for the problem in Darfur. We are encouraging the Government and the armed opposition in Darfur to have serious political discussions aimed at achieving a negotiated solution. The agreements signed between the Government and the SPLM establish a national framework for resolution of local grievances by providing strong provisions for a federal structure and local autonomy.

The limited improvement in humanitarian access that has taken place and the fact that there is at least less violence than there was before provides some basis for hope. That said, it is by no means possible to say that we have turned the corner on Darfur, and we must maintain relentless pressure on both the Government and the rebels to take the necessary steps. The recent deployment of international monitors will help establish a new reality on the ground and, therefore, to help end the violence.

We have surprised the Government of Sudan by our tough actions on Darfur. Clearly, the GOS had calculated that our desire to see a north-south accord might lead us to adopt a softer approach on Darfur. That was a major miscalculation, and the GOS now understands that. Our linkage of normalization of bilateral relations with the GOS to GOS behavior in Darfur as well as to a north-south accord highlights our seriousness. I take this opportunity once again to reiterate our message to the GOS. Bipartisan congressional interest in this issue, as manifested by the helpful congressional resolution on Darfur and this briefing helps send a clear message that we do not intend to stand by while violence and atrocities continue in Darfur. Our message to the Government of Sudan is clear: do what is necessary now, and we will work with you. If you do not, there will be consequences. Time is of the essence. Do not doubt our determination.

Senator ALEXANDER. Thank you, Mr. Snyder.

Mr. Winter.

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

Mr. WINTER. I will collapse a lot of stuff in the interest of time.

Senator ALEXANDER. No, we want to hear from you.

Mr. WINTER. I cannot prove that the key government leaders of Sudan——

Senator ALEXANDER. Is your mike on?

Mr. WINTER. It is not.

Senator ALEXANDER. Thank you.

Mr. WINTER. I was going to say, I cannot prove what the key government leaders of Sudan were thinking about 8 or 9 months ago, but I believe they made a conscious strategic decision to massively attack the civilian populations from which the armed rebel groups, the SLM and the JEM——

Senator ALEXANDER. Would you please move that microphone just a little closer so we can hear you better. Thank you.

Mr. WINTER. To implement this massive attack, they used not just their own militaries, but they used this militia group called the Janjaweed. The Janjaweed, it is important to keep in mind, are not just some loose band of fellows on horses. They are an instrument of the Government of Sudan.

What I would like to do is talk very briefly about the humanitarian situation and then try to get a little bit at the issue of accountability. First of all, the situation in Darfur overall continues to deteriorate. Because the situation of the civilians is deteriorating

does not mean there have not been some improvements. The Government of Sudan gradually has allowed additional access to us. It is the case that the number of attacks against civilians have decreased. That does not mean they have ended.

We have a packet about this thick [indicating], an incident log in which we record attacks against civilians. We are keeping a record of them as they are reported to us, and they continue up through now, and some aerial attacks periodically also continue.

New displacement occurs on a daily basis, and sometimes it is very large displacement. We had 1,500 families evicted from a single location about 10 days ago. So the numbers of affected continue to increase. Restrictions and obstructions by the government to the humanitarian program continue. There has been improvement in some areas, but those areas that have improved, have mostly seen improvement specifically for the American participants. We have made so much noise that we get our visas processed. But NGOs do not have the leverage we do and other governments do not necessarily get treated as quickly as we do now with respect to visas and permits.

New problems, new restrictions, keep materializing. I will not run through them all. Let me just mention a couple. The government has indicated it will want UNICEF to submit any drugs and pharmaceuticals that it uses in its programs to be tested in Sudanese laboratories. We have a big problem in customs. We have, for example, one NGO that is conducting what we call therapeutic and supplemental feeding programs in Darfur. They have 2,400 kids. These are what we might call "stick children." These are the kids that are in bad shape already. But this NGOs vehicles and the specialized commodities they use to benefit these children have been tied up in customs clearance for months and months and months, and they run out of those specialized commodities this week.

USAID itself has had eight vehicles impounded for a long period of months. They are necessary for us to do our work. They are tied up in customs and we have now been provided a bill, an invoice from the Sudan Government, because they want us to pay the fees for having our vehicles stored there. They billed us for $4,000.

There is lots of this kind of stuff that continues to go on. I should point out that they do not allow us to photograph very often. They do not allow us to ask questions of a human rights nature. If a minder is around, we cannot do that kind of thing. So there are lots of problems that continue to hamper the relief operation.

Let me tell you about anticipated mortality real quick. In the testimony I submitted, we include a chart. It is a chart that is done by our epidemiologists that lays out what we think will be the trajectory of what we call the crude mortality rate and the rate of global acute malnutrition. These are figures that are prepared by our professionals on the basis of prior experience in Sudan and prior experience in the region.

The large number of people that it reflects as anticipated mortality—this is as of April 1—gets up to the 300,000 or 350,000 range. But the way this is calculated, our guys develop a coefficient that is applied against the total number of people at risk. The U.N. less than 2 weeks ago more than doubled the total number of people at risk, which means that the body count could dramatically

balloon. The U.N. expects that the number of people at risk will rise to 2.2 million by October.

So you might wonder, as many people do who do not work in our business, well, if you get some access and you can get some planes over there and some people out there, why can not most of these lives be saved? The truth of the matter is some of them can and that is what we are trying to do. But the way it works is something like this in reality. I want you to try to understand how it is on the ground there.

The people whose lives we and the others in the humanitarian community are trying to save have been displaced. What that means is they have basically lost everything. They have fled from their homes. In many cases they have been displaced for 6 or 9 months. What that means, because we did not have any access to those populations, is they have not been eating right or they have not been doing anything normal, because aid has simply not been able to be provided to them and they are entirely dependent on other people to help them out.

Their crops were burned, their foodstocks were destroyed. They did not get a planting in this year, so this emergency is going to last for a while. Their livestock are dead or stolen. Their water sources have been destroyed. There is no shelter for them. This is an arid area. Their real houses are gone and basically what they would normally do is put up grass huts, but because it is an arid area there is not a lot of grass. So they are not really under shelter in any way.

So their bodies have been weakening for all this period of time. Less than 10 percent of them have access to latrines. They are crowded together in these IDP camps and the rains have started. Because there are no roofs, the rains wet them. Between the combination of the overcrowding, the weakness of their bodies, the diseases that are out there, the lack of sanitation, the latrines, and all of that kind of stuff, this is what kills them.

So it is not as easy as getting some food there. There is a whole complex approach that needs to be taken to save the lives of the people. And the obstructions that the government has put in the way of these programs guarantees that the body count rises. This monstrous pile of liabilities cannot simply be overcome, and it guarantees that even if we do the best job we possibly can there will be a significant body count.

Let me turn a little bit to the issue of accountability within the limits that I can with the responsibilities I have. First of all, I think it is quite appropriate that we have, all of us, been using for some long period of time the words "ethnic cleansing." This has been a real campaign.

But I think it is also appropriate that the administration, the Secretary has indicated, are now looking at other possibilities. And I cannot second-guess what they are going to come up with, but looking at it from the ground level, as USAID does because our people and our NGO partners, our U.N. partners, are on the ground with the population, this is not an accident. You can ask the question of intent and I cannot really prove intent, but have these attacks been targeted? They certainly have. You can have two villages right next to each other, one with an African Sudanese

population, one with an Arab Sudanese population; the one is destroyed, the other one is functioning perfectly. That is a pattern that we see across the board.

Is it widespread? Yes, it has gone on all over the three states of Darfur. Is it systematic? Has it been carried out in very sort of logical ways, where people were attacked, they were displaced, they were herded into camps in particular areas? It seems to be very systematic.

Was it conscious? I believe in my own heart it was a conscious strategic decision in what I have seen out there. I think it is conscious because it is even today a continuing strategy. There has been a lot of noise made by us, by the United Nations, increasingly by the media, by the Congress, and many, many others. What has happened to the Janjaweed, the ones who have been doing most of the pillaging against civilians? What has happened is nothing. There has not been a single enforcement action that we are aware of that has been taken against the perpetrators of this thing.

This has been going on for months. If the government wanted to rein them in, there are steps it could take to rein them in. As a matter of fact, there was a few weeks back a parade for President Bashir, President of Sudan, in south Darfur in which the Janjaweed marched in the parade. So actions have not been taken against them.

Was there clear coordination between the Janjaweed and the military of the Government of Sudan? From our point of view, from my point of view I should say, clearly. The internally displaced persons [IDPs] report to us regularly that before their villages were attacked they were bombed. It shows a level of coordination between the various displacing entities.

Is there a series of persistent actions on the part of the government that will hype the body count? Yes. I mentioned a lot of them already: the destruction of assets, food, water stocks, livestock. This kind of destruction of assets is going to have a consequence in the lives of the population.

Do they deny that there is a disaster going on in Darfur? Yes, they do.

Have they been denying access to those who could go there to help the civil population or to see and report on what was going on? Yes, they do deny access. There has been very restricted access.

The obstructions of our humanitarian operations, I have mentioned a few examples before. Do they limit photos? Do they limit our asking questions on how people were displaced and who did it? Yes, they do.

This large-scale rape and branding of women who have been raped, presumably to prevent their reconciliation with their husbands, and that kind of thing, does that continue to go on? Yes, it does even now.

It seems to me there is also obstruction of accountability. The denial and delaying of access by the U.N. human rights monitors I think was part of an approach to doing that. Yes, they have agreed to let six U.N. monitors come in to see this devastated area the size of the State of Texas. Six does not cut it.

Have there been restrictions on press access? Yes, that is clear. Are visitors who go there manipulated in what they see and hear? Yes.

What I would say is in summary, and I will stop, that while saving as many lives as possible in Darfur must remain ours and the international community's highest priority, the impact of the actions of the Government of Sudan that undermined the effectiveness of our humanitarian efforts will ultimately determine what the body count is going to be, and we certainly would encourage strong accountability efforts now because that can help save a lot of lives.

[The prepared statement of Mr. Winter follows:]

PREPARED STATEMENT OF HON. ROGER P. WINTER

I thank the Chairman and Members of this Committee for holding this hearing. Your interest in Sudan is helpful and can have useful repercussions on the ground in Sudan at a time when the situation there is more fragile and more complicated than ever. Several Members of this Committee have been involved in Sudanese issues for many years, and I can assure you that that fact is known and respected in the region. Your veteran wisdom, fresh ideas, and steady engagement on Sudan are welcome and appreciated by me, by my USAID colleagues, and by many Sudanese I have met in my regular travels to the region. Thank you for the opportunity to testify today.

It is tempting to describe this as two hearings in one: one hearing about the crisis in western Sudan, and one hearing about the progress toward peace in southern Sudan. Such a description would be dangerously wrong, however. The same Government of Sudan (Go) that signed a long-awaited framework peace agreement on May 26 to end a 20-year civil war in the South that killed or uprooted more than 6 million people is the same GoS that still pursues a campaign of deadly destruction and relief deprivation against the people of Darfur in the West. The sense of injustice, discrimination, and marginalization among black African Sudanese that partly contributed to the insurgency that began in Darfur in February 2003 is not unlike the deep sense of grievance among black African Sudanese that triggered the newest round of war in the South 20 years ago.

An important link exists between the events in southern Sudan and Darfur, and therefore a link exists in U.S. Government policy. The new peace agreement in southern Sudan is an important achievement that the long-suffering peoples of the south deserve to celebrate, and the international community welcomes it. But it is a diminished achievement because of events in Darfur. We cannot allow the GoS to believe that agreement on a peace framework in the South purchases international tolerance for ethnic cleansing in the West. As testimony by the Department of State today makes clear, the U.S. Government will not normalize relations with Khartoum until the devastating GoS policies in Darfur cease.

USAID is committed to an aggressive humanitarian response to emergency needs in Darfur, and we are committed to supporting the difficult process of reintegration, rebuilding, healing and reconciliation in southern Sudan. But I must warn that our obligation to respond to the immense human needs in Darfur could undermine the necessary and justified surge of effort USAID needs to pursue in helping establish adequate governance and reintegration in southern Sudan.

I. DARFUR

Overview

The situation in Darfur is the worst humanitarian crisis in the world today. It is already too late to save the lives of many people who will perish in coming weeks because emergency humanitarian assistance has not arrived in time due to GoS obstruction of international relief programs. USAID analysis of potential mortality rates in Darfur suggests that 300,000 or more Darfurians are likely to perish by the end of this year if restrictions on humanitarian access persist. By comparison, an estimated 30,000 to 100,000 died in the 1998 famine in southern Sudan's Bahr el-Ghazal Province that some members of this Committee will remember.

As the GoS and its *Jingaweit* proxy forces continue a campaign of ethnic cleansing in Darfur that has forced an estimated 1.1 million people from their homes while inflicting widespread atrocities, serious food shortages, deliberate blockages of humanitarian aid, and destruction of shelter and medical care, it is possible to conceive

of chilling scenarios that could push the death toll far higher than even the astounding level of 300,000. Some 2.2 million Darfurians are directly affected by the crisis. An estimated 1 million people are displaced and in great danger inside Darfur, while approximately 160,000 Darfurians have become refugees in neighboring Chad.

USAID as well as international and private humanitarian agencies have warned for months about the urgent necessity of delivering large quantities of relief supplies and expertise into Darfur before the onset of the annual rainy season in mid-June begins to make entire areas logistically inaccessible. It is now mid-June; the precipitation has arrived on schedule, and in a matter of weeks the rain will have rendered some roads impassable to delivery vehicles and transformed crowded and unsanitary displacement sites into breeding grounds for cholera, measles, dysentery, meningitis, malaria, and other diseases that will claim huge numbers of lives. This is a disaster in the making in part because prior to the rainy season the GoS consistently imposes restrictions that delay deliveries of life-saving services. As discussed later in this testimony, a few administrative restrictions have been eased in recent weeks but have not disappeared and have in fact been augmented by new restrictions, ensuring that timely humanitarian access to Darfur remains a serious problem.

That men, women, and children uprooted by the war and ethnic cleansing will die in enormous numbers is no longer in doubt due to advanced stages of malnutrition and disease that cannot be reversed in time. What remains in doubt is how high the body count will climb, and whether or not the Sudanese government will finally make saving lives in Darfur the priority rather than a chit for negotiation.

The U.S. Government has repeatedly pressed the GoS to stop the violence in Darfur and allow full humanitarian access since the conflict's impact on the civilian population became apparent last year. The President, the State Department and USAID have issued strong statements on the matter. The President, Secretary of State and the National Security Advisor have all raised Darfur directly and forcefully to President Bashir and Vice President Taha. Senator Danforth, Administrator Natsios, then Acting Assistant Secretary Snyder, myself, and other senior U.S. Government officials have repeatedly stressed the United States' concern over the situation in Darfur when meeting with senior Sudanese government officials in Khartoum or Naivasha. Unfortunately, the GoS has chosen instead to pursue a policy of violence and ethnic cleansing against the civilian population.

USAID staff conducted a mission to the region as early as April 2003, just two months after the violence began. I accompanied the first humanitarian delivery able to reach Darfur in August 2003. Administrator Natsios led a delegation to Darfur last October, and I led yet another delegation to Darfur in February 2004. I returned to Khartoum with a USAID colleague in March to help press for a humanitarian cease-fire, and the U.S. Government played a significant role in the Darfur cease-fire negotiations held in N'Djamena, Chad in early April. When the cease-fire took effect on April 11, USAID mobilized a Disaster Assistance Response Team (DART) that same day in anticipation of improved humanitarian access to Darfur.

The U.S. Government has already committed or pledged to commit nearly $300 million since February 2003 to fund the difficult challenge of providing emergency humanitarian assistance in Darfur and eastern Chad.

Violence and Ethnic Cleansing in Darfur

Insurgent activity began in the Darfur region of western Sudan in early 2003 in response to local political and economic grievances against the government in Khartoum. The GoS has responded by unleashing a campaign of ethnic cleansing targeting Darfur's predominantly black African population. The local population has not been spared by the fact that their Muslim religion is rooted in the same basic tenets as that of the government in Khartoum. Sudanese government air and ground forces, allied with *Jingaweit* militias, have systematically attacked hundreds of villages—including aerial bombardments and helicopter gunships—in a vast pattern of destruction readily familiar to anyone who has witnessed or analyzed similar attacks perpetrated by GoS troops and *Murajaleen* militia in southern Sudan during the past 20 years.

Various international human rights groups estimate that 15,000 to 30,000 civilians have died in Darfur during the past 16 months. A cease-fire signed by the Sudanese government and the two Darfurian rebel groups on April 8 reduced but failed to eliminate the violence and did not reverse the underlying GoS policy of depredation against the population. In North Darfur, an aerial bombardment on May 28 reportedly killed 12 or more persons, and civilians report continued attacks and harassment in that region. In parts of South Darfur, *Jingaweit* attacks reportedly killed at least 56 persons in late May, and local populations report that *Jingaweit* have continued to perpetrate rapes and assaults in the area. In West

Darfur, insecurity persists along the Sudan-Chad border and large numbers fled new violence in late May, creating a new refugee outflow into Chad in early June. Some villagers in West Darfur report that fear of *Jingaweit* attacks along the roads have made them virtual prisoners in their own homes. Victims throughout Darfur consistently have reported since the onset of violence that government troops participate in attacks with *Jingaweit* militia and oversee militia activity.

Deliberate wholesale destruction is evident on the ground. Our surveillance of villages spanning much but not all of Darfur has confirmed that 301 villages have been destroyed and 76 have been damaged. We continue to collect data such as this on a regular basis, finding more destruction each time. One international human rights agency has reported that in West Darfur alone, *Jingaweit* attacked and burned 14 villages in a single day. The long list of destroyed villages manages to convey a sobering sense of the enormous scope of the violence and the crippling long-term nature of the devastation: in one village we know about, all 1,300 structures are destroyed; in another village, all 466 structures are destroyed; in yet another settlement, 628 of 720 structures are destroyed; and the list goes on. In some cases we know the names of the destroyed villages, while in some other cases the village name is unknown to us even though the destruction left behind is evident. In village after village, the attacks by *Jingaweit* and GoS troops have burned crops, killed or stolen cattle, and destroyed irrigation systems, thereby devastating much of Darfur's economic base and potentially discouraging eventual population return and reconstruction.

Victims of the attacks by *Jingaweit* and GoS military regularly describe massacres, executions, and rapes committed in plain view. GoS planes have bombed villages and attacked them with helicopters. We have received reports that some victims were buried alive and others were mutilated after death. At one isolated location visited by USAID staff in Darfur last month, local leaders reported that more than 400 local women and girls have been raped by attackers in recent months; some women reportedly were raped in front of their husbands, compounding the shame and humiliation inflicted by the attackers. We continue to receive reports of *Jingaweit* branding their rape victims, presumably to make the act of rape permanently visible and discourage husbands from taking their wives back. A health survey in parts of West Darfur in April found that 60 percent of the deaths there of children older than age 5 were caused by wounds inflicted in the violence. These acts raise questions about the community's long-term ability to survive and reestablish itself.

Many of the estimated 1 million residents of Darfur who are now internally displaced have been denied safety even in displacement camps where they have gone to seek refuge. Pro-government security personnel have blocked some uprooted families from entering particular towns. Armed *Jingaweit* apparently under GoS instructions claim to be "protecting" camps of displaced persons who fled Jingaweit attacks days earlier. Camp occupants continue to suffer killings, rapes, and theft of relief items. Displaced persons say that that they cannot venture outside their camps or villages for fear of being assaulted by *Jingaweit.* Because many men fear death if they leave, many families rely on women to perform journeys because women need fear "only" rape, according to interviews with displaced families. Some communities have refused to accept sorely needed humanitarian assistance because they fear that distributions of relief items might attract *Jingaweit* atrocities. A United Nations (UN) official recently reported that he has never encountered displaced populations as frightened as the people he met in Darfur last month.

A troubling new development is the GoS effort to force frightened, displaced families to return prematurely to their unsafe villages, where they are at the mercy of the same *Jingaweit* militia that attacked them originally. We have received other reports of families returning to their homes under duress after receiving GoS assurances of reintegration assistance that in fact does not exist. Involuntary returns to locations that are unsafe, utterly destroyed, and currently beyond the reach of international aid would constitute yet another violation against the people of Darfur and would compound the current humanitarian emergency.

Humanitarian Situation in Darfur

The lack of humanitarian access to desperate populations in Darfur remains a matter of highest priority to USAID, the U.S. Government broadly, and, we hope, to others in the international community. While the GoS belatedly has eased or removed some restrictions on relief programs in the past month, many GoS administrative obstacles remain in place that translate directly into less aid and greater probability of suffering and death for populations desperately in need.

The GoS promised in late May to accelerate visas for relief workers seeking to enter Sudan and has lately fulfilled that promise for USAID personnel; some other

humanitarian agencies report, however, that their relief workers continue to endure extended waits for visas. While the GoS says it has waived requirement that relief workers traveling from Khartoum to Darfur must apply for travel permits, some agencies continue to encounter travel permit delays as well as registration problems authorizing them to establish operations in Darfur. Sudanese authorities have eased their requirement of 72-hour advance clearance on all air passengers into Darfur by reducing it to 48-hour advance notice, but travel on the ground within Darfur remains subject to tight government controls.

Although the GoS has backed away from restrictions it planned to impose on aircraft used in humanitarian flights, GoS customs delays on vehicles, radios, food, medicines and other supplies imported by relief agencies have seriously hindered humanitarian operations. One international humanitarian organization reported on June 7 that it has had 31 tons of medical supplies and medicines awaiting GoS clearance to enter the country since March 2, nine tons of emergency health kits awaiting import clearance since May 1, and 13 vehicles needed for emergency health programs bottled up by authorities at Port Sudan for durations ranging from weeks to months. The relief agency in this particular case has made explicitly clear that these delays will cost lives in Darfur by depriving the population of basic medicines and depriving health workers of the mobility they need to assess conditions at isolated locations. In another report, an international relief agency stated that 200 metric tons of food and medical supplies that arrived in Port Sudan in mid-April had not been released because the GoS claims it is not an emergency shipment since it arrived by sea rather than by air.

Sudanese officials have informed the United Nations Children's Fund (UNICEF) that the government might insist on conducting its own time-consuming tests on imported medicines that are urgently needed to save lives in Darfur. The GoS requires international relief agencies to use Sudanese truckers to haul relief commodities even though domestic trucking capacity is insufficient and domestic trucking prices are three to four times higher than a year ago. Relief efforts have also been hampered by GoS policies requiring international humanitarian agencies to partner with local organizations possessing limited capacities and questionable neutrality to do the work that needs to be done.

These GoS-imposed delays and restrictions have conspired to limit the number of international relief agencies able to operate in Darfur and have curtailed the reach of those agencies that are present there. Although the USAID Disaster Assistance Response Team (DART) mobilized on April 11 in response to the Darfur crisis, it was prevented from establishing a regular presence on the ground in Darfur until late May because of GoS policies that delayed each step of the process. Local GoS officials have interfered with USAID's DART information collection by restricting the questions our team could ask displaced populations about why they fled and who attacked them, at times banning our staff from taking pictures of relief operations, confiscating a satellite telephone, and abruptly cutting short a visit to a displacement camp. Last week GoS officials in Darfur implicitly threatened the security of the USAID DART during a food distribution.

As a result of GoS policies restricting relief activities, combined with other logistical and security constraints such as banditry, poor roads and rains, the bottom line is that humanitarian access remains a grave problem, and a humanitarian disaster is occurring as we speak. USAID Administrator Andrew Natsios described the Darfur situation in stark terms during a Donors Conference on June 3: "The grave situation that has unfolded in Darfur in western Sudan in recent months is the worst humanitarian crisis in the world today. . . . Even in a best-case scenario, under optimal conditions, we could see as many as 320,000 people die. Without optimal conditions, the numbers will be far greater."

USAID released a chart last month projecting potential mortality rates in Darfur. An updated version of the chart is attached. The projection indicates that, based on initial health surveys and our experience with previous famines in southern Sudan and Ethiopia, the death rate in Darfur might be in the process of increasing to four deaths per day per 10,000 people at risk by the end of this month—a rate considered to be four times higher than the emergency threshold. Absent adequate humanitarian response, the mortality rate could be expected to more than double yet again during July and climb relentlessly during the final half of the year to as high as 20 deaths per day per every 10,000 people. Under this scenario, as many as 30 percent of the affected population could die by year's end. Adding to our alarm is the fact that a more recent nutrition survey conducted in part of Darfur suggests that the mortality rate projected in the attached USAID chart might be too conservative. A health survey at locations in West Darfur concluded in late May that nearly 5 percent of all children under age 5 had died within the past three months at the surveyed locations—a mortality rate more than double emergency thresholds.

It is important to emphasize the awful truth that humanitarian conditions in Darfur are almost certain to get worse before they get better. The annual rainy season has arrived. Rains have begun to fall on hundreds of thousands of persons already physically depleted by months of displacement, fear, food shortages, and abysmal sanitation conditions in overcrowded displacement camps. USAID personnel on the ground continue to report large numbers of uprooted families living in the open air, without shelter or blankets for protection from the rain and temperature extremes. Camp sanitation problems from rotting animal carcasses and months of open defecation threaten to deteriorate further as the rains intensify. Internally displaced person (IDP) sites in Darfur require more than a ten-fold increase in latrines to meet minimum sanitation standards agreed to by relief specialists. Conditions are ripe for the spread of fatal illnesses such as measles, cholera, diarrhea, dysentery, meningitis, and malaria.

Even if security prevails and bureaucratic impediments imposed by the GoS suddenly vanish, relief officials already know that 54 of 80 IDP camps will become fully or partially inaccessible during the rainy season. We have seen clear evidence that at least one hastily established IDP site is located in a flood plain that is almost sure to be inundated in coming months. During the past two weeks, up to four inches of rain fell in parts of South Darfur, and up to three inches in sections of West Darfur. Meteorological data indicate that the rains are advancing northward deeper into Darfur a bit ahead of schedule so far this year. The illustrated charts attached to this testimony provide additional information about the number of days remaining before seasonal rains begin to cut off sites in Darfur and eastern Chad.

The approximately 1 million persons estimated to be internally displaced in Darfur are scattered among about 80 known camps as well as in homes and villages not yet identified, according to UN humanitarian assessments. Some 420,000 displaced persons can be found in West Darfur, nearly 300,000 in North Darfur, and some 230,000 in South Darfur, the UN estimates. The natural mixing of displaced populations with local residents has created difficulties for relief workers trying to target the distribution of food and relief commodities to the most vulnerable people.

UN surveys indicate that relief programs to date, lacking necessary access to many populations, are addressing only a small fraction of the immense need on the ground. Approximately 90 percent of displaced Darfurians in need of shelter and latrines have received neither, according to analysis by UN agencies. Two-thirds of the uprooted population have no access to potable water; more than half have no primary health care; about half of those in need are still cut off from emergency food deliveries. Overall, according to UN relief officials, assistance—perhaps merely a single food distribution in some cases—has reached only about half of all displaced persons in Darfur because of security constraints and GoS obstructions. The aid that manages to reach them does not fulfill their needs because those same obstructions have left relief organizations understaffed and under-equipped. Some humanitarian officials have advised placing a priority on relief distributions in West Darfur, where rains will likely cause the earliest flooding and road closures, followed by South Darfur and North Darfur in priority order based on normal rain patterns.

The GoS has taken no concrete steps to tap Sudan's million-ton domestic surplus of sorghum to feed hungry people in Darfur, unless donors purchase the surplus for that purpose. The World Food Program (WFP) projects that Darfur will require more than 21,000 metric tons of food aid per month this summer for 1.2 million beneficiaries, increasing to a monthly need of 35,000 metric tons for 2.2 million people by October. Due largely to USAID's Office of Food for Peace and its commitment of more than 86,000 tons of food assistance to Darfur, the WFP food pipeline is sufficient to meet needs through September, but only if we have humanitarian access and sufficient transport to deliver the food to those who need it. Deliveries currently are dependent on three cargo planes, a limited fleet of trucks, and a road network vulnerable to washouts. Humanitarian airlift capacity—currently about 7,000 metric tons per month—will have to double in coming weeks to mount airlift and airdrop operations capable of reaching 65 scattered locations where at-risk populations will soon be cut off by the rains. Even a doubling of airlift capacity may be insufficient. Protecting the increased food deliveries from theft will also be a concern.

USAID is supporting UN agencies examining the possibility of mounting a cross-border relief operation from neighboring countries to reach Darfur's people—an operation that would require the formal agreement of those governments. The cross-border options are problematic because of serious logistical, security, and local political constraints.

USAID has deployed a 16-person DART team of relief specialists to the region to oversee the work of USAID-funded partners, help set priorities, identify specific projects and partners for additional funding, conduct assessments, and monitor the delivery and distribution of relief supplies. Twelve other USAID staff are on stand-

by to join the DART in Darfur. The DART is acutely aware of the need to closely consider the safety of beneficiaries in all our humanitarian planning, programming, and information collection.

The DART has completed 14 commodity relief flights that have delivered nearly 100,000 blankets, relief items to ease water shortages, and enough plastic sheeting to shelter more than 360,000 people once we are finally able to overcome GoS and logistical constraints on its distribution. Additional DART relief flights are planned. USAID's Food for Peace Office has provided more than half of all international food commitments to this emergency, while USAID/Office of U.S. Foreign Disaster Assistance has provided emergency assistance for health, nutrition, water, sanitation, shelter and other relief commodities.

Of special note is an ambitious measles vaccination campaign currently underway throughout Darfur with USAID support that is targeting 2.2 million residents for vaccination by the end of June in hopes of curtailing the worst effects of an inevitable measles outbreak during the rainy season. The stakes are high.

In eastern Chad, about 90,000 of the 160,000 refugees from Darfur are living in eight official camps established by the UN High Commissioner for Refugees (UNHCR) and the Chadian government. Two additional camp sites are under consideration. UNHCR continues to transport refugees from insecure border areas to the official camps. Several hundred new Sudanese refugees continue to flee into Chad each week, indicating that the refugee flow has not ceased as violence continues in Darfur.

The U.S. Government's financial commitment to the Darfur crisis is considerable. USAID Administrator Andrew Natsios pledged an additional $188.5 million for Darfur at an international donors conference on June 3. This raises the U.S. Government's total planned contribution to nearly $300 million for Darfur and eastern Chad since February 2003, of which about $116 million has already been committed to specific projects or partners as of early June. The U.S. Government total includes funds from the Department of State's Bureau for Population, Refugees, and Migration for Darfurian refugees in eastern Chad.

Mr. Chairman, I should conclude my discussion of Darfur by emphasizing that providing emergency assistance in this crisis is much more than a matter of giving financial support to projects that address identified needs—as important as that is. Achieving security and access on the ground are absolutely essential prerequisites that are missing up to this point for mounting an effective relief campaign, no matter how well-funded the campaign might be. At USAID, we are vitally aware that if thousands of lives and an entire society and way of life are to be saved in Darfur, greater international pressure must be brought to bear upon the Government of Sudan to halt the killing and rapes, reverse the ethnic cleansing and forced displacement, and eliminate GoS policies that obstruct relief efforts. We should avoid the trap of negotiating with the GoS for token, incremental concessions on the humanitarian front that leave overarching GoS policies of devastation in Darfur unchanged and undisturbed.

II. SOUTHERN SUDAN

Overview

On May 26, the GoS and the Sudan People's Liberation Movement/Army (SPLM/A) signed a framework for a comprehensive peace agreement. It was an historic moment greeted by jubilation and dancing in many southern Sudanese villages where violence, death, destruction, family separation, and extreme isolation have been the depressing norm for much of the past 20 years. The people of southern Sudan deserve this moment of hope. Each new agreement brings the cessation of hostilities closer to a permanent cease-fire and a normal, peaceful existence in the South. While there were many partners in this effort, the role of the U.S. Government and the personal activism of the President, his Special Envoy Senator Danforth, and other senior U.S. Government officials have been critical to achieving this progress.

The framework peace agreement, however, is not the final stage and does not mean that permanent peace is assured. Much work needs to be done. The parties must now turn their full attention to reaching agreement on implementation modalities, signing a final comprehensive peace agreement, followed by faithful implementation of the entire peace process. The militaries must fully disengage. Local armed militias must disband or reconcile with their neighbors. Significant returns of refugees and displaced persons have already begun and will accelerate, requiring proper international support to minimize the inevitable problems and tensions associated with large population movements. Ambitious development programs are needed in an area that by virtually any measurement is one of the most destitute places on earth. And the need for effective governance and civil administration throughout southern Sudan—an area as vast as Texas but with terribly depleted human re-

sources—is probably the supreme challenge if peace is to become permanent and a force for improved conditions among the people of the South.

The international community and southern Sudanese themselves are looking to the U.S. Government to play a lead role in supporting and nurturing the economic, social, and political construction of the new South Sudan. Having provided more than $1.7 billion of humanitarian assistance during the past 21 years to help save Sudanese lives during a time of war, the challenge now is to sustain humanitarian assistance where needed while investing more heavily in southern Sudan's peace and long-term development. The goal should be nothing less than to bring the benefits of peace to every village and community in South Sudan.

Humanitarian Assistance and Development of Infrastructure in the South

Mr. Chairman, for many years I have come before this Committee to recite the grim statistics about life and death in southern Sudan. There is now an opportunity for southern Sudanese to establish a new and more positive database of peacetime statistics: the numbers of people returning to their homes, the numbers of schools opening, the numbers of health clinics established, the quantity of wells dug, the tons of crops produced, and the miles of roads improved. Tens of thousands of refugees and internally displaced persons have returned in recent months to their home areas of southern Sudan, and returns are expected to accelerate with the signing of the peace framework on May 26. USAID plans expanded programs to help the government of South Sudan transform people's lives with improvements in education, health and water systems, economic recovery programs including food and agricultural projects, infrastructure repairs, reintegration assistance for ex-combatants, and other sectors vital for reintegration and recovery.

One of the primary development priorities must be road improvements. South Sudan has virtually no paved roads except for a few kilometers of pavement in GoS-controlled garrison towns such as Juba, and many dirt roads are impassable during the rainy season and extremely difficult to traverse the rest of the year. The primitive state of southern Sudan's road network illustrates the daunting task of nurturing basic development in an impoverished, isolated and far-flung area the size of Texas after 21 years of war and generations of governmental neglect.

USAID has already committed $7.5 million to an emergency road program and dike program that is attempting to open up major transportation corridors. The priorities at this time are de-mining of main roads and making modest repairs to render key roads passable in the rainy season. Better roads will foster economic activity by linking the major southern towns such as Juba—sealed off by the GoS military during the war—with the surrounding rural areas and with the economies of neighboring Kenya and Uganda. Road improvements are an important step in strengthening economic and social links between North and South Sudan—links that could bolster political stability. Improvements to the road network and construction of dikes will also facilitate the return home and reintegration of Sudan's estimated 5 million uprooted people and make the delivery of humanitarian and development assistance easier and less expensive. USAID projects that the emergency road program can result in a 70 percent reduction in the cost of freight deliveries, and would enable more food aid to arrive by road at a cost savings of 60 percent compared to air deliveries. Since 90 percent of all food aid provided to South Sudan comes from the United States, this translates into a more cost-effective assistance program. However, it is important to emphasize that landmines remain a major impediment to opening up roads; de-mining must proceed concurrently with road repair activities.

In addition to continued support for the emergency road and dike program, USAID is planning a three-year, $60 million infrastructure program for South Sudan that will, among other things, support longer-term road improvements and maintenance as well as water and power generation. Further support is also needed for dredging and barge traffic on the mighty Nile River that bisects southern Sudan and connects South with North—an important artery for promoting trade and North-South links.

Commitment to Transitional Zones

While support for reintegration, development, and stability is important throughout the South, there are three areas of the so-called transitional zone between North and South that are particularly strategic and where the U.S. Government is particularly committed in the aftermath of the recent peace negotiations. Discussions about the Nuba Mountains, Southern Blue Nile Province, and Abyei in South Kordofan Province were particularly delicate during the peace talks, and these three regions are now particularly crucial for post-war stability. USAID was deeply involved in negotiations over access to the Nuba Mountains in 2001 that provided an impetus

for a Nuba cease-fire and larger peace negotiations. When the framework peace talks stalled last year over the future of Abyei, it was a U.S. Government proposal that helped break the deadlock and move the peace process forward.

Health and agricultural programs are planned or already underway with USAID support in all three regions. Infrastructure programs will improve roads, drill new boreholes, and help establish schools and clinics. Necessary de-mining activities in Southern Blue Nile need U.S. Government, as does the nascent civil administration in the three transitional areas.

Government Administration and Reconciliation in the South

For those seeking evidence that true peace can take root in southern Sudan after so much violence, a remarkable event occurred in the town of Akobo in Eastern Upper Nile a week after the peace framework was signed last month. Eastern Upper Nile has been one of the most volatile regions of southern Sudan in recent years, and Akobo has changed hands several times during the conflict. On June 2, pro-government forces approached Akobo and yet another battle appeared imminent with the SPLM/A troops controlling the town. Akobo community leaders intervened by separating the opposing forces and engaged in discussions with both sides to resolve tensions and persuade the combatants to adhere to the new peace agreement. Local Akobo chiefs continue to lead discussions to reconcile members of the pro-government militia with the SPLM/A and the local community. Similarly, in the village of Mading near Nasir in Eastern Upper Nile, community leaders after the signing of the peace framework peacefully switched their allegiance from the GoS to SPLM, and SPLM authorities assumed control of the town from GoS soldiers and militia with no shooting. These are but two hopeful indications of the changing mood toward peace and the impact that the signed agreement can have in villages where the war has been waged.

However, I do not want to give the impression that events on the ground in southern Sudan have been uniformly positive. Forces allied with the GoS attacked in the area of Malakal, in Upper Nile Province's Shilluk Kingdom, in March and April. Between 50,000 and 120,000 people have been newly displaced and many villages were destroyed. Some 25,000 ethnic Shilluk have fled to Malakal town, and thousands more to the Nuba Mountains, Kosti in White Nile Province, and elsewhere. Displaced families have reported burning of villages, killings and rapes by militias, looting, and destruction of schools and clinics. Compounds of international relief organizations in the town of Nyilwak were burned as well, according to UN sources.

USAID remains concerned about continuing reports of localized conflict and persistent obstacles to the delivery of humanitarian relief to Southern Blue Nile and to the Eastern Front area near the Eritrea border. We are also acutely aware that the Lord's Resistance Army, a Ugandan insurgent group infamous for its brutality and abductions of children, continues to operate from bases in southern Sudan and must be brought under control to achieve security and stability along southern Sudan's border with Uganda.

Despite these obstacles, the signing of the peace protocols on May 26 means that the work of building the capacity of the new Government of South Sudan (GOSS) must start now. This is the most formidable task facing southern Sudan and is the top priority for USAID now that a peace agreement is signed. The peace protocols specify that the SPLM shall form the government in the South for a period of six-and-a-half years, followed by a referendum on unity with or separation from the North. The SPLM leadership has acknowledged the need to transform itself from a rebel group into a functioning government.

The SPLM has made progress transitioning into a civil authority, but it will continue to be a long and difficult process. The war might be over, but its repercussions are long-lasting. The legacy of more than 2 million dead from the war, 5 million displaced, and at least two generations without formal education has left a huge hole in southern Sudanese society. The pool of educated southern Sudanese prepared to assume the responsibilities of government and civil administration is numerically extremely limited. USAID is working to connect the new South Sudan with the Sudanese diaspora who have resettled abroad and have managed to obtain education and skills that are desperately needed to help rebuild the South.

Many analysts have fretted over the years that after Sudan's civil war ends, internal divisions in the South will take center stage and spark new cycles of conflict. The GOSS will immediately be faced with the need to establish democratic governance at the highest levels to encourage broad-based popular support and a sense of common cause among the South's political and ethnic groups. Policies will have to be developed regarding public finance and human resources, including revenue, taxation, budgeting, accounting, anti-corruption, civil service development, political appointments and elected officials. Design of a southern parliament will be yet another

priority. All of these challenges will require negotiation among southern Sudan's various political groups and competent public officials able to draft legal frameworks based on southern consensus. For USAID this means that our support for southern Sudan must be wrapped in persistence and patience, because an entire system is being constructed largely from scratch.

Southern Sudan must create a constitution and move rapidly to ratify new laws. The current civil administration in the South has done significant work to fashion and implement 26 new laws, but these are still subject to ratification and do not cover all the issues requiring new legislation. There will also be many issues surrounding the implementation and codification of customary law.

In the United States, we take for granted that our judges have extensive legal training and are sufficiently numerous to fill every seat at the bench. In contrast, there are only 22 southern Sudanese lawyers for a judiciary system that will need to fill more than 100 judgeships along with the need for prosecutors and defense advocates. The demands on the justice system will likely be heavy as millions of southern Sudanese return to their homes and, in some cases, become embroiled in disputes over land and property. Weapons prevalent in the post-war environment may be, for some individuals, the main method for resolving those disputes. Because the GOSS judiciary will possess few human resources to cope with the large number of people seeking justice after decades of grievances and neglect, USAID will support development of a para-legal system and an interim dispute resolution system.

Trafficking and abduction of women and children is a particularly egregious practice that has reflected the contours of the conflict in Sudan. Since 2002, abductions have significantly diminished with the cessation of hostilities. Former abductees are now returning home to join the families they had lost. Sudan, however, remains in the worst tier of the State Department Trafficking in Persons report. New allegations of trafficking and abductions are surfacing in Darfur, and much work remains to be done to reverse the effects of abductions and trafficking suffered in the South. USAID is deeply troubled by findings from staff interviews with numerous women and children, originally from the South, who have been returned from the North to the South. Many of these women and children stated that they in fact were not abducted from the South but were nonetheless taken by force to the South because they were southerners living in the North. USAID and our implementing partners will continue to expose and work to prevent these corrupt practices and fund programs that legitimately assist those who have been abducted to return to their homes and families.

Southern Sudanese need and deserve honest government officials. Leading American anti-corruption expert Robert Klitgaard recently completed, with USAID support, a series of meetings and workshops on honest and transparent government for SPLM leadership and county executives. The workshops generated a great deal of interest in instituting systems to prevent and reduce corruption. SPLM leaders have regularly stressed a theme of anti-corruption in their public presentations of late.

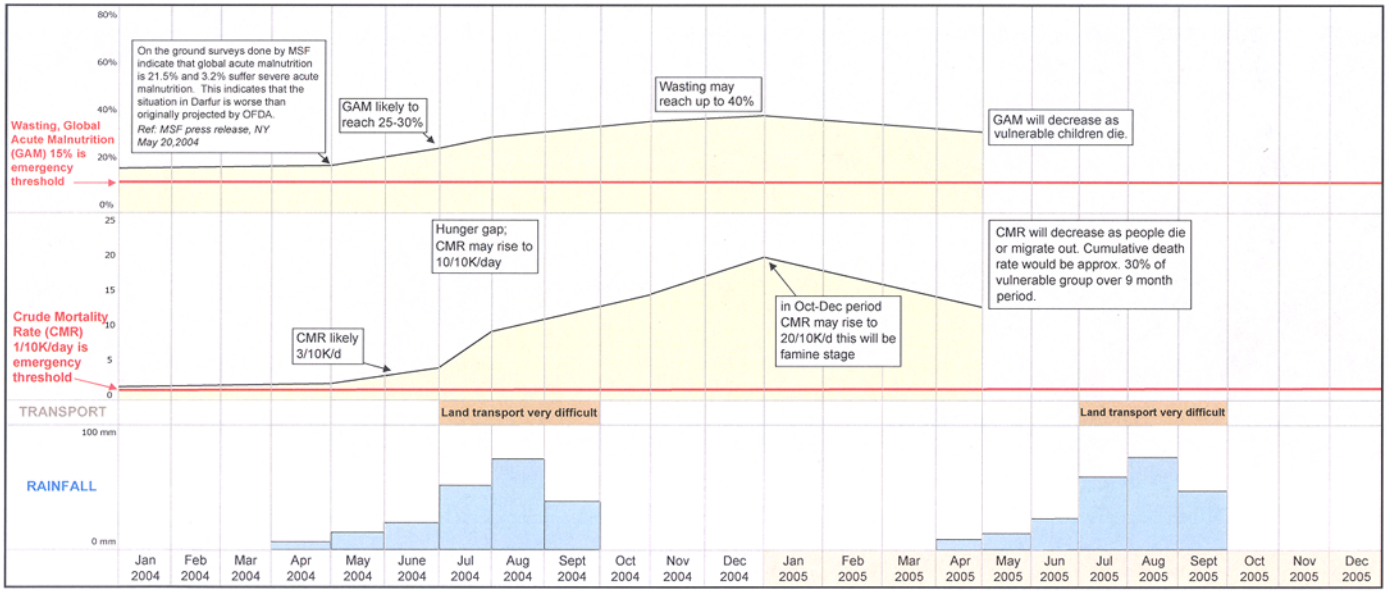
Part of a strong, democratic system is a vibrant civil society of professional associations, unions, human rights groups, faith-based organizations, community-based groups, and independent media. USAID will work to help grass-roots groups grow into strong organizations with the capacity to serve their members' interests, thereby laying a foundation for civil society to be an active voice in governance. USAID will support public opinion research and nonpartisan civic education on peace and governance. A Sudan Radio Service and the Sudan Mirror newspaper with an ever-widening circulation in the South already receive strong support from USAID. We have long backed projects encouraging South-South dialogue and reconciliation and are providing support fora conference later this month bringing together 350 traditional chiefs from throughout the South to meet with SPLM leadership to review the framework peace agreement and advance the notion of reconciliation among southerners.

The U.S. Government is the primary donor for these types of democracy and governance and transitional programs in the South. Many international donors may focus on northern areas where U.S. development assistance currently is difficult to implement because of our legislative restrictions. The U.S. Government is one of the few donors that has taken proactive steps to fund development assistance in southern Sudan during the past ten years. We have already begun to create a network of trust, experience and lessons learned that other donors do not yet have in the South.

With humanitarian needs still quite large and with many militia groups still under arms and weighing the advantages of violence versus peace, it will be important that southern Sudanese see and experience a visible peace dividend, particularly in areas of particularly acute ethnic or political divisions.

In conclusion, Mr. Chairman, it seems almost incomprehensible that so many people in Sudan have suffered—and continue to suffer—so much. I believe that marginalized populations throughout Sudan, including the people of Darfur, have a vested interest in the successful implementation of the agreement to end the long civil war between the GoS and the SPLM. The provisions of that framework agreement, if faithfully implemented by the parties and seriously supported by the international community, could be an important step toward engendering the fundamental democratic transformation that is the best hope for the permanent improvements needed and deserved by the long-suffering Sudanese people.

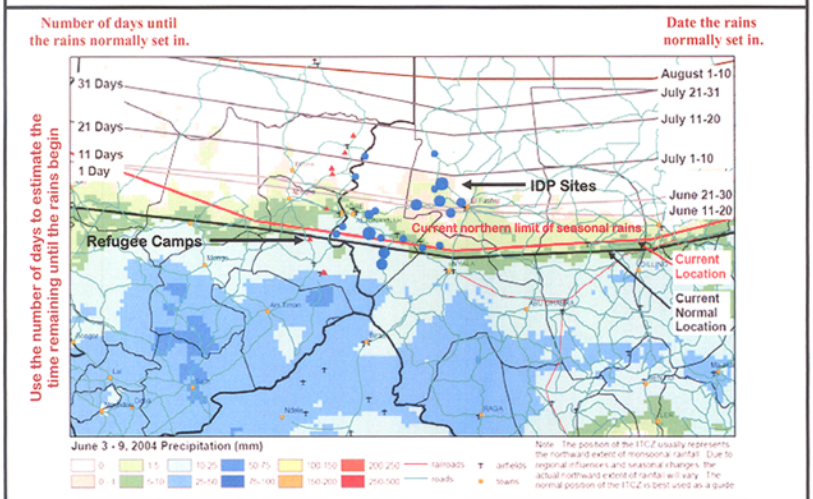
PROJECTED MORTALITY RATES IN DARFUR, SUDAN 2004 - 2005
IF THERE IS NO HUMANITARIAN ACCESS



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

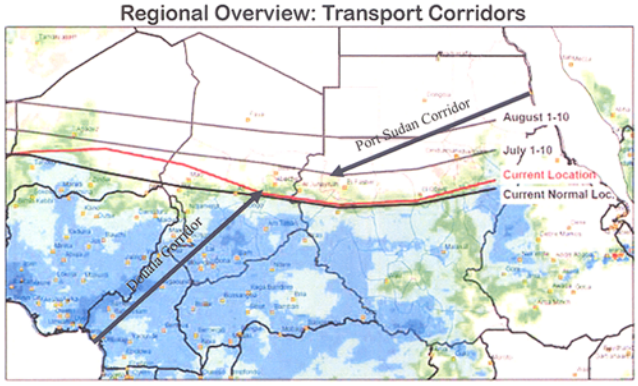
Darfur Crisis: Rain Timeline 10 June 2004

Time remaining before seasonal rains cut off sites in Darfur and Eastern Chad



Once seasonal rains start in the region, much of eastern Chad will be cut off. While large towns in Darfur may be accessible, surrounding areas will be difficult to access. All efforts should be made to provide refugees and IDPs with shelter and to preposition or distribute relief supplies to last through the rainy season. Already rains have begun in most of South Darfur and parts of West Darfur. Normally within the next two weeks, the rains will start in all of West Darfur and parts of North Darfur including El Fasher. Within one to two weeks rains should also set in over Abeche in Chad.

Regional Overview: Transport Corridors



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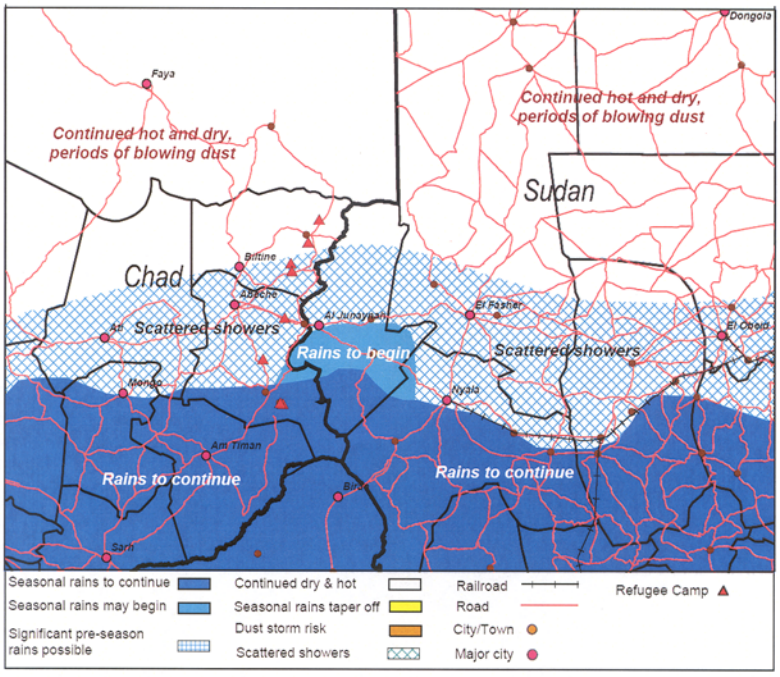
Darfur Crisis
Seven Day Rainfall Forecast
June 11 — 17 2004

⇒ Monsoonal rains have started over Salamat and southern Ouaddai in Chad as well as over 2/3rds of South Darfur and the higher terrain of southern West Darfur. Monsoonal rains will continue across these areas with the wet season beginning across central West Darfur. Although monsoonal rains start across West Darfur and vicinity during June into early July, the heaviest rains typically fall during late July through August. Rains taper off during September.

⇒ Scattered showers are possible over northern Ouaddai and southern Biltine in Chad as well as northern West Darfur and southern North Darfur in Sudan. Most of the time conditions will be dry and hot, with occasional blowing dust.

⇒ Hot, dry conditions are expected across most of Biltine and the far northern portion of West Darfur. Occasional blowing dust is expected.



Up to date forecasts can always be found at:
http://www.cpc.ncep.noaa.gov/products/fews/africa/

U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

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

DARFUR—Humanitarian Emergency

Fact Sheet #9, Fiscal Year (FY) 2004—June 10, 2004
Note: This report updates the last fact sheet dated June 4, 2004

BACKGROUND

- The humanitarian emergency in Darfur is a direct result of violence and harassment directed toward the Fur, Zaghawa, and Masaalit civilian groups by Government of Sudan (GOS) forces and GOS-supported militia groups collectively known as *Jingaweil.* In early 2003, the Sudanese Liberation Movement/Army (SLM/A) stated that they would engage in armed struggle to achieve full respect for human rights and an end to political and economic marginalization in Darfur. On April 24 and 25, 2003 the SLM/A attacked GOS military forces at Al Fashir in North Darfur.
- Following this attack, GOS military forces and *Jingaweit* militia initiated a more coordinated campaign of violence against civilian populations, including aerial bombardments to kill, maim, and terrorize civilians who the GOS claimed were harboring opposition forces. Conflict-affected populations have described recurrent and systematic assaults against towns and villages, looting, burning of buildings and crops, destruction of water sources and irrigation systems, gang rape, and murders. Throughout late 2003, armed conflict intensified, as GOS military and *Jingaweit* clashed with the two main opposition groups—the SLM/A and the Justice and Equality Movement (JEM)—in Darfur.
- Following U.S. Government (USG) and European Union (EU) facilitated negotiations in N'Djamena, Chad, the two main opposition groups and the GOS signed a renewable 45-day humanitarian ceasefire on April 8 that took effect on April 11. This agreement included a GOS commitment to disarm *Jingaweit* militia groups and a protocol on providing humanitarian assistance in Darfur. The ceasefire agreement was renewed on May 22.
- Despite the ceasefire, *Jingaweit* violence against civilians continues in all three states of Darfur resulting in increasing displacement. Because the victims are displaced and vulnerable, they become targets of further violence. Even in villages where there is nothing left to burn, the fear of further violence continues to paralyze displaced populations, preventing voluntary returns. This cycle prevents many internally displaced persons (IDPs) from safely returning home, trapping them in camps or informal settlements for the foreseeable future. Out of an estimated population of 6.5 million in Darfur, approximately 2.2 million people are affected by the crisis, including more than 1 million IDPs and approximately 158,000 refugees who have fled into neighboring Chad.
- Humanitarian access to conflict-affected populations outside of the state capitals of Geneina, Al Fashir, and Nyala was extremely limited until late May due to GOS impediments that blocked humanitarian access and relief operations in Darfur. As a result of intense international pressure, the GOS lifted some of the restrictive travel permit regulations and announced a series of measures, effective May 24, to facilitate humanitarian access to Darfur. USAID's Disaster Assistance Response Team (USAID/DART) and other humanitarian agencies have deployed additional staff to Darfur to increase emergency response capacity. However, several obstacles remain, including continued delays in obtaining visas for relief personnel, travel restrictions within Darfur, difficulties in clearing essential relief supplies and equipment though customs, and GOS interference in relief activities that address protection of civilians and human rights abuses.

CURRENT SITUATION

Continued Insecurity and Disruption of Relief Activities

- On June 7 and 8, according to international media sources, an official from the JEM reported that *Jingaweit* and GOS forces, including military aircraft, attacked JEM forces in the area around Kiro, approximately 30 km north of Geneina in West Darfur.
- According to the U.N. Office of Humanitarian Affairs (UN OCHA), an assessment team that visited Mallam, South Darfur observed a large number of

Jingaweit in the area. Villages surrounding Mallam reportedly suffer an average of two attacks per week, and 19 people were killed last month as a result of these raids. Several agencies report a general decrease of IDPs in areas such as Kubum, Um Labbasa, and Badegusa, and an increase of IDP numbers in Kass town and Kalma Camp. Attacks on villages southeast of Kass this week led to the displacement of over 1,500 families.

- According to the USAID/DART, SLM/A elements are conducting mobile checkpoints near Shurom/Tordaan, approximately 50-60 km southeast of Nyala, and on the road that connects Nyala, Yassin, and Ed Da'ein route. A commercial vehicle transporting U.N. World Food Program (WFP) goods was briefly detained by SLM/A troops in Yassin, 60 km northwest of Ed Da'ein.
- The USAID/DART stated that *Jingaweit* militias reportedly stopped trucks carrying relief supplies for distribution in Fur Buranga and Habilah, West Darfur. The trucks were allowed to pass after a two-hour delay. Due to fighting near the Chad border, the town of Kulbus is inaccessible and relief agencies are concerned about travel north of Geneina. Reports of banditry on the main road to Kass and insecurity on the road north to Mershing are being investigated.

Humanitarian Access

- USAID/DART team members in West and South Darfur reported the onset of heavy rains this week, accompanied by thunder and in some cases by lightning and strong winds. In Geneina, rain fell heavily June 8 for two hours. In Nyala, inclement weather on June 9 disrupted the power supply to the town. During the rainy season, many roads become impassable, thereby severely restricting humanitarian access to vulnerable populations throughout Darfur.
- The response capacity of relief agencies in Darfur continues to be limited due to the delay in clearing supplies into Sudan through GOS customs. On June 7, Médecins sans Frontières-Holland (MSF-H) reported that food and vehicles critical to the organization's emergency response remain in customs in Port Sudan. In Darfur, MSF-H has enrolled more than 800 children in therapeutic feeding programs and more than 1,600 children in supplementary feeding programs. These programs provide life-saving treatment for children in moderate and advanced stages of malnutrition, and without this treatment many of the patients will die of starvation. With critical food stocks delayed in customs, MSF-H predicted that their feeding programs would run out of food during the week of June 14.
- On June 3, members of the SLM/A detained 16 humanitarian workers near Mellit, 55 km north of Al Fashir in North Darfur. The detained workers, a multi-agency assessment team comprised of representatives from the various U.N. agencies, several international NGOs, and the European Commission, were released unharmed on June 6 and returned to Al Fashir. According to the USAID/DART, the U.N. is reviewing security procedures following this incident.

Lack of Human Rights Monitors in Darfur

- At present, the Office of the U.N. High Commissioner for Human Rights (OHCHR) has no mandate for human rights investigations in Sudan. Apart from the OHCHR delegation's trip to the region from April 21 to May 2, there are no mandated human rights officers in place. At the donors conference in Geneva on June 3, the U.N. request for approximately eight monitors for Darfur received enormous donor endorsement. However, it is unclear if the GOS would accept human rights monitors in Darfur.

Food Assistance

- During the first week of June, the USAID/DART Food Officer monitored food activities in West Darfur, where WFP plans to target up to 300,000 beneficiaries in June. Before the heavy rains in mid-July, WFP expects to have already completed July distributions. However, WFP's main implementing partner, Save the Children-US (SC-US), reports a need to pre-position and/or distribute food for August as well. Approximately 70,000 beneficiaries in areas southwest of Geneina could be completely inaccessible by road from mid-July to mid-September, and the Nyala-Geneina road could be impassable for days at a time during that period.
- According to the USAID/DART, WFP does not appear to have sufficient capacity at present to pre-position three months'-worth of rations in West Darfur. Monthly food requirements in West Darfur are approximately 4,500 metric tons (MT). To date, WFP has only 500 MT of food stockpiled in Geneina, and while WFP continues to urge truckers to move quickly, security incidents on the key

roads between Ed Da'ien and Nyala will likely affect truckers' willingness to travel unescorted, or without security guarantees from the U.N.

- Transporting sufficient quantities of food to Nyala, and then on to West Darfur, has been a significant challenge for WFP. Food monitors for SC-US waited in Foro Burunga, West Darfur for two weeks for WFP to deliver the May rations, which were to be distributed on June 4 and 5, but the quantities were not sufficient and some commodities were missing. WFP told the USAID/DART that about 36 trucks carrying approximately 880 MT were in transit and would arrive in Geneina around June 10.
- According to the USAID/DART, 50 long-bed trucks arrived from Chad to Geneina this week. This will bring WFP's dedicated trucking fleet from 90 to 140 trucks. The monthly distribution capacity of this dedicated fleet is 8,000 MT, enough food for approximately 500,000 beneficiaries.

Health

- According to the USAID/DART, major constraints in the health and nutrition response in Darfur include the shortage of international staff available for deployment; the continued demand for cost recovery at health centers and hospitals despite a GOS directive that IDPs should receive treatment free of charge; poor health infrastructure and access; the limited number of NGOs able to implement health and nutrition programs; and the Ministry of Health (MOH)'s lack of capacity to undertake large-scale therapeutic feeding interventions.
- According to a World Health Organization (WHO) assessment of state hospitals in Darfur, 9 of the 11 facilities surveyed are in need of trained health staff including general physicians, surgeons, pediatricians, medical officers, hospital administrators, laboratory technicians, assistant anesthesiologists, and nursing staff as well as operating theater and training nurses. Most facilities also lack essential equipment and basic medicines.
- From June 5 to 7, the USAID/DART Health Officer traveled with USAID implementing partner SC-US to Habilah and Foro Burunga, south of Geneina near the border with Chad, to assess the health and nutritional situation of conflict-affected populations. According to the USAID/DART Health Officer, the major health problems afflicting the internally displaced and the host communities are measles, diarrhea, acute respiratory infections, and malnutrition. SC-US staff has been waiting for two weeks in Foro Burunga for the agreed upon quantities of food to arrive from WFP. In order to avert a nutritional crisis and the need for costly center-based therapeutic care, general food distributions with an adequate food basket (cereals, pulses, cooking oil, salt, and corn soya blend) must be distributed on time. Additionally, supplementary feeding commodities must be available. WFP currently lacks pulses and CSB for Darfur, and has cut CSB from general distributions in order to preserve the pipeline for supplementary feeding centers.
- On June 5, the delayed measles vaccination campaign began in South Darfur. The campaign is led by the Sudanese Ministry of Health (MOH) with support from UNICEF and the WHO. The 10-day campaign is scheduled to begin in North and West Darfur on June 12. The target of the campaign is 2.26 million children under the age of 15 throughout the three states of Darfur; however, the MOH stated that populations in opposition-controlled areas will not be vaccinated.

Refugees in Eastern Chad

- The U.N. High Commissioner for Refugees (UNHCR) reported that hundreds of new refugees are arriving around the Chadian border town of Adre, reportedly fleeing new fighting outside Geneina in West Darfur. In response to the influx, UNHCR has increased trucking capacity to relocate the refugees to camps away from the insecure border areas. On June 4, UNHCR opened an eighth camp in eastern Chad, Djabal, to host the refugees.
- To accommodate the continued influx of both spontaneous and facilitated refugee relocations from the border areas, UNHCR is looking for an additional camp site southeast of Abéché near the camp of Breidjing, where newly arrived refugees have stretched UNHCR's capacity to provide for 7,809 registered refugees and 5,000 spontaneous arrivals.
- According to UNHCR, as of June 8, approximately 90,000 out of 158,000 Sudanese refugees had been relocated from insecure border areas to the eight official refugee camps in eastern Chad. At present, UNHCR is focusing on relocating

refugees living in southern border areas, where the rains have already begun, before the roads become impassable.

U.S. GOVERNMENT ASSISTANCE

- Over the past year, USAID has deployed field staff to Sudan specifically to assess the extent of the Darfur crisis. On April 11, to respond to the increasing scale of humanitarian needs, USAID mobilized a USAID/DART. Several USAID/DART members have deployed to Darfur, and USAID continues a phased deployment of humanitarian personnel as official access and improved security allow for an increased presence in the region. As of June 10, eight USAID/DART members have deployed to newly established field offices in Al Fashir, Geneina. and Nyala. USAID/DART field officers are attending humanitarian meetings, monitoring the delivery and distribution of relief commodities, and participating in assessments with implementing partners throughout accessible areas of Darfur.
- The DART, led by personnel from USAID's Office of U.S. Foreign Disaster Assistance (OFDA), is complemented by a Response Management Team (RMT) in Washington that is supporting field operations and providing a point of contact for coordination and information regarding the USG's humanitarian response in Darfur.
- USAID recently provided $850,000 to UNICEF for a malaria campaign in the three states of Darfur.
- To date, USAID has delivered a total of 5,160 rolls of plastic sheeting, 77,500 blankets, and 600 jerry cans via 12 airlifts to Nyala. Based on data collected during Médecins sans Frontières' (MSF) recent nutritional survey, the average family size among the conflict affected population in Darfur is seven persons. In compliance with Sphere standards [1] for humanitarian assistance, each roll of plastic sheeting can provide adequate shelter for nine families, and USAID's contribution of 5,160 rolls of plastic sheeting will provide shelter for more than 325,000 beneficiaries. The total value of the commodities, including transportation costs, was more than $2.3 million.
- Since February 2003, USAID has provided nearly $16.5 million to U.N. agencies and NGOs, including CARE, the International Rescue Committee (IRC), Medair, and Save the Children-U.K. (SC-UK) and SC-US for emergency health, water and sanitation, agriculture, food security, shelter, logistics, and coordination activities. Proposals from additional relief organizations are under review.
- On June 3, USAID approved a 13,000 MT contribution, including 5,000 MT of pulses, 5,000 MT of corn soya blend, and 3,000 MT of vegetable oil, to WFP's Darfur Emergency Operation (EMOP), valued at approximately $15.8 million. With this contribution, USAID will have provided 48 percent of the EMOP requirements.
- Since October 2003, USAID has provided nearly $82.9 million to WFP for Darfur for 86,700 MT of food commodities, including cereals, cooking oil, pulses, and blended foods. USAID has also contributed $4.8 million to WFP for Sudanese refugees in eastern Chad, including 7,040 MT of mixed commodities already in the region.
- USAID's Office of Transition Initiatives (OTI) has provided more than $96,000 to IRC for IDP assistance activities in Darfur. Such initiatives may include support for peace and reconciliation interventions and strengthening of Sudanese civil society organizations. In addition, OTI has deployed an IDP advisor as a member of the USAID/DART.
- On May 21, the U.S. Department of State's Bureau of Population, Refugees, and Migration (State/PRM) approved an additional contribution of $1.2 million to UNHCR in response to its emergency appeal for Sudanese refugees in eastern Chad. This brings State/PRM's total contribution to date to the Chad appeal to $6,912,972, including $712,972 provided during FY 2003.
- In FY 2003 and FY 2004, State/PRM has provided more than $12.2 million to UNHCR, WFP, the International Federation of the Red Cross/Red Crescent Society (IFRC), AirServ International, International Medical Corps (IMC), and IRC for emergency refugee assistance activities in eastern Chad.

[1] The Sphere Project was launched in 1997 by ICRC, the U.N., NGOs, and donors to develop a set of universal minimum standards for humanitarian assistance and thereby improve the quality of assistance provided to disaster-affected persons and to enhance the accountability of humanitarian agencies.

U.S. GOVERNMENT HUMANITARIAN ASSISTANCE TO DARFUR EMERGENCY

Implementing Partner	*Activity*	*Location*	*Amount*
DARFUR, SUDAN			
USAID/OFDA ASSISTANCE[1]			
CARE	Health, Water and Sanitation, Logistics, Coordination	Darfur	$1,513,957
CHD	Mediation	Darfur	$267,709
IRC	Health, Water and Sanitation	North Darfur	$473,736
Medair[2]	Health, Water and Sanitation, Non-Food Commodities, IDP Assistance	West Darfur	$1,103,000
SC-UK[2]	Water and Sanitation	North Darfur	$605,602
SC-US	Health, Nutrition, Shelter	West Darfur	$2,644,830
UN FAO[2]	Food Security, Agriculture	Darfur	$465,000
UNICEF	Health, Water and Sanitation	Darfur	$1,724,830
UNJLC	Coordination	Darfur	$150,000
UN OCHA	Coordination	Darfur	$500,000
UNSECOORD	Security Officers	Darfur	$400,000
WFP	Flight Operations	Darfur	$900,000
WHO	Health, Coordination	Darfur	$250,000
Various	Relief Commodities	Darfur	$3,190,800
Various	Airlift Operations	Darfur	$651,552
	Administrative/Logistics	Darfur	$1,604,898
TOTAL USAID/OFDA			**$16,445,914**
USAID/FFP ASSISTANCE			
WFP	86,700 MT of P.L. 480 Title II Emergency Food Assistance	Darfur	$82,870,800
TOTAL USAID/FFP			**$82,870,800**
USAID/OTI ASSISTANCE			
IRC	IDP Assistance	North Darfur	$96,205
TOTAL USAID/OTI			**$96,205**
TOTAL USG HUMANITARIAN ASSISTANCE TO DARFUR			**$99,412,919**
EASTERN CHAD			
USAID/FFP ASSISTANCE			
WFP	7,040 MT of P.L. 480 Title II Emergency Food Assistance	Eastern Chad	$4,800,000
TOTAL USAID/FFP			**$4,800,000**
TOTAL USAID HUMANITARIAN ASSISTANCE TO EASTERN CHAD			**$4,800,000**
STATE/PRM ASSISTANCE[3]			
AirServ	Refugee Assistance	Eastern Chad	$1,590,350
IFRC	Refugee Assistance	Eastern Chad	$400,000
IMC	Refugee Assistance	Eastern Chad	$877,098
IRC	Refugee Assistance	Eastern Chad	$432,552
UNHCR[2]	Refugee Assistance	Eastern Chad	$6,912,972
WFP	Refugee Food Assistance	Eastern Chad	$2,000,000
TOTAL STATE/PRM			**$12,212,972**
TOTAL USG HUMANITARIAN ASSISTANCE TO EASTERN CHAD			**$17,012,972**
TOTAL USG HUMANITARIAN ASSISTANCE TO DARFUR AND EASTERN CHAD[4]			**$116,425,891**

[1]USAID/OFDA funding represents committed amounts as of June 10, 2004.
[2]Totals include some funding obligated during FY 2003.
[3]State/PRM figures do not include un-earmarked Africa-wide contributions to ICRC and UNHCR.
[4]Total funding dates from February 2003, including total contributions to Darfur, Sudan and to eastern Chad.

USAID/OFDA bulletins appear on the USAID web site at http://www.usaid.gov/our_work/humanitarian_assistance/disaster_assistance

PUBLIC DONATION INFORMATION

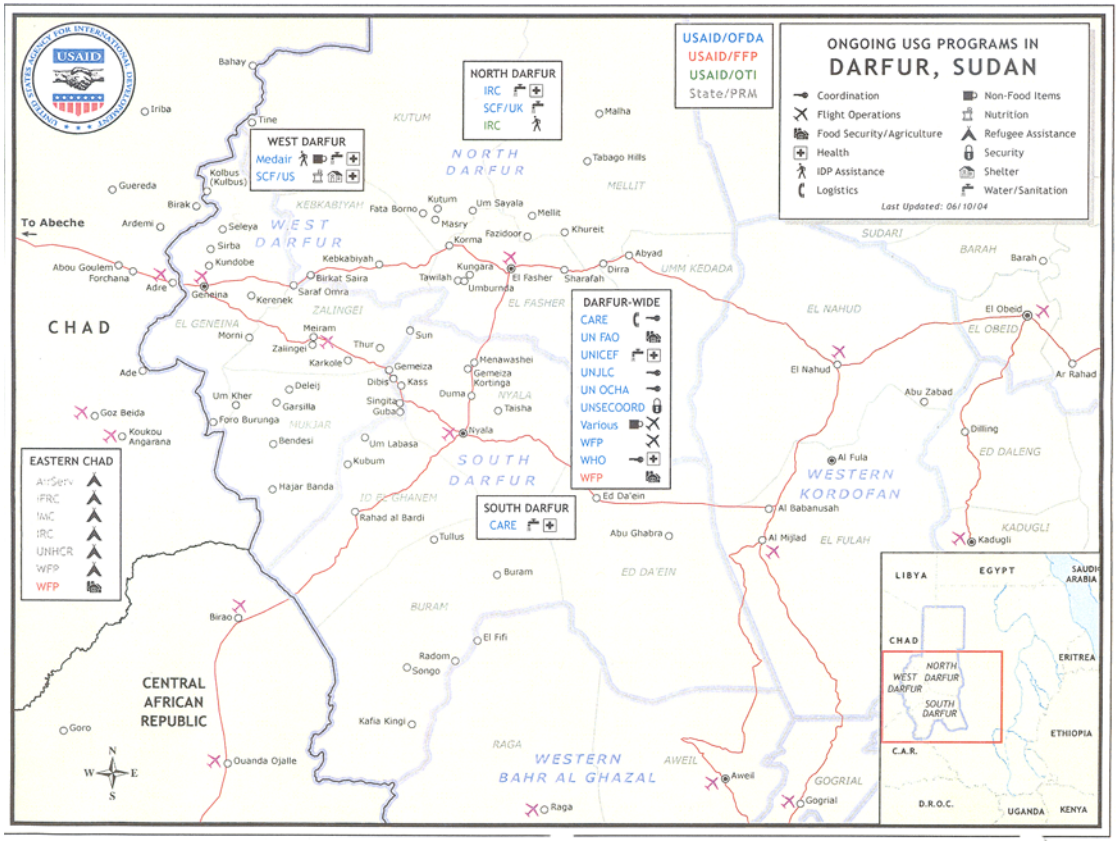
- The most effective way people can assist relief efforts is by making cash contributions to humanitarian organizations that are conducting relief operations. A list of humanitarian organizations that are accepting cash donations for their humanitarian emergency response efforts in Darfur, Sudan can be found at *www.interaction.org*.
- USAID encourages cash donations because they: allow aid professionals to procure the exact items needed (often in the affected region); reduce the burden on scarce resources (such as transportation routes, staff time, warehouse space,

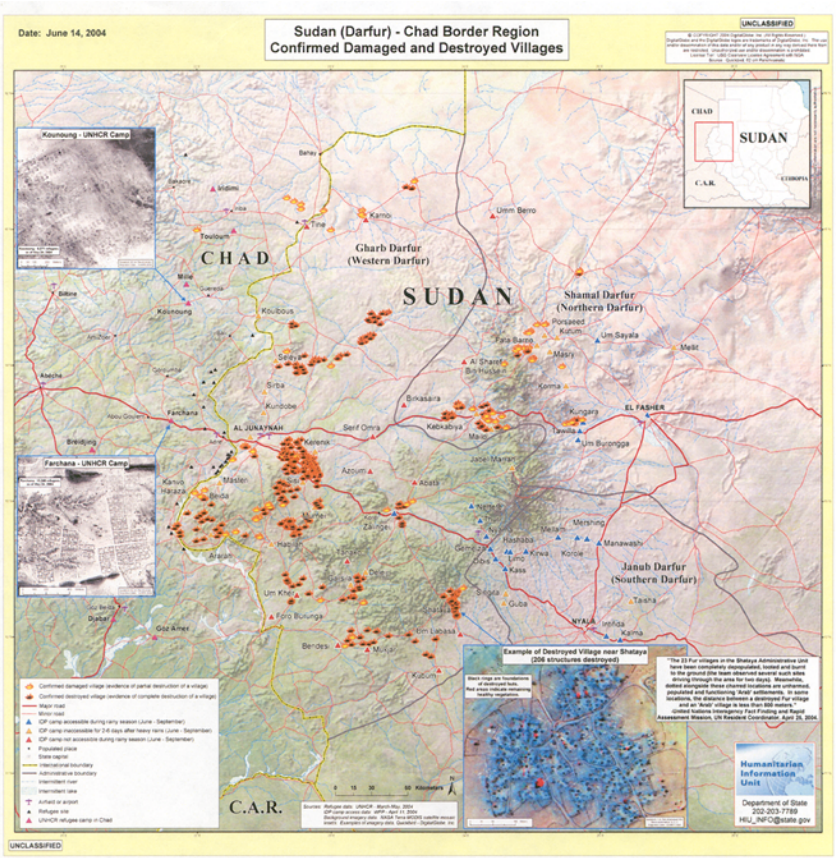
etc); can be transferred very quickly and without transportation costs; support the economy of the disaster-stricken region; ensure culturally, dietary, and environmentally appropriate assistance.

- More information on making donations and volunteering can be found at:

  The Center for International Disaster Information: *www.cidi.org*
  InterAction: *www.interaction.org* -> "How You Can Help"

- Information on relief activities of the humanitarian community can be found at *www.reliefweb.org*


ONGOING USG PROGRAMS IN
DARFUR, SUDAN
Coordination
Flight Operations
Food Security/Agriculture
Health
IDP Assistance
Logistics
Non-Food Items
Nutrition
Refugee Assistance
Security
Shelter
Water/Sanitation
Last Updated: 06/10/04
USAID/OFDA
USAID/FFP
USAID/OTI
State/PRM
NORTH DARFUR
IRC
SCF/UK
IRC
WEST DARFUR
Medair
SCF/US
DARFUR-WIDE
CARE
UN FAO
UNICEF
UNJLC
UN OCHA
UNSECOORD
Various
WFP
WHO
WFP
SOUTH DARFUR
CARE
EASTERN CHAD
AirServ
IFRC
IMC
IRC
UNHCR
WFP
WFP
CHAD
CENTRAL AFRICAN REPUBLIC
To Abeche
NORTH DARFUR
WEST DARFUR
SOUTH DARFUR
WESTERN KORDOFAN
WESTERN BAHR AL GHAZAL
LIBYA
EGYPT
SAUDI ARABIA
ERITREA
ETHIOPIA
C.A.R.
D.R.O.C.
UGANDA
KENYA


Date: June 14, 2004
Sudan (Darfur) - Chad Border Region
Confirmed Damaged and Destroyed Villages
UNCLASSIFIED
Kounoung - UNHCR Camp
Farchana - UNHCR Camp
CHAD
SUDAN
C.A.R.
Gharb Darfur
(Western Darfur)
Shamal Darfur
(Northern Darfur)
Janub Darfur
(Southern Darfur)
EL FASHER
AL JUNAYNAH
NYALA
Example of Destroyed Village near Shataya
(206 structures destroyed)
Humanitarian Information Unit
Department of State
202-203-7789
HIU_INFO@state.gov
UNCLASSIFIED

Senator ALEXANDER. Thank you, Mr. Winter and Mr. Snyder.

Senator Feingold, we have four votes that begin at 4. What I could do is take 7 or 8 minutes and ask questions and then go vote and come right back, if you would like, and then maybe, depending on your schedule—will you be able to come back during any of those votes?

Senator FEINGOLD. I will go over and vote and start the next vote, do that one as well.

Senator ALEXANDER. We can swap. OK, we will do the best we can.

You all will have to excuse us. We do not have an executive job. We have a legislative job.

But this is very important testimony. That is a terrible story you have told us, and you have told us with precision and with candor and with specifics. When we get to the second panel, we are going to hear more about that. So I would like to focus in the next 7 or 8 minutes, and then we will go to Senator Feingold, first on what we can do.

Now, how much aid are we currently giving, the United States, to the Khartoum government, financial aid, how many dollars?

Mr. WINTER. You are not talking humanitarian?

Senator ALEXANDER. No, I am talking about in general, all aid.

Mr. SNYDER. To the government, nothing. The government is restricted under the terrorism rules and other things.

Senator ALEXANDER. So nothing to the Khartoum government?

Mr. SNYDER. No. The humanitarian assistance is what goes on there.

Senator ALEXANDER. These three protocols that were signed on May 26, I assume that the expectation is as those protocols are implemented more aid—what is the expectation of aid to the Khartoum government or, in a separate category, how will other aid, how is other aid expected to come into the Sudan?

Mr. SNYDER. I think once the—assuming they finish this process which I outlined maybe as early as mid-August if things are right, there will be a two-step process. There will be something called the pre-interim period, in which what is essentially a new union government including John Garang and several key members of his will take seats in the parliament, the executive branch, et cetera, so the beginnings of the transformation of the government of Khartoum.

Six months later, there will be a full installation of what will be the new government. There will be a 6-month interim period. During this interim period I think we will begin to look at what it is that makes sense to do, provided that they continue along this path and honor the agreement. There will be benchmarks set.

Once they get to the new union government, hopefully by then, because they have met the terrorism standards and other things and they have stopped this Darfur business—this is the happy picture I am painting for you—we would then resume normal relations with Khartoum and take a look at specific categories of aid.

Senator ALEXANDER. So in any event there is no prospect of normalizing relations in the next few weeks or few months. There are a number of steps to be taken. So that is not an immediate threat. Mr. Winter was talking about 2.2 million people in October, accord-

ing to the United Nations figures possibly, which is a doubling of the number of displaced people that we hear about today.

Let us move to the humanitarian aid for a minute. What is the amount of humanitarian aid that is authorized by the United States in the Sudan now?

Mr. WINTER. It depends if you want numbers that relate to Darfur or in general. Under a normal year, because this has been a long war in the south, we are normally providing in the area for the last few years of $200 million a year. Those are resources that are primarily going to the people war-affected in the south and people who were displaced into the cities of the north.

Senator ALEXANDER. What about in Darfur?

Mr. WINTER. Darfur is of course a much more recent situation. We have actually committed since the beginning of the Darfur thing $116 million and with pledges that would rise up to about $300 million. But as I think Senator Biden mentioned, he was distinguishing between what is already appropriated and what is not, of that $300 million figure about $145 million is from current appropriations since the end of last fiscal year and into this fiscal year.

Senator ALEXANDER. What role does the Khartoum government have in the distribution of this humanitarian aid?

Mr. WINTER. Well, they can turn us on or turn us off in terms of access. But generally we do not do anything through the government of Khartoum.

Senator ALEXANDER. You do not give them the money——

Mr. WINTER. No.

Senator ALEXANDER [continuing]. To then give to——

Mr. WINTER. We have two sets of partners primarily. One are the U.N. and other international agencies and the others are NGOs, nongovernmental organizations.

Senator ALEXANDER. So the issue with the Khartoum government in terms of the aid that we are attempting to offer today are the obstacles that you described, whether they will get out of the way and let you do the job that you would like to do with food and medicine and other help.

Mr. WINTER. Correct.

Senator ALEXANDER. Let me ask this. We are obviously talking about a crisis here. Many of us remember Rwanda. Senator Feingold has mentioned that. Senator Biden has mentioned that. I remember that. In reflection, many of us regret that the United States could not have done more then. And this is rising—this reminds us of the dimensions of that genocide.

Now, what can the United States do more of immediately that would be most likely to change the attitude of the Khartoum government? What further steps could we take?

Mr. SNYDER. I think on the political side, as I have already outlined, we have made it clear to them that normalization does not come with Darfur in flames, and in fact we are in the process—and I had this conversation actually with the Sudanese Vice President. I find myself in the ludicrous position on the one hand talking about lifting sanctions and on the other having to talk about trying to increase sanctions on you and the Janjaweed in particular if you do not take action immediately.

I made the point that I am not talking a month; I am talking in weeks. This is too serious, and so far we are seeing too many bureaucratic obstacles. So on the political side we are actually threatening sanctions.

Now, we are under no illusion, given that they are sanctioned under the terrorism act and under the IEPA and under a set of ten different series of sanctions, that these sanctions will have anything more than political and psychological impact. But it is one of the things we are prepared to do to get their attention.

I am hoping we are not going to go there and, based on conversations I had with the Foreign Minister, I think he gets it. The question is can they reverse the bureaucracy, and what is in charge? Is the peace faction in charge or not? We do not have the answer to that question, and that goes to the heart of the issue. I cannot make peace in all of Sudan unless the peace faction is in control in Khartoum. And if they are, they should be able to deliver the goods in Darfur as part of that peace process.

So we have already got a horrifying test, but nonetheless a very valid test, of whether this peace process goes anywhere, and they have chosen this test to be in Darfur.

Senator ALEXANDER. And by "deliver the goods," I gather we mean, A, stop the killing, and B, get out of the way in terms of food and humanitarian help?

Mr. WINTER. We are developing a set of very specific benchmarks so that bureaucratic enthusiasm for the peace process will not overcome reality on the ground. We have not come to closure yet on what those benchmarks are, but they will be things like the actual protection of these IDP camps by the government against the Janjaweed, active actions against the Janjaweed if this process continues, cessation of any reports, provided we can get the cease-fire in place, of Antonov bombers going anywhere, cessation of use of helicopter gunships—those kinds of things.

We are developing a set of benchmarks and these benchmarks are going to be timed over the next month. We are not done with it yet, but we will share that with you when we are done with it. But that is the level of detail we are going at this with.

Senator ALEXANDER. My last question would be, to the two of you: Is there anything else specific that the administration would like for the Congress to do to strengthen your hand in dealing with the immediate future in Darfur?

Mr. SNYDER. I think actually this hearing is quite helpful. It gives us a chance to say again publicly to the government what we have said privately in a forum in which we are laying down very specific benchmarks, that this has got to stop and we mean it. This policy is not reversible. This is not a private conversation. So I think the hearing itself is one of those things.

The fact that you have monitored this carefully with the Sudan Peace Act has got their attention. The fact that we have received letters that name government officials, saying to us, are these people guilty of war crimes—all of those kinds of things have gotten their attention. I think that my colleague may have some views on the kinds of aid we are going to need. We are going to need more aid if we succeed. If we do not succeed, the questions are going to

be very different and we will be talking to you and others about that. But our time line on this has not run out yet.

Senator ALEXANDER. Mr. Winter, do you want to answer that question?

Mr. WINTER. The rest of the world is not as engaged as we are. The Europeans have been unusually slow. They have been unusually parsimonious with their contributions so far. We really need to have the collaboration of the other major donor governments. That is one thing we need.

In my view, it is also the case that we need the Secretary General of the U.N. personally to provide a level of leadership that is unmistakable. You mentioned Rwanda. He has a history in Rwanda. The Secretary General can help change this from appearing to be a problem between the United States and Sudan, since we are doing so much of the humanitarian thing, into the rest of the world also being concerned, and that would change the dynamics. I think the Government of Sudan would have to take the Arab world and the African world into account seriously, and the one who can bring that on line I personally think is the Secretary General.

Senator ALEXANDER. Thank you, Mr. Winter.

Senator Feingold, I am going to go vote. I will be back quickly. There may be a brief recess after your questions, but I will go ahead and resume the hearing when I get back if that is all right with you.

Senator FEINGOLD [presiding]. Thank you, Mr. Chairman.

Mr. Snyder, are you satisfied with the intelligence resources being devoted to monitoring the situation in Darfur relative to the intelligence resources devoted to Sudan over the past 5 years? Are we currently at a high mark in terms of intelligence resources and attention or, because of needs elsewhere, are we devoting somewhat less to this effort?

Mr. SNYDER. Senator, as you may know from my curriculum vitae, I have been in that business and I think what we are getting is what we need on Sudan. I am satisfied that I get the kind of coverage I want when I ask the specific questions and tell them what I need. I am satisfied that they are doing what they can, and they are doing enough to meet our needs.

For instance, thanks to commercial satellites, some of the photos we used in Geneva to show the Europeans what we were talking about are commercially available. But if I ask for additional details and additional coverage, I get that when I ask for it. So I am satisfied with what is going on there. And as you know, there is a major counterterrorism effort there, so we do have adequate people on the ground in my view.

Senator FEINGOLD. What relationship, if any, exists, Mr. Snyder, between the SPLA and the forces in Darfur?

Mr. SNYDER. We know in the past, several decades back, SPLM elements actually trained some of these SLA and other rebels. We have recent indications of some supply and support activities as part of that continuing process, but the supply activity is much more recent. And we have mentioned to Dr. Garang that he is now a party of peace, not a party of war, and he needs to use these to gain influence over the rebels so that we stop this process and they honor the cease-fire.

Senator FEINGOLD. Could you describe the effect that the crisis in Darfur is having on Chad and also on the Central African Republic?

Mr. SNYDER. Clearly the bulk of the IDPs that are moving, as my colleague stated earlier, are moving into Chad. There have been incidents before, and a device we never had to use. Actually, there have been bombings inside Chad. We could have actually brought this to the Security Council as a threat to international peace and security because of the cross-border bombing activity.

That has been brought into check as a result of a series of meetings the Chadian Government hosted at Abéché and elsewhere to try and encourage this process. There is still the occasional violation of the border. The Chadian Government has been satisfied by the responses of Khartoum on that military kind of activity. We have pressed them not to be shy on this issue.

Nonetheless, the major influence on Chad is the presence of these large numbers of IDPs. It is somewhat mitigated by the fact that in this particular area these ethnic groups are contiguous across both sides of the border, the Zaghawa in particular, so there is some taking in of families which mitigates this, but does not go anywhere near close to how far it has to be gotten.

The good news on the Chad side is we are getting in fairly decent amounts of resources. The Chadians are posing no obstacle to us on that side of it.

The impact in the Central African Republic [CAR] has been less, less noticeable, but nonetheless of some significance, given the sad state of that country, frankly. They cannot afford to take any IDPs. But again, it is not a case of access; it is a case of, frankly, lack of facilities and roads and things to move things in, not the government obstructing us.

Senator FEINGOLD. Mr. Snyder, Mr. Winter made some interesting comments a minute ago about other countries, donor countries, Security Council, and others helping out with this. Why do you think it is that the United States is not receiving greater support from other donor countries and Security Council members in our efforts to address the Darfur crisis? Does it have to do with more analysis of the severity of the situation or does it have to do with qualms about our approach? Your thoughts on that?

Mr. SNYDER. I think there are two factors at work here. The truth is, because we have been so intimately involved in this process, we know more on the ground. But because we have also been engaged as the leading enemy of the Government of Sudan with the terrorism act and other things, there is a certain hesitation when we step out first with the facts to automatically accept them. There is always that sophisticated crowd that says there may be two motives here, let us wait a minute.

I think we saw that change in Geneva. We did not see it change with enough money from my point of view, and Roger can probably talk more effectively to that than I can. But the rhetoric now on the European side is with us and that is a change and that has happened recently. Again, I just think it is we are closer to the problem, we know more. We went out of our way to get to these rebels right away and kind of shape them a bit so that there could be some serious discussion and a cease-fire could be set up.

There was some fear, I am sure, on some of our European colleagues that we were supporting yet another guerrilla movement as opposed to driving toward a realistic peace. I think we have corrected that problem.

Senator FEINGOLD. What support is the United States providing to the African Union cease-fire monitors? How many monitors are in place and how many are expected eventually to be on the ground? If you could, please describe a little more about their capacity to collect and share information and to be able to move quickly to investigate reports of violations.

Mr. SNYDER. The African Union has, to use the euphemism, stepped up to the plate in this case. We were glad to see them being much more responsive than the old Organization of African Unity was. They have a serious plan. They are proposing to put 120 monitors on the ground and a protection force of 270 men.

They have made it known to the Europeans and us what they need to do that in terms of money and assistance. The European Union has put I believe it is $14.1 million into the till in Addis. We have supplied an emergency in-kind kind of assistance, taking from our CPMT which is operating in the Nuba Mountains a couple of planes, three or four of our logistics contractors, our political officer from Khartoum, who has become the best friend of the AU in the field in Al Fashir and elsewhere, to facilitate this process.

They have now begun to deploy. The advance elements are down in Al Fashir and there are two forward elements. I believe one is in Nyala and there is another one in Kebkabiya. They are beginning to move out. The Nigerian commander has not yet arrived on the scene, but the senior people in the AU that have been handling this, particularly former President of Mali Konare, has been very aggressive in getting what he needs from them and very aggressive in seeking assistance from the Europeans and us. The AU representative, Ambassador Djinnit, has been very engaged in this and helpful. Sam Ibok in the AU has been very engaged and helpful.

So key people have stood up to this and the question is, unfortunately for us, this is the AU teething on this crisis. They are doing what they can. We are helping them. We have got men on the ground and ready. They have agreed and we have agreed to supply several Americans. There are three Americans on the ground already. There is a British colonel. He will be joined by a couple of others. There is a couple of Belgians and a Frenchman. A total of eight Europeans in addition to our own will be in there.

So we will participate. This will not be a case of the AU being out there without significant European assistance, both to say that we are with them, but also to provide what we can in a more direct way in terms of logistics to get this thing up and running.

Senator FEINGOLD. Thank you for that.

Quickly, it is my understanding that the administration seeks to use some of the emergency funds that Congress provided for Liberia for this purpose. Is that accurate?

Mr. SNYDER. My understanding is there was some money earmarked in that original Iraq supplemental, not the Liberia money, that we could use for this. My understanding—and I will check—is that we are not trying to take anything from Liberia for this.

Senator FEINGOLD. Not the Liberia money?

Mr. SNYDER. That is correct.

Senator FEINGOLD. Thank you.

Senator Brownback, did you want to proceed with a round of questions?

Senator BROWNBACK [presiding]. Yes, if you would not mind. Great. Thank you very much.

I want to thank in absentia the chairman and the ranking member for holding this hearing on what I consider the grave situation and some have marked as the gravest humanitarian crisis that exists in the world today, which I think there is no doubt that that is the case.

Let me ask, if I could, a couple of questions. As a followup, Mr. Snyder, you were saying there are 120 monitors from the African Union that are in and on the ground in the Darfur region or are moving forward? I did not quite catch that.

Mr. SNYDER. There will be 120. They have actually identified the nations and the numbers that will come. So far there is far less than that. There is about, by my count, about 32 on the ground at this point, either in Al Fashir or forward. They will get up to that 120 number as soon as these countries supply the manpower. They know what countries they are coming from.

We have got indications by checking in the capitals that the country involved is serious and has identified the men and is moving them. We are trying to assist in that in various places.

Senator BROWNBACK. Should not this number be substantially higher and not just monitors, but actual peacekeepers, if we are to try to stabilize this situation? It seems like that number is quite low to accomplish the task that is in front of us.

Mr. SNYDER. Again, this goes to our experience in the Nuba Mountains. Our experience there leads us to believe that, given our relationship with the rebels and the time we spent with them and given what we know about the government's capability, if it wants to honor the cease-fire, as long as we have a reasonable number of monitors—and 120 is, based on our Nuba experience, reasonable enough for at least a start of this, a serious start of this—we can monitor the cease-fire and hold those that violate it responsible.

It will also take other forms of assistance. Senator Feingold alluded to our intelligence. We will not spare providing that when we have to if we think things are being missed or to target and move people in the right direction to see what they need to see. But if our experience in the Nuba Mountains instructs this experience, it is possible to do this with 120 and 270, at least start it.

Clearly, Ambassador Djinnet and others that are running this have made it clear to us that they will not hesitate, if they think they need more, to come back and ask more. Again, it is a teething process. I doubt the AU at this point could do much more than this and we need to experience how they do this piece in order to reinforce it.

Senator BROWNBACK. Let me ask Mr. Winter—and I thank you for traveling into this region, something that I intend to do myself, and working with others. We have got to get this aid in quickly. Are we going to need to pass additional supplemental resources near-term before we can get to an omnibus package, say by the end

of this year, in order to be able to meet the pressing humanitarian needs that exist? Or can the administration find the resources to meet the humanitarian needs on the ground now in Darfur?

Mr. WINTER. I would say, quite candidly, I think we are very tight. We have made significant commitments. We are continuing to shift around our resources within our international disaster assistance account. We are looking at everything we can to make sure we continue to be liquid. But Darfur at this level was unexpected and so there is some tightness in our situation right now.

Do I wish that we were more liquid? Absolutely.

Senator BROWNBACK. It seems to me that in the Iraqi supplemental that is being considered now, and everybody is trying to keep it clean and I would love to do that as well, but this is really the vehicle and the timeliness that we need to put some additional resources to meet this greatest humanitarian need that we have in the world today.

I am not asking either of you to comment on that. I understand the administration position, but I also understand the needs. If we do everything right, I believe Mr. Natsios has said that we are looking at 300,000 deaths if everything goes right. If things go wrong we could be looking at somewhere far exceeding that number.

So this is a great, pressing situation. I also think, as you alluded to, Kofi Annan should travel to Darfur to bring further international pressure and focus into this region, so that the African countries, the rest of the world, looks at this horrific humanitarian situation and addresses it, not just the United States.

I have spoken with Sudanese officials, expressed my frustration. They say: well, the United States is on the leading edge of this, but it should be other countries as well. It should be the Europeans, it should be the other African countries. Kofi Annan would be singularly positioned to be able to draw that attention to this.

Mr. WINTER. He would provide a level of legitimacy that would be very helpful right now. Given the battle that took place with respect to the U.N. Human Rights Commission and the fact that we were basically alone in asserting a firmer posture with respect to human rights in Sudan, the fact that we are so high profile when it comes to trying to respond to the situation in Darfur and everything, makes it sort of in a way take on a character that really it does not deserve.

I mean, first of all, the population that is dying right now is a Muslim population. Where is the Muslim world fussing about this? It is an African population. Where is Africa broadly?

I think what I am trying to suggest is Kofi Annan said the right things a few months ago. I think he could bring a legitimacy that would help depoliticize the way many people look at this kind of a situation right now, and that is what we need right now. We need the whole world to pull together.

Senator BROWNBACK. Yes, and I would invite him now publicly to go with me to that region. He really can bring an authenticity to it that is desperately needed, so we do not see hundreds of thousands more die.

Mr. Chairman, thank you for holding this hearing. I am going to run over and vote.

Senator ALEXANDER [presiding]. Thank you, Senator Brownback. I wanted to thank Senator Brownback for his consistent bringing of this tragedy to the attention of his colleagues. He does it on a weekly basis, on a regular basis. He has been a leader in informing us and I thank him for that.

I think we will thank Mr. Winter. Mr. Snyder, thank you for being here. We will now move to the second panel.

Mr. WINTER. Thank you.

Senator ALEXANDER. Our next two witnesses—thank you for waiting—I would say to the President's three ambassadorial nominees that we will get to your hearing yet this afternoon. We still have other votes, but we will do our best so as not to waste your time, and to speed your nominations along.

The first witness, John Prendergast, is currently co-director of the International Crisis Group. He has authored the International Crisis Group's report on Sudan and recently testified before the House of Representatives on this topic. Thank you, Mr. Prendergast, for coming.

Julie Flint was recently contracted as a field researcher for Human Rights Watch and co-authored their report on the crisis in Darfur. She was in Darfur in March and April as I understand it, getting an on-the-ground view by horseback. Is that what I have heard correctly?

Ms. FLINT. And camel.

Senator ALEXANDER. And camel, horseback and camel. So we are going to get an eyewitness view from you and from Mr. Prendergast.

I have read your testimony. You have much to say. It would be impossible, it would seem, to say it in 7 or 8 minutes. But if you will try to summarize your report that will give me and Senator Feingold and others who might come a chance to ask you questions. Let us start with you, Mr. Prendergast, then go to Ms. Flint.

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

Mr. PRENDERGAST. Thank you very much, Mr. Chairman. Thanks for the extra minute, too.

I regret to inform you that phase one of what I think all of us in retrospect will call this genocide in Darfur has nearly been completed. This phase one has been the phase of ethnic cleansing. Let us tell the truth. The world did not lift a finger to stop it. There was not one United Nations Security Council resolution, there was not one permanent U.N. human rights monitor put on the ground, there was not any additional pressure applied. Rather, incentives were being offered to the perpetrators at the very moment of the height of the ethnic cleansing, including seats at the January State of the Union Address and the removal of Khartoum from one of the U.S. terrorist lists last month.

A new phase, phase two of this potential genocide, has now begun. This is the phase in which the government uses a killing famine to finish what it started. Khartoum is calling on 15 years of experience in creatively using starvation and disease as weapons of war. Khartoum is betting that the slow strangulation of Darfur

will not draw the intervention of the international community, and so far that bet is paying off.

With all due respect to the previous panel, the international response to this second phase, this phase of the strangulation through a killing famine of this likely genocide, is completely inadequate to prevent the onset of this killing famine and a vast loss of life. The current approach simply will not succeed. There is no overall strategic plan to deal with the crisis. The U.N. is scrambling and the Security Council is bickering. The Europeans are shrinking from the horror and the Africans are deferring to sovereignty. The U.S. is still reacting, still not putting forth a comprehensive strategy for confronting this disaster.

If our actions are to have impact, we have to push the envelope further than it has been pushed before. First, we have to move quickly and boldly to prevent phase two of this potential genocide from succeeding. In other words, we have to act robustly to break the back of this killing famine.

Preventing famine requires a number of actions. It requires first and foremost to shine a spotlight, most effectively through the U.N. Security Council, on Khartoum's policy of starvation as a weapon. Congress has authorized or appropriated billions of dollars over the last decade and a half to clean up the human mess created by these tactics devised in Khartoum. We have 15 years of empirical evidence that when this government is publicly challenged, consistently challenged, and multilaterally challenged, it moderates its behavior in response to that pressure.

Preventing the famine also requires immediately creating a humanitarian surge capacity much greater than what has been envisioned and what you have just heard about in the previous panel, using civilian and military assets in the region to undertake a short-term front-loaded major increase in deliveries that address the deficiencies and gaps in food, in medicine, sanitation, water, and shelter.

If all else fails, if all of that fails, then we have to be prepared to authorize chapter 7 in the Security Council to stop the famine and to save lives.

Second, I think we have to move aggressively to assure that phase one of the potential genocide, the ethnic cleansing, which actually continues to this day and I think we will hear from Julie about that, we have to ensure that that does not resume more forcefully and is not allowed to stand. That is, these atrocities surrounding the ethnic cleansing must be confronted.

Confronting ethnic cleansing requires public condemnation of Khartoum's support for the Janjaweed militias and strong pressure to ensure that the Janjaweed are neutralized. We still have not done that through the Security Council, in a Security Council resolution. As long as that does not happen, Khartoum understands that it can continue to do what it wants to do.

Confronting ethnic cleansing also requires rapidly deploying this robust monitoring presence that is being talked about, but it needs to include many more cease-fire monitors than are being envisioned to this point and they need to have a protection mandate. Can you imagine, we are putting cease-fire monitors out there that do not have a mandate to protect civilians. We need U.N. human rights

monitors on the ground. We do not have them. And we need the use of satellite imagery. There was a question asked about whether we have the intelligence assets necessary to address the problem there. I think we have some of those intelligence assets and they need to be shared with the Security Council members. We need to be moving that information around and demonstrating that this ethnic cleansing campaign continues.

Confronting ethnic cleansing further requires the introduction of personal accountability for crimes against humanity. The resolution that Congress is working on now should include targeted sanctions—the House version in fact does now—against officials of the government who have been most responsible for orchestrating these atrocities and the companies, more importantly actually, the companies that they are board members of and are running, these companies need to be subjected to targeted sanctions.

I really urge you not to let up on this. You will have an impact on the calculations of the regime in Khartoum. And you should urge Secretary Powell to get Ambassador Pierre-Richard Prosper out to the region immediately, looking at mechanisms of accountability. This also will have a dramatic impact on the calculations of the ruling party in Khartoum.

Third, we cannot forget that all these atrocities come in the context of war in Sudan, and there must be a corresponding and comprehensive strategy for peace that deals simultaneously with the three interrelated conflicts in Sudan: the north-south conflict, the Darfur conflict, and then the conflict that has been spawned by the government's support for the Lord's Resistance Army in northern Uganda. All three of these are linked. All three of these need to be addressed.

The best way to address it I think, and it is very, very vital that the administration move soon, to appoint a new special envoy now that Senator Danforth will move over to his new job, to empower someone as comprehensively and as at a high level as Senator Danforth was empowered, but also to give them staff and assets to be able to undertake the full-time diplomacy in pursuit of peace in all three of these interrelated conflicts.

In closing, I think we need congressional leadership on this issue now. We should not forget that it was congressional pressure that provided the impetus for the United States to stop the slaughter in Bosnia, to confront apartheid in South Africa, and to address countless other cases that cried out for action. Historically, Congress has been a major force in helping administrations find their better angels. I think Congress can help ensure that this President does not have to hold another ceremony at the Holocaust Museum in 6 months, vowing "Yet again, never again."

Thank you.

[The prepared statement of Mr. Prendergast follows:]

PREPARED STATEMENT OF JOHN PRENDERGAST

Thank you for holding this urgently needed hearing on the complex crisis in Sudan. While precious time has been lost, it is not too late to put forward concrete actions that could prevent the needless deaths of hundreds of thousands of Sudanese, and to conceive a much more comprehensive diplomatic strategy that might bring peace to this long-tortured country.

Today, Sudan is three crises in one. This means that any response has to be more complex and nuanced than what might have been believed six months ago:

- The first crisis is the longest running, the 21 year war between the government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A), which has resulted in two million deaths and a structural humanitarian emergency.
- The second crisis is that wrought by the Sudanese Government's support for the Lord's Resistance Army (LRA), a northern Ugandan insurgency that has wreaked havoc on both southern Sudan and northern Uganda for years, resulting in the highest rate of child abductions in the world, among other depredations.
- The third crisis is the most immediate and urgent human rights and humanitarian disaster in the world today . . . the unfolding evidence of conditions of genocide in Darfur.

On the first crisis, a peace deal between the government and the SPLM/A may be imminent, but that will only signal a new phase of negotiations and challenges. Every step of the way in the implementation process will be undermined by elements in Khartoum opposed to the peace deal, and will be challenged by policy incoherence and a lack of capacity on the part of the SPLM/A. Militias—including the LRA—will continue to be used by elements of the ruling party to undermine cohesion in southern Sudan, especially around the oilfields. The U.S. must be ready and willing to continue its deep involvement in the peace implementation process. Providing funding for a peace observation mission is a necessary but insufficient role. Additional reconstruction resources must be found, diplomatic and intelligence capacities must be committed, and willingness to confront efforts to undermine the implementation process must be made clear.

On the second crisis, after well over a decade of death and destruction caused by the LRA, there still remains no coherent international strategy to respond to this tragedy. The U.S. should work with the Ugandan government and other interested actors in crafting such a strategy, which in the first instance must seek an end to all Sudanese Government support and safe haven for the LRA.

I will focus the remainder of my testimony on the third crisis: Darfur.

Vague pronouncements by the G-8 and UN Security Council cannot obscure the fact that the existing global effort to prevent the onset of famine and vast loss life in Darfur is grossly inadequate. Continued stonewalling by key members of the UN Security Council from Europe, Africa and Asia has ensured that the world's highest collaborative body fiddles as Darfur burns.

The current approach to preventing famine and further atrocities simply will not succeed.

Although there are fancy charts and graphs that can now track the dying months in advance, and millions of new dollars pledged in the Geneva donors conference earlier this month, there is no overall strategic plan for preventing a killing famine and bringing a comprehensive peace to Sudan. The world is still reacting, still behind the curve of this slowly evolving disaster.

To prevent the deaths of tens, perhaps hundreds of thousands of Sudanese, there needs to be an *immediate humanitarian surge* in the delivery of relief assistance in order to break the back of the impending famine. This surge needs to be supported by adequate numbers of monitors, by actions to increase U.S. and multilateral leverage, and by a robust diplomatic initiative to end the interrelated wars in Darfur, southern Sudan and northern Uganda.

I. IS IT GENOCIDE?

It is appalling that we have been reduced to semantic debates about whether the situation in Darfur is ethnic cleansing or genocide. The Genocide Convention prohibits actions "calculated to bring about the physical destruction of groups in whole or in part", and compels signatory states to act to prevent them. In ICG's judgement, *the situation in Darfur more than satisfies the Genocide Convention's conditions for multilateral preventive action.* But even if argument continues about whether this is a case of actual or potential genocide, it cannot be contested that in Darfur a large section of Sudan's population is alarmingly at risk, that the Government of Sudan has so far failed comprehensively in its responsibility to protect them, and that it is time for the international community, through the Security Council, to assume that responsibility.

This is not Rwanda of 1994, a country to which very little attention was being paid. Sudan has been at the top of the Bush Administration's radar screen since it came to office. It is not credible to say now that we did not know what was happening. Over the past year, Darfur has been Rwanda in painfully slow motion.

II. THE PRESENT SITUATION

The humanitarian situation is worse than is still generally appreciated, due to ongoing state-sponsored violence, layers of aid obstruction, the lack of an overall humanitarian strategic plan, and the weakened state of displaced Sudanese.

There tends to be an assumption that because the Govermnent of Sudan has finally begun to act on promises to grant a higher level of access, the numbers at risk will be dramatically reduced. That is not accurate. The government has provided access much too late, IDPs and refugees have been displaced for long periods, they are in terribly weakened states, they are subject to sexual abuse and attack, they do not have shelter, their encampments lack latrines and are horrendously overcrowded, and it is now raining in southern and western Darfur. Infectious diseases and dysentery will drive up the body counts rapidly; And the Khartoum government, its use of food as a weapon well honed by years of practice in the south and Nuba Mountains, continues to apply layers of obstruction—for example, by instituting long delays in customs clearance of relief supplies, and insisting that only Sudanese trucks can be used in the delivery of such supplies.

Conventional responses are simply inadequate to prevent rapidly increasing mortality rates, and the current response will fail unless buttressed by a number of bold and urgent actions.

Compounding the problem, in our judgment, is that the numbers of at-risk civilians will continue to increase. The Janjaweed continue to undertake attacks against villages, prey on internally displaced persons (IDPs), and obstruct aid activities: it cannot be assumed that the centrally-directed ethnic cleansing campaign is over. The Janjaweed are being integrated into the army and police; no one has been charged with any crime, and their actions are not being challenged. There remains a state of total impunity. It is absolutely critical to demand that Khartoum take action to curtail the impact of the Janjaweed, to disarm them, to disband their headquarters, and to begin to charge those responsible for war crimes. All this must aim to reverse in full the ethnic cleansing campaign that has occurred over the last year.

III. WHAT MUST BE DONE

In order to fully confront the multifaceted crisis in Sudan, we need to push the envelope of response further than it has been pushed before. The U.S. must work multilaterally as much as possible, but be prepared as a last option to work unilaterally when others continue to bury their heads in the sand. European, African and Asian members have obstructed more assertive action by the UN Security Council, while the U.S. has been unwilling to date to expend diplomatic capital to help sway these countries towards a more robust posture.

In the first instance, nothing could be more effective than working through the UN Security Council to immediately pass a Darfur-specific resolution that comprehensively responds to the present emergency and lays the groundwork for sustainable peace. This Security Council resolution should endorse actions that would prevent starvation, stop further fighting and atrocities and press for a negotiated peace—while warning of possible further coercive measures should these objectives be resisted.

More broadly, the U.S. Congress and the Bush Administration should work through the UN Security Council and unilaterally toward the following urgent, interrelated objectives:

A. In Order to Prevent a Killing Famine:

- *Public Condemnation:* The U.S. through the UN Security Council and directly should strongly and publicly condemn the various layers of obstruction that the Sudan government currently employs to delay the delivery of relief assistance. We need only note the Khartoum government's fifteen year track record of ceasing unacceptable activity only when it becomes the source of public condemnation and exposure. With this amount of empirical evidence to support the need for public and assertive pressure, anyone arguing for quiet diplomacy and constructive engagement at this juncture would be providing political cover for the government's atrocities.
- *Surge Capacity:* Working with the European Union and other donors, the U.S. should expand the existing capacity for emergency relief deliveries to the internally displaced in Darfur and refugees in Chad to meet the growing humanitarian need. This will require additional resources for securing urgently needed non-food items and the capacity to deliver those items. There is a need to establish immediately a surge capacity through the utilization of both civilian and military assets in the region—recognizing the particular value of European Union and U.S. military assets, especially airlift capacity—that would allow for

short-term, front-loaded increases in deliveries that address deficiencies and gaps in food, medicine, clean water, sanitation, and shelter.

- *Humanitarian Monitoring:* The U.S. and EU should work with the UN to support a large increase in the number of WFP, UNICEF, and NGO monitors that are allowed into Darfur to oversee the relief effort and should provide them adequate security;
- *UN Leadership:* President Bush should request the UN Secretary General to take the lead personally in efforts at humanitarian diplomacy.
- *Chapter VII Planning:* In the event full access is denied, Janjaweed attacks continue, and mortality rates escalate, the U.S. should accelerate contingency planning for using military assets to protect emergency aid and Sudanese civilians. The U.S. should work through the UN Security Council to request a UN Department of Peacekeeping Operations assessment of possible scenarios and define operational plans for guaranteeing humanitarian relief and protection of civilians through the deployment of sufficient civilian and military forces under Chapter VII authority. Such a deployment would seek to take control of, stabilize and protect IDP camps in Darfur, and create a logistical pipeline to deliver assistance to these camps.

B. In Order to Stop Further Fighting and Atrocities:

- *Janjaweed Control:* The U.S. should work through the UN Security Council for multilateral condemnation of the Sudanese Government's support for Janjaweed militias through direct assistance, provision of barracks, supply of arms, etc. The Security Council should demand that the Government of Sudan arrest Janjaweed commanders who continue attacking villages and IDPs, and immediately demobilize and disarm the Janjaweed militia. If this does not occur, Chapter VII authority should be sought to disarm and demobilize the Janjaweed.
- *Human Rights Monitoring:* The U.S. should work through the UN Security Council and the UN Human Rights Commission for the immediate deployment of UN human rights monitors in Darfur.
- *Ceasefire Monitoring:* The U.S. should support the African Union and the parties to the Darfur conflict to negotiate a substantial increase in the number of ceasefire monitors and work with the EU and other donors to fully resource these monitors.
- *Satellite Imagery:* The U.S. should share its satellite imagery with the UN Human Rights Commission and the UN Security Council, as well as collaborate in more closely tracking the activities of the Janjaweed and other government military assets that are attacking villages or IDPs. Such imagery could also reveal any ceasefire violations by any party to the conflict.
- *Reversal of Ethnic Cleansing:* The U.S. should work through the UN Secretary General to initiate a process now to determine the conditions which would enable the safe, secure and sustainable return of the victims of ethnic cleansing under international guarantees, support and control.

C. In Order to Press for Sustainable Peace:

- *Comprehensive Peace Strategy:* There must be a coordinated diplomatic strategy to end the three interrelated wars in south/central Sudan, Darfur, and northern Uganda. This requires a rapid conclusion to the comprehensive agreement between the government and the SPLM/A, the construction of a credible process to settle the conflict in Darfur, and the development of a strategy to end the crisis created by the Lord's Resistance Army in northern Uganda and southern Sudan. Leaving behind any one of these will undermine the entire effort to achieve peace in Sudan.
- *Peace Envoy:* Now that Senator Danforth has been nominated to be U.S. Ambassador to the UN, President Bush should move rapidly to name another Special Envoy for peace in Sudan. Such an envoy should be tasked to work full time and simultaneously on all three conflicts bedeviling Sudan, and should be given the necessary resources to carry out the mission.
- *Negotiations Structure:* The direct negotiations between Sudanese Vice President Ali Osman Taha and SPLM/A Chairman John Garang were instrumental in moving that peace process forward. The Darfur and LRA efforts should utilize this relationship in seeking a rapid end to those crises.

The U.S. must make clear that if Sudan does not provide full humanitarian access, neutralize the Janjaweed, and move forward on peace efforts, the imposition of targeted sanctions (travel restrictions and asset freezes) will be authorized

against those officials responsible for the atrocities. Ruling party companies with which these officials are associated should also be targeted. Further, the U.S. should work through the UN Security Security to make clear that such intransigence would also lead to the imposition of an arms embargo and the deployment of an international commission of inquiry or a high level panel to investigate the commission of war crimes in Darfur, a necessary prerequisite for the establishment of a future mechanism of accountability.

IV. WHAT THE UNITED STATES CONGRESS CAN DO

All the actions outlined above may not be practical in conventional circumstances. But with two million already dead as a result of the govermnent-SPLM/A war and hundreds of thousands more at risk today in Darfur, circumstances in Sudan require unconventional responses.

If the Bush administration continues to debate internally about what to do, certain European countries remain reserved due to tactical and commercial considerations, and the UN Security Council remains muzzled by the reservations of a few members, then the U.S. Congress should provide desperately needed leadership.

We should not forget that it was Congressional pressure that provided the impetus for the U.S. to stop the slaughter in Bosnia, confront apartheid in South Africa, and countless other cases of Congressional leadership. Historically, Congress has been a major force in helping administrations find their better angels.

The Senate should demand that the Bush administration develop a much more robust and comprehensive multilateral strategy to break the back of the emerging famine in Darfur.

The Senate should urge President Bush to name a new Special Envoy whose brief is more operational than Senator Danforth's and more comprehensive, in order to deal with all three conflicts plaguing Sudan.

The Senate should pass the House version of its Sudan resolution, which calls for targeted sanctions against senior Khartoum officials, and ensure that the resolution language on targeted sanctions is in forthcoming Authorization and Appropriations bills. The Senate should also look for other ways to introduce accountability into the discussion of what to do about Sudan, in order to confront the continuing genocidal actions of the Janjaweed and its supporters in the Sudan government, as outlined above

The best way to end this tragedy is to bring home the costs of the atrocities in Darfur to the Sudanese officials who are directing them. Every day that we continue to look past this terrible record of death and destruction, we ensure that it will continue and intensify.

Senator ALEXANDER. Thank you, Mr. Prendergast.

Ms. Flint.

STATEMENT OF JULIE FLINT, DARFUR FIELD RESEARCHER, HUMAN RIGHTS WATCH, LONDON, UNITED KINGDOM

Ms. FLINT. Thank you for the opportunity to speak today. As you said, I spent 25 days in Darfur and among refugees from Darfur in March and April, and welcome the chance to tell you what I found. Some of the people I met will already be dead. The remainder in their entirety are fighting for survival and have no voice of their own.

The first and most striking thing I found in Darfur was the completely empty land, mile after mile of burnt and abandoned villages, irrefutable evidence of a scorched earth policy the government says does not exist. Hundreds of thousands of Masalit farmers lived in this area little more than 6 months ago. Today there is quite literally no one. Some have managed to flee to Chad. The others have been corralled into displaced camps, government-controlled camps far from the border, where until very recently they were at the complete mercy of the government and the Janjaweed, beyond the reach of any relief workers or any independent observers.

It is extremely difficult to ascertain what is exactly happening in a place the size of Darfur, where the government denies access and all movement is impeded by the presence and above all the fear of the Janjaweed. I therefore investigated a sample area of 25 square miles, 60 square kilometers, where there were until recently 14 villages.

I found 11 of these villages burned to the ground and 3 in close proximity to them abandoned for fear. Women of all ages had been raped, often in front of their husbands and children, and everything that made life possible, sustainable, had been systematically destroyed. Civilians who had been displaced insisted that there were no rebel positions anywhere near their villages and there certainly were not when I was there. We had to ride for several hours to reach all of the villages we visited.

Some of the villages had had self-defense units—"militias" is far too grand a word for these groups—but they proved incapable of defending either themselves or their villages.

The second thing that struck me was the consistency of the victims' claims. Estimates of the numbers of people killed in attacks varied, although usually not by much, but descriptions of attacks were remarkably similar and it quickly became clear that the burning of Masalit villages has not been haphazard, but absolutely systematic. Whole areas have been cleared one by one by Janjaweed and government forces working hand in glove, side by side.

The reason the government is targeting the Masalit and the Fur and Zaghawa is that these three ethnic groups form the backbone of the rebel movement in Darfur. The government has deliberately chosen the Janjaweed as a counterinsurgency militia because it knows there are prior ethnic tensions between the Janjaweed and the African farmers that it can successfully manipulate, and that it is continuing to successfully manipulate.

Death tolls are chillingly high, especially when you consider how small most of these villages are. I documented large-scale killings in 14 incidents in areas between November 2003 and April 2004. In these 14 incidents, almost 800 civilians died that I know of. There will be others. All 14 involved coordinated attacks by the army and Janjaweed arriving, fighting, and leaving together.

These were not the only incidents in the Masalit area in this period, but rather those I was able to corroborate from witnesses I believed were credible in the time that was available to me.

Attacks like these are no longer attacks by Arab nomads driven onto Masalit farmlands in search of water and grazing. They often involve hundreds of men and are often coordinated across several fronts. They are carried out under the eyes of government soldiers by men who wear the same uniform as the regular army, who carry the same weapons as the army, and who often enjoy the support of the Sudanese Air Force. This is not happenstance, it is not coincidence. It is coordination.

The Janjaweed—let me just insert here, if I may, a concrete example to bring this home to you in terms of people, because this is about people. There is a village called Tullus which is in the interior of the Masalit area and it was attacked in February, I believe, of this year by government and Janjaweed. The first the residents knew, most of the residents knew, was that they heard

Antonov bombers coming, so the men sent the women and the children away on donkeys for their own safety.

Within half an hour or so, the village was attacked by ground forces, government and soldiers, according to people from the village. They burned everything. All it takes is a box of matches; we are talking about straw huts. Having burned and killed—and I do not know how many people they killed for sure there—they then pursued the women and the children to the valley where they were hiding and they proceeded systematically to kill the women and the children.

I found in Chad a child of 12 who had been shot three times in cold blood, closer than I am to you, by a group of people. He said they approached him, they sat down, they talked to him, they called him a rebel—he was 12 years old—and one of them, who he thought was unarmed, ordered his companions to shoot the children.

There were four children hiding behind this tree. My friend, Hussein Dafa'allah, was shot three times, in the face, in the arm, and in the leg. The three other children hiding with him behind this one tree—there were many other trees—were all shot and fell to the ground. He does not know what happened to them. The youngest was only seven. This is not unusual.

The Janjaweed themselves increasingly are structured. Thousands are now organized into brigades which are the same size as Sudanese Army brigades. They are headed by men who call themselves generals and who wear the same stripes as generals in the regular Sudanese Army. Janjaweed leaders have one or even two homes in government garrison towns. Government forces have been seen training Janjaweed and reportedly pay some of them salaries. They have also been seen delivering weapons by helicopter and car.

As has been said before, the Janjaweed have complete immunity in Darfur. Not only are they not prosecuted for any offenses whatsoever, but some police told me that they had received orders not to interfere in any operations by the Janjaweed and not to consider any complaints made against the Janjaweed.

Unless the Janjaweed are disarmed, disbanded, and withdrawn from the areas they occupy and from which they prey on displaced civilians, there will be no possibility for civilians to return to their homes and plant next year's harvest in safety.

The emergency we are seeing today, with 350,000 expected to die even if help is sent immediately, is the direct result of human rights abuses—scorched earth, denial of relief, denial of access, the same tactics the Government of Sudan used in its war to depopulate oil-producing areas of southern Sudan and the same tactics it has always used. This is nothing new.

Recent reports indicate that groups of Arab origin have begun moving into some of the lands at least bordering Chad that have been ethnically cleansed. Just before coming here today, I called some people in Darfur and was told that the entire population of a small town called Arrara has been moved. They were ordered to move to a Janjaweed stronghold called Beida, now believed the site of a displaced camp. And Arabs have been settled in Arrara in their place.

The Masalit I spoke to say they do not know where these settlers are from, but they are not from Sudan and they do not think they are from Chad either. This apparently is happening in a lot of the villages in the Masalit area that are empty. It was the exception when I was there. It almost looks as if it is now becoming the rule.

Government officials and Arab groups in Darfur have accused the SLA and the Justice and Equality Movement, the second rebel group in Darfur, of targeting civilians and destroying their villages, and have provided a list of attacks and cease-fire violations to Human Rights Watch. Human Rights Watch is eager to investigate these cases, but so far have not received a visa from the government. We have not found witnesses to these abuses in Chad, but that does not mean that the abuses are not taking place.

Winding up, the United States has taken the international lead in Darfur and must remain fully engaged. Several additional U.S. actions are needed. Firstly, a Security Council chapter 7 resolution. If the Sudanese Government does not neutralize the Janjaweed soon, the council must act to end and reverse ethnic cleansing in Darfur, ensure the protection of civilians, provide for the voluntary return in safety of all refugees and displaced persons, provide for effective and unrestricted delivery of humanitarian access.

Second, a human rights monitoring team. The north-south peace agreement lacks an independent human rights monitoring body to hold the parties to their human rights pledges.

Third, a U.N. accountability mechanism for past crimes against humanity and other grave abuses in Sudan. Again, the north-south peace agreement lacks any truth commission, reparations, or investigation into abuses by either side.

We welcome the new emphasis on Darfur, but it comes very, very late in the day. This war in its present extreme form has been raging for the past 16 months. I myself have been writing about it since August 2002. There is absolutely no more time to be lost.

Thank you.

[The prepared statement of Ms. Flint follows:]

PREPARED STATEMENT OF JULIE FLINT

Thank you, Mr. Chairman, and Senators, for the opportunity to testify at this hearing. I spent 25 days in Darfur, and among refugees from Darfur, in March and April and welcome the chance to tell you what I found there. I am an independent journalist and conducted this research on behalf of Human Rights Watch. The results of the research are available in the report, "Darfur Destroyed: Ethnic Cleansing by Government and Militia Forces in Western Sudan," recently published.

The first, and most striking, thing I found in Darfur was a completely empty land—mile after mile of burned and abandoned villages that constitute irrefutable evidence of a scorched-earth policy the government says doesn't exist. Hundreds of thousands of Masalit farmers, Sudanese of African descent, were living in the rural areas I visited little more than six months ago. Today there is, quite literally, no-one. Some have managed to flee to Chad; the others have been driven into government-controlled camps far from the border where they were, until very recently, at the complete mercy of the government and the Janjaweed—beyond the reach of any relief workers or independent observers.

The only civilians I encountered in Darfur were a handful of refugees who had crossed the border from Chad. They were venturing back to their village to dig up food stores they had buried in hope of preserving them in the event of attack by the army and the Janjaweed, militiamen drawn from some Arab tribes of Darfur and Chad. The refugees looked like walking dead—stick-thin, exhausted and ragged in a way they wouldn't have been, despite their poverty, only a few months ago.

It is, of course, difficult to ascertain what exactly is happening in a place the size of Darfur, where the government denies access and all movement is impeded by the

presence—and the fear—of the Janjaweed. I therefore decided to investigate a sample area: a 25-square mile block in which there were until recently—14 villages inhabited by Masalit, one of the three tribes that form the backbone of the Sudan Liberation Army. (The other two are the Fur and the Zaghawa.) I found 11 of those 14 villages burned and three, in dose proximity to them, abandoned for fear of burning. Mosques were burned; straw huts torched; food stores destroyed, in their totality. Cooking pots were smashed. Water pumps were not smashed because there were no pumps to smash in the first place. We are talking about people who have never had electricity, running water or, for the most part, schools or medical clinics; people whose best bet when they are seriously wounded is to go to Khartoum, more than 700 miles away, for treatment.

In these villages, everything that made life possible had been obliterated. Fields that had produced tomatoes, peppers, potatoes, cucumbers, beans and millet were dried up and strangled by weeds. Across the border in Chad, women went from home to home begging for food.

Everyone I talked to insisted there were no rebel positions anywhere near their villages. There certainly weren't when I was there: we had to ride for several hours to reach any of the villages we visited. Some of the villages had had self-defense units—militias is far too grand a word—but this smattering of armed men proved incapable of defending either themselves or their villages. Many, many died.

Women of all ages had been raped—often in front of husbands and relatives—in the aftermaths of attacks; in, around and on the way to displaced camps; and while they searched for food, water and firewood.

I visited a number of other areas, less systematically, and found the same thing: no human life, and no way of sustaining life in the immediate future. The terrible humanitarian emergency we are seeing today, with 350,000 expected to die even if help is sent immediately, is the direct result of human rights abuses: scorched earth, denial of relief, denial of access—the same tactics the government of Sudan used most recently in its war to depopulate oil-producing areas of southern Sudan; the same tactics it used in the Nuba mountains; the same tactics it has always used.

The second thing that struck me in Darfur was the consistency of the victims' stories. Estimates of the numbers of people killed in attacks by the government and Janjaweed varied. But descriptions of attacks were remarkably similar. It quickly became dear that the burning of Masalit villages has not been haphazard, but systematic. Whole areas have been cleared, one by one, by government and Janjaweed forces working together—sometimes coming out of garrison towns where they have separate barracks; sometimes advancing from joint positions more recently established in strategically located villages.

Typically, the regular army will surround a village with heavy weapons while Janjaweed on horse- or camel-back ride in, indiscriminately firing Kalashnikovs and sometimes rocket-propelled grenades. It has been said that men are being targeted—presumably in the belief that they could be members, or supporters, or even potential supporters, of the SLA. I do not believe that the attackers are targeting only men. What many witnesses described to me was how villagers, forewarned of attacks, send the women and children away on donkeys, leaving men behind to try to defend their homes.

Death tolls are chillingly high, especially when you consider how small most of these villages are. Our investigations uncovered large-scale killings in 14 incidents in the Masalit area between November 2003 and April 2004. In these 14 incidents, almost 800 civilians died. All 14 involved coordinated attacks by the army and Janjaweed, according to different eyewitnesses interviewed at different times and in different places.

These are not attacks, as they were in the past, by a handful of "Arab nomads" driven onto Masalit farming lands in search of water and grazing. They are attacks that often involve hundreds of men and are often coordinated across several fronts. They are carried out under the eyes of government soldiers, by men who wear the same uniform as the regular army, who carry the same light weapons as the army and who often enjoy the support of the Sudanese air force. Helicopter gun ships reconnoiter before and after attacks. Antonov bombers bomb in advance of attacks, especially in areas away from the international border where there are no independent witnesses. This is not happenstance. It is not coincidence. It is coordination.

Let me give you an example that is nothing out of the ordinary. The village of Tullus, several days' walking away from the border with Chad, was attacked in February this year. Some of the attackers came from Mornei—a town of a few thousand inhabitants that today hosts tens of thousands of displaced—and a few inhabitants of Mornei rode out to warn neighboring villages. Some families left Tullus immediately. When Antonovs started bombing, women and children who had stayed be-

hind were put on donkeys and sent to nearby hills. Then army Land Cruisers surrounded the village and Janjweed went in, killing at least 23 people and burning everything. All it takes in these mud-and-straw villages is a box of matches.

After the attack, soldiers and Janjaweed continued on to the hills where the women and children were hiding and began killing again. I could not get a precise figure for the dead—the field of vision of the fugitives here was often confined to the tree or the rock behind which they were hiding—but I am confident that at least 15 people were killed including seven women and six children.

On a hillside in Chad, where a three-month-old refugee baby had just died for reasons that will never be known, I met a 12-year-old survivor of Tullus—a boy called Hussein Dafa'allah. He ran from Tullus with his mother and hid behind a tree with three other children. The youngest of the three, a girl called Fatima, was only seven years old. Hussein said a group of uniformed men approached him as he hid and sat down beside him. These men were not behaving as if they feared attack. Their behavior surely suggests there were no rebels here, nothing that could be considered a military target. The men taunted Hussein, calling him a "Tora Bora"—a rebel, in Darfur-speak. Hussein told me: "There are no Tora Bora in Tullus. It's a village."

One of the men who cornered Hussein was apparently unarmed—a detail that suggests he was not a member of the Janjaweed. He ordered his companions to fire at the children behind the trees and Hussein was hit three times—in the face, a leg and an arm. The three other children were also hit, but no-one could tell me what became of them. When Hussein's father arrived after the attackers left, he strapped his son onto a donkey and took him across Dar Masalit—the Masalit "homeland"—to Chad.

This was not the only instance I discovered of displaced Masalit being hunted down and killed. On August 27th last year, Antonovs bombed the town of Habila six times in one day. Twenty-six civilians were killed, induding many women and children. Habila not only had a police station; it had an army post. The only explanation the people of Habila can find for the attack is that the town was packed with people displaced from neighboring villages. It wasn't enough to destroy the villages, they said; they believed the government's intention was to destroy the populations too.

Six months after this, on March 5th this year, 137 African men were executed in two separate but simultaneous operations in Wadi Saleh, due east of Dar Masalit. Most belonged to the Fur tribe. A neighbor of the sole survivor of one of the massacres told me that people in Wadi Saleh woke up on the morning of March 5th to find a large area surrounded by government and Janjaweed forces. These government forces entered villages within the cordon they had set up, apparently meeting no resistance, and asked men which villages they came from. More than 200 men whose villages had been burned and who were displaced were taken to police stations. In early evening, they were taken by army trucks to valleys where they were made to kneel and bend their heads before being killed with a bullet in the back of the neck.

Thus does the government's scorched-earth policy set in motion a new cycle of atrocities. Today's displaced are tomorrow's rebels, or so the government fears.

For the past two decades, successive Sudanese governments have armed and supported militias recruited among groups of Arab descent in Darfur and Chad. But under the present government, what was essentially an economic conflict between African farmers and Arab pastoralists has evolved into an ethnic war with racial overtones between Muslims of African extraction and an Arab-centric Islamist government and its proxies. When the SLA took up arms 17 months ago, the government began fighting alongside its proxies.

The exact nature of the linkage and the chain of command between government forces and the Janjaweed is impossible to determine given the restrictions on access to government-controlled areas of Darfur and the government's denial of any connection to a group it describes only as a "militia". But there is no doubt in the minds of the African farmers who have survived attacks on their villages, farms and families that there is an organic, organizational link now between the army and the Janjaweed.

When I asked why they say this, two different people—one a village headman, the other an SLA commander—responded with exactly the same words: "They come together, they fight together and they leave together." The army draws much of its soldiery from Darfurians of African origin, and the Masalit are in no doubt that the government trusts the Janjaweed far more than it trusts the army to fight in Darfur.

In recent years, thousands of Janjaweed have been organized into liwa, or brigades. These brigades are the same size as regular Sudanese army brigades and are headed by "generals" who wear the same stripes as generals in the regular army.

Rebel leaders say they have identified six Janjaweed brigades—among them the Liwa al-Jammous, or Buffalo Brigade, and the Liwa al-Nasr, or Victory Brigade. These two brigades are headed respectively by Musa Hillal of the Um Jalloul tribe and Abdul Rahim Ahmad Mohammed, known universally as Shukurtallah, of the Mahariya tribe. Musa Hillal has enjoyed close relations with many senior government officials, prime among them a governor of North Darfur state, and is a frequent visitor to Khartoum. The Masalit say that Shukurtallah served in the army in Geneina and in Juba before being sentenced to 10 years' imprisonment for killing Masalit civilians. But he was released from jail before completing his sentence, they say, and emerged as the leader of the Janjaweed in West Darfur state. Soldier to Janjaweed, via a murder conviction, in one easy step.

Top Janjaweed leaders all have one, or even two, homes in government garrison towns and have often been seen traveling in army cars. Several Masalit informants claimed that in 1999 government forces were seen training Janjaweed in El-Daien, 60 miles from Darfur's southern border with Bahr el-Ghazal, alongside established government-backed militias like the "Peace Army", a militia that operated in the Bentiu area, and the muraheleen, tribal militias from southern Darfur and southern Kordofan that in 1989 were incorporated into government militias controlled by the army, and used in the war in southern Sudan against Dinka and other southern peoples.

At the end of August 2003, Janjaweed took over from police and army in manning checkpoints in much of Dar Masalit. This could not have happened, nor be continuing, without the full agreement and compliance of the government.

In Geneina, capital of West Darfur state, Janjaweed are said to have a headquarters in the Medina al-Hujjuj, the old customs yard. Many Masalit reported seeing government helicopters and cars delivering weapons to Janjaweed positions. Others claimed knowledge of government payments to Janjaweed. A farmer from Gozbeddine, a village near Habila, said that in August 2003, as mass burnings became routine in Dar Masalit, local government officials promised all Arabs who came forward, with a horse or a camel, a gun and a monthly salary of 300,000 Sudanese pounds—U.S. $116, the equivalent of the per capita gross domestic production. This figure was repeatedly cited to me as a typical Janjaweed salary.

The Gozbeddine farmer said Janjaweed were recruited in Habila in an office that flew the Sudanese flag. "The Arabs weren't organized before," he said. "It was only groups of 30 or 40 attacking civilians for their cows."

A government role in recruiting Janjaweed—and by extension, presumably, in paying them too—is confirmed by a document obtained by Human Rights Watch in which the state governor of South Darfur ordered commissioners to recruit "300 horsemen for Khartoum". The letter, dated November 22, 2003, is from the office of the governor and is addressed to two commissioners in South Darfur state—one in Nyala, the state capital, and the other in Kas, one of the largest towns in South Darfur. The letter lists promised donations and projects which would benefit the Janjaweed community. These include the vaccination of camels and horses—the Janjaweed's method of transport.

Government support for the Janjaweed is not limited to sins of commission; there are also sins of omission. The Janjaweed enjoy complete immunity in Darfur and roam around armed even though Sudan's penal code posits 10 to 20 years' imprisonment for carrying illegal weapons and ethnic Africans are regularly searched, apprehended, and imprisoned. Former members of the government's security forces report receiving specific instructions not to interfere in any actions or operations by the Janjaweed.

Nureddine Abdul Ismael Abaker, a Masalit policeman from Misterei in West Darfur, received orders from the local army boss not to interfere with the Janjaweed. In his words: "To let them do whatever they wanted." He resigned from the police force in 2003 because, he said, "the government took the Arab tribes and allowed them to be the law, over everyone else". Policemen in Geneina said they too were ordered not to take action of any kind against Janjaweed and not to lodge any complaints against them. "Not to interfere with them in any way," they said.

There is no doubt that the Janjaweed feel themselves empowered. Time and again, Masalit civilians said Janjaweed tell them "We are the government!" when challenged about their behavior. A 32-year-old farmer burned out of a village near Geneina quoted a Janjaweed leader in Geneina as telling residents of the town: "This place is for Arabs, not Africans. If you have a problem, don't go to the police. Come to the Janjaweed. If we say you have to pay compensation, you pay. The Janjaweed is the government. The Janjaweed is Omar Bashir," referring to Omar El Bashir, president of Sudan.

The Sudanese government's extensive use of Janjaweed to fight the rebel movements—the SLA and the Justice and Equality Movement (JEM)—started after the

rebels attacked the town and military base of Al Fashir, capital of North Darfur state, in April 2003. The attack destroyed several Sudanese air force planes on the ground and shocked the Sudanese government, which was convinced that the rebels were aided from abroad. (An air force colonel captured by the rebels even gave an interview on Al Jazeera which was broadcast to the Arab world.) The Janjaweed, who were already inimical for economic reasons to the tribes from which rebels were recruited, already owned camels and horses, the best means of transportation in vast untarmacked Darfur. They already had guns, but the government provided more—along with training, communications equipment, and other war materiel.

The strategy is the same as used in the twenty-one years of war in southern Sudan and the Nuba Mountains: 1) finding an ethnic militia with existing rivalries with the targeted group (the ethnic group related to the rebels); 2) arming and supporting that militia, and giving it impunity for any crimes; 3) encouraging and helping it to attack the civilians of the targeted group, with scorched earth tactics often backed up by government ground troops and air power; 4) killing, raping, abducting, or forcibly displacing the targeted group and destroying its economy; and 5) denying humanitarian access to needy civilians. This pattern of attack has been used, again and again, in southern Sudan.

The strategy is still used in the south, despite an 18-month ceasefire there—in the Shilluk area, in the Upper Nile region of southern Sudan, in March 2004. There a southern government militia attacked and burned villages, forcibly displacing more than 100,000 civilians. The reason was that the military leader of the Shilluk changed loyalties (again) from the government to the SPLA—which is permissible under the current peace agreement in the south. Although he went to the SPLA, the government dearly did not want him to take with him the Shilluk land which is near oilflelds in eastern Upper Nile.

UPDATE

Even after having fled their homes, the vast majority of the more than one million displaced Darfurians are today utterly unprotected from violent abuse—unless they are among the 110,000 who have made the long journey to Chad, somehow evading Janjaweed "patrols" that attempt to interdict their escape. Originally cattle nomads, the Janjaweed continue to attack, rape, and steal from the displaced in the camps in Darfur. They have grown rich on the cattle they rustle, leaving their victims desperately poor.

The humanitarian crisis we are seeing today is the direct result of the forced displacement and violence directed at hundreds and hundreds of farming communities in North, West, and South Darfur. The displaced people are mostly farmers who have missed the May-June planting season because they were burned out of their homes and farms. Their seeds were burned or looted, and they still have no access to their land. As a result, U.S. AID has estimated that there are two million war-affected people in Darfur in need of emergency assistance—the displaced, those they are living with, and those who usually buy their produce.

Unless the Janjaweed militias are disarmed, disbanded and withdrawn from the areas they occupy, and from which they prey on displaced communities, there will be no possibility for civilians to return voluntarily and in safety to their homes and plant next year's harvest. As it is, emergency relief is needed for at least sixteen months to save two million people from this entirely man-made famine.

Some local authorities are reportedly trying to force displaced to return to their villages to present a picture of "normalcy" to the international community, but by now the spotlight on Darfur is probably too bright for such deception to succeed. It is disturbing that there are still officials who attempt such maneuvers, however, as it does not bode well for government transparency and cooperation in southern Sudan.

The first rains have already come to Darfur. Soon the dirt tracks that serve as roads will be impassable, making it difficult if not impossible to move relief supplies overland. Mosquitoes and malaria will aggravate the health problems that are already killing in the displaced camps; measles has already started to carry away the small ones; cholera and other water-borne diseases pose real death threats to all during the rainy season. At one camp outside Nyala, deaths have been running at between 8-14 a day—most of them children. The camp has a population of 28,000—and in the last three months has sprouted five cemeteries.

There are many reports of fighting and attacks on civilians, all of which violate a ceaseflre agreement signed by the government and two rebel groups in Chad on April 8, 2004. On May 22, fifty-six people were reportedly killed in a Janjaweed attack on a village in South Darfur—most of them just outside their huts. That was just part of a campaign to assert, or restore, government presence in areas south

and east of Nyala, the capital of South Darfur, prior to the arrival of African Union ceasefire monitors.

Recent reports indicate that groups of Arab origin are moving into some of the lands bordering Chad that have been "ethnically cleansed" and are now under government and Janjaweed control. This trend paves the way for continued ethnic turmoil and threatens regional stability. Chad has even complained of Sudanese bombing on its soil in support of Janjaweed pursuing Sudanese refugees into Chad. While the Sudanese government trusts Chad's President Idriss Deby, whom it helped seize power in Chad in 1990, many Chadians of Zaghawa ethnicity are literally up in arms in Darfur, to defend their fellow Zaghawa.

REBEL ABUSES

The SLA began armed operations in February 2003 to protect African communities against a 20-year campaign by government-backed militias. Neither the SLA nor the JEM, the two rebel groups in western Sudan, was involved in the southern conflict; neither was a party to the north-south peace agreement.

Although the SLA won support by attacking government and military targets—with remarkable success initially—there is new evidence that even these targeted attacks took heavy civilian casualties. Recently received testimony indicates that the attack on Al Fashir in April 2003, although apparently directed at military objectives, resulted in the deaths of numerous civilians as well as military personnel. The JEM has been accused by Amnesty International of incidents of torture of suspected informants, including using pepper in the eyes. Both groups have been accused of using child soldiers.

The SLA took sixteen humanitarian aid workers captive in June, of whom three were expatriates and thirteen Sudanese. This is a violation of international humanitarian law as the sixteen, who worked for various agencies in Darfur, were not military. They were released unharmed after three days.

Government officials and Arab groups in Darfur accuse the SLA and JEM of targeting civilians and destroying their villages, and have provided a list of ceasefire violations and attacks on villages to Human Rights Watch. We are eager to investigate these cases inside Darfur, but so far have not received a visa from the government. We have not found witnesses to these abuses in the Chad refugee camps, but that does not mean the abuses have not taken place. Only a fraction of the displaced has been able to reach Chad for refuge.

Recently the director of Human Rights Watch, Kenneth Roth, and a Sudan researcher, Leslie Lefkow, met with representatives of the rebel groups and presented them with a list of alleged abuses. The rebels denied the allegations but we expect to have a more detailed response from them. Because we have not had access to the government-held areas of Darfur, however, we have not been able to substantiate the government and other allegations.

In 25 days with SLA forces in Dar Masalit, I found a marked absence of many of the abuses that have sullied the SPLA's record in southern Sudan. There was no evidence either of the use of child soldiers—the youngest rebel I encountered was 19—or of forced recruitment. The Masalit commander, Khamis Abdullah Abaker, admitted that neither was needed given the number of displaced adults offering themselves to the SLA as combatants. My observation was that the soldiers I encountered, and to whom I spoke, were farmers burned out of their homes, with a smattering of professionals, former government soldiers, and members of the police force who joined the SLA after their villages were attacked by the government they served.

Masalit civilians insisted that SLA positions were many miles away from their villages—one reason, they said, for the ease with which they had been displaced.

THE U.S. ROLE

The U.S. has rightly taken the lead in the international community to insist that the Darfur crisis be addressed at the same time as the Naivasha peace accord is finalized, ending the twenty-one year war between the Sudanese government and the SPLA/M. The U.S. has contributed to the emergency relief fund and for other needs, and has encouraged its allies to act together diplomatically at the Security Council and elsewhere to stop the slaughter in Darfur. The U.S. has correctly identified this as "ethnic cleansing." It has reiterated that its policy is to reverse the effects of this ethnic cleansing and enable the displaced to return home. It has stated that human rights abuses are causing the humanitarian emergency. The director of U.S. AID has said that the government must provide full humanitarian access to Darfur if up to a million people are not to die.

The U.S. should continue to remain fully engaged and to give the Darfur emergency top priority. The fighting and human rights abuses have not yet stopped, despite the ceasefire agreement. The African Union was asked by the parties to set up a ceasefire monitoring commission, and some of the logistical personnel for this team of approximately one hundred persons have arrived in Darfur, also with U.S. assistance. But the ceasefire monitors are not yet deployed.

Several additional actions are urgently needed, in which the U.S. must take the lead:

- A Chapter VII resolution at the U.N. Security Council whereby, if no effective measures have been taken by the Sudanese government to "neutralize" the Janjaweed within a specified time period, the Council will take further measures, including through the imposition of targeted sanctions and other measures, to:
  - end and reverse "ethnic cleansing" in Darfur,
  - ensure the protection of civilians at risk,
  - create an environment conducive to the voluntary return in safety and dignity of all refugees and displaced persons,
  - and provide for the effective and unrestricted delivery of humanitarian assistance.
- A U.N. human rights monitoring team for Sudan.
- A U.N. accountability mechanism for past crimes against humanity and other grave abuses in Sudan.

On May 25, the Security Council issued a Presidential Statement on Darfur which contained strong condemnation of abuses, and called on the Sudanese government to live up to its ceasefire commitment to "neutralize," disarm, and disband the militias. On June 10 the G-8 group called "on the Sudanese government to disarm immediately the 'Janjaweed' and other armed groups which are responsible for massive human rights violations in Darfur".

But the Sudanese government remains even more stubborn with regard to human rights, and investigation and prosecution of alleged abusers, than it does about relief access. No one, either military or Janjaweed, has been detained or prosecuted for the crimes against humanity or ethnic cleansing in Darfur. Only a handful has ever been prosecuted for individual cases of rape, murder, and looting. They have certainly not been disarmed.

HUMAN RIGHTS MONITORING

The U.S. should insist on one final ingredient for the Naivasha peace agreement, one which is vital for Darfur: that the peace agreement include a vigorous U.N. human rights monitoring team throughout Sudan, to periodically and publicly report on respect for human rights.

The parties to the north-south peace agreement already have agreed in writing to abide by human rights principles. The peace agreement, however, lacks any mechanism for monitoring human rights performance. There are to be elections in three years throughout Sudan, at the local, state, regional, and national levels. Monitoring is necessary in the period leading up to the elections to ensure a level playing field for all parties—especially the aggrieved citizens of Darfur.

It is not too late to insist that this monitoring be inserted into the peace accords. Implementation remains to be negotiated. The U.S. Congress should insist upon a U.N. human rights monitoring component to implement the human rights principles to which the parties have already agreed.

HUMAN RIGHTS ACCOUNTABILITY

Similarly, the Naivasha peace agreement does not contain any provision for accountability for past abuses in the twenty-one year civil war in which more than two million died and four million were made homeless, most of them southerners. We agree with the call of the U.S. Congress in its concurrent resolution of May 17 urging the President to direct the U.S. ambassador to the U.N. to seek an official U.N. investigation into crimes against humanity in Darfur—but what about crimes against humanity committed in southern Sudan, the Nuba Mountains, and elsewhere during the long civil war? Should not Sudanese officials and others most responsible for these grave abuses also be investigated, and made answerable for their crimes?

It is sad to note that, even in the south, where a ceasefire has been in effect since October 2002, the Sudanese government continues to use its ethnic militias (in this

case Nuer militias under the command of Gabriel Tanguinya) to conduct scorched earth campaigns in the Shilluk land, north of Malakal. Although the U.S.-sponsored Civilian Protection Monitoring Team (CPMT) reported that more than 100,000 Shilluk have been forcibly displaced, and their homes burned, the guilty remain at large, enjoying complete impunity for their crimes. They and the relevant Sudanese government officials must be accountable—not only the ethnic militias in Darfur.

We urge Members of Congress to insist that accountability be an integral part of the Naivasha peace agreement—not only for Darfur, but for all of Sudan.

THE U.S. AND FUTURE RESPONSE

The political lead must be taken by the U.S. and the Security Council to end abuses and reverse ethnic cleansing in Darfur, which is the stated policy of the United States.

It is time for the Security Council to pass a resolution under Chapter VII to prepare the way to take measures to relieve the massive human rights abuses and the famine even without the consent of the Sudanese government. There is no time to waste.

Senator ALEXANDER. Thank you very much, Ms. Flint and Mr. Prendergast.

I have just been informed there are 3 minutes left in the second vote, so I must take a brief recess, and I assume Senator Feingold will get back before I do and he will begin with questions. So the hearing is momentarily recessed.

[Recess from 4:42 p.m. to 5:02 p.m.]

Senator ALEXANDER. Our hearing on Sudan will resume. I thank the witnesses and others for their patience with the Senate schedule.

Here is what we will do. I saw Senator Feingold. I have one more vote to cast and he has two, so I will ask my questions of Ms. Flint and Mr. Prendergast. I will then ask them to step aside if they have time to do that, because Senator Feingold would like to also have a chance to ask you questions, and then we will move to the three nominees. It is my hope we can do that today.

Senator Feingold has a scheduling issue and I am going to let him go first with the questioning of the three nominees because I think we have a better chance of actually getting to you today if we do it that way. So if you will bear with us, we will try to get all of our work done.

Now, we have heard some very interesting, graphic, specific testimony about the tragedy in Darfur in the west of Sudan. Just at a time when we had hoped we would be making peace in Sudan, we are having atrocities that make us not think very much about the peace.

Our witnesses on the second panel are witnesses who have seen what is happening there recently and confirm that humanitarian aid is being denied, that the Government of Sudan is responsible for many killings, and is also responsible for, as I mentioned, obstructing the delivery of aid. What is interesting to me is that both of you have said that you believe that congressional action could make a difference. Many Members of Congress, both Democratic and Republican, would like to make a difference on this topic.

For example, I saw Senator Corzine as I came back, who was not able to attend the hearing today, but who made it clear that, and has made clear in speeches on the floor, his feelings about the tragedy in Sudan and who emphasized to me that whatever Senator Feingold, Senator Brownback, and I and others were to do in the

Senate, he wants to be part of. I am confident there will be many, many more.

[The prepared statement of Senator Corzine follows:]

PREPARED STATEMENT OF SENATOR JON S. CORZINE

Mr. Chairman, I would note that recent UN Security Council statements on Darfur on May 26 and June 11 were strongly worded, but fell short of calling for UN action; the G-8 statement on Darfur issued June 10 was well-meaning but also quite cautious. Time is slipping away from us in Darfur. I have written to President Bush, on June 4, in a letter co-signed by Senator Lautenberg, to go farther and urge U.S. pressure on the UN, on Western European governments and on Sudan, for immediate and effective action. I called for action, backed by UN-authorized military intervention under Chapter VII of the UN Charter if necessary, to restrain and disarm "janjaweed" militias, guarantee access to Darfur for both human rights observers and humanitarian workers, establish a peace process to resolve underlying grievances between Khartoum and Darfur, and establish judicial accountability for human rights violations. i11In testimony June 15 before the Foreign Relations Committee, we heard from non-governmental experts (Human Rights Watch and the International Crisis Group) who had similar recommendations for immediate action by the U.S. and the world community; they noted events in Darfur have already moved from "Genocide Phase I—ethnic cleansing and displacement" into "Phase II: killing famine."

In that same Sudan hearing, Assistant Secretary of State for African Affairs Charles Snyder noted that European support for action on Darfur appears limited by the fact that the U.S. is in the lead. This seems to me an instance of the critical importance of nurturing and sustaining alliances, a duty which goes hand in hand with and is inseparable from the need to exhibit, when appropriate, resolute and bold leadership, as we now need to do with respect to Darfur.

I believe it is feasible and absolutely necessary for there to be immediate U.S.-led international action, under UN authority if at all possible. Such action should aim at:

(1) a Chapter VII resolution, authorizing the use of force at the UN Security Council whereby, if no effective measures have been taken by the Sudanese government to "neutralize" the janjaweed within a specified time period; and

(2) Imposition by UN and/or Western European governments of targeted sanctions and other measures to:

- end and reverse ethnic cleansing in Darfur,
- ensure the protection of civilians at risk,
- enable the voluntary return in safety and dignity of all displaced persons,
- ensure unrestricted delivery of humanitarian assistance,
- Establish a U.N. human rights monitoring team for all of Sudan, and
- Establish a U.N. or other international accountability mechanism for crimes against humanity in all parts of Sudan.

Senator ALEXANDER. Now, you have been very helpful witnesses in this fact, you have been very specific. I have read your full testimony. Let me ask the first question in this way. You have heard each other. Do you basically agree on what the Congress should do or did you hear—did one of you hear the other say something that you did not or that you disagreed with?

How much agreement is there between the two of you on exactly which steps the Congress can take to do the most good?

Mr. PRENDERGAST. Thank you for that. That is an interesting question, Senator. I think we are Siamese twins on this issue. I think there is not a drop of light between us on this. I think the human rights groups, the conflict prevention groups, the humanitarian organizations, the NGOs in general, if they cannot say it publicly because they are on the ground, they believe essentially—agree essentially in large part with this agenda that we have outlined to you.

I want to reiterate just for emphasis what the specific actions that the U.S. Congress can lead on, as opposed to sort of the general actions that the U.S. administration, the Bush administration, ought to be doing. I think specifically—and let me preface this by saying that 300,000 people do not have to die. It is not exactly—Senator Brownback started his questioning by saying that Andrew Natsios has said if things go right.

Now, that is if things go right and we do things the conventional way, which is we nickel and dime everybody and argue over access for the next few weeks and do the same old thing we always do. Obviously, it is the most extreme situation we have faced in a long, long time. It argues for a much greater, much more robust humanitarian response.

So at this juncture we need to go to the Security Council. We just had a resolution last week on the implementation of the peace agreement between the north and south, between the SPLM and the government. We need a second resolution, as Julie said, that has direct bearing on the humanitarian response, that calls for the Government of Sudan to stop with all these layers of bureaucracy that we heard from Roger. They need to be called out on it consistently and multilaterally. If it is just the U.S. saying these things, they know they can contain it. They will just give us our visas more quickly, as Roger said, but they will not move to change the entire edifice which is built for using starvation as a weapon.

So I think we need to use the Security Council as a battering ram on Khartoum at this juncture to press for that opening of access.

Senator ALEXANDER. OK, so step one is a Security Council resolution, which would I guess have to be initiated by the United States.

Mr. PRENDERGAST. And the UK, yes.

Senator ALEXANDER. And the UK. Which would as its first step say, stop obstructing the humanitarian aid.

Mr. PRENDERGAST. Right, public pressure. They will tell you, the administration will tell you, rightly, that at this juncture perhaps 5, maybe more, of the 15 members of the Security Council do not agree and will oppose moving forward in the Security Council. So this requires some robust diplomacy in New York and in capitals at the highest levels of the U.S. executive branch to go to the leaderships of these governments that are opposed to moving for sovereignty reasons and for other reasons, for commercial reasons, other things that link them to the Sudanese Government, and urge and push and cajole for acquiescence for Security Council movement on this issue.

Senator ALEXANDER. Ms. Flint, would you have a comment on that?

Ms. FLINT. Well, something John said that I would pick up on is there are very obvious things that can be done without too great delay. Cross-border access. And there is a great parallel between today in Darfur and 1988 in Bahr El Ghazal, when there was again a manmade famine, and the international community simply could not get its act together. It was debating what to do, and after a quarter of a million people had died implemented cross-border ac-

cess in the form of Operation Lifeline Sudan. But a quarter of a million people had already died.

As I said before, we are all already moving very, very late on this. Darfur has been sacrificed to the north-south peace or the north-south truce, depending on how you see it. So I just think, as John said, it is very, very necessary to push ahead by any means possible—air drops, cross-border access. It is possible.

Senator ALEXANDER. Now, you have mentioned the Security Council resolution and how that would have a more dramatic effect on the government than simply a United States effort. What is second on your priority list? A Security Council resolution might take a little while. Is there anything that can be done more rapidly that would speed up the humanitarian aid or remove the obstructions?

Ms. FLINT. Well, the key thing I think in the short term is not just getting the food in there, but protecting it so people can actually eat it. I met people who—many people are trying to come out of these displaced, concentrations—I am not quite sure how formally they are camps; they just seem to be almost ad hoc settlements—because conditions were so bad there. Janjaweed were coming into the camps and killing and raping, looting in the camps. Families have been sending men across—I was in the Masalit area—to see if they could get to Chad and, if they could, going back to the camp to try to bring their families back to Chad.

So it is not just a question of getting the food in. It is protecting the food so once it is there people can be able to eat it. Whether the African Union numbers are sufficient for that, I really do not know.

Senator ALEXANDER. Well, that was Mr. Prendergast's second major point, was to make sure phase one stops, which is the killing.

Ms. FLINT. Absolutely.

Senator ALEXANDER. But I am looking for tactically, if the Security Council resolution takes a while what is the second step that you would recommend from your perspective that our focus should be on?

Ms. FLINT. I think I would defer to John on that. I have been on the rebel side in the bush. I am not an expert at all in the corridors of power.

Mr. PRENDERGAST. That is good, you are asking the right question, because there are multilateral actions that can be taken and there are unilateral actions that can be taken. We have now talked to you about the multilateral, but the unilateral action that can be taken is for the U.S., and working directly with the European Union but moving forward as aggressively as we can, is looking at what kind of assets we have in the region.

We have excess capacity, military capacity, in Djibouti. We have 1,200 forces there who are conducting training programs in the context of our counterterrorism efforts, and it is an underutilized capacity. The French have a larger contingent there, as well as throughout Central Africa. We need capacity to move items, relief items, from the port, which most of those goods are being, as Roger told you, being held up in the port. We need the capacity to move that rapidly in the next month directly to the ground.

We are going to look back 3 months from now and say: Damn it, why did we not do something when we had a chance, as the rains were just beginning, because 3 months from now it is really not going to matter. It is going to be much more difficult.

Senator ALEXANDER. When does the rainy season start?

Ms. FLINT. It has started.

Mr. PRENDERGAST. It started a week ago, 2 weeks ago. So the problem is now that we have got to—it is what we call a surge capacity. We need to surge our assets into the region and move the stuff into Darfur and then, as Julie said, have people on the ground so they can distribute it.

Senator ALEXANDER. In your judgment, does the threat of more sanctions on a country already with sanctions matter to the government of Khartoum?

Mr. PRENDERGAST. Let me just say one more thing on that. It is a qualitative difference between sort of the larger contextual economic sanctions that have been in place now for 7 or 8 years since the Clinton administration and picking out individuals in the government who are being assessed to have been complicit or responsible for mass atrocities, perhaps even genocide, and then saying to those people: You perhaps over the next 20, 30 years of your life are going to be unable to travel anywhere, your assets are going to be frozen, and some day you will sit in the dock like Milosevic did and some of the others did from the Rwandan genocide.

I think sending those messages now, not starting the process because it is a long, lumbering process of actually establishing these mechanisms of accountability, but saying we are going to start doing that, getting Ambassador Prosper out there this week or next week, and saying, we are collecting evidence on individual culpability in this context, that is a different quality of fish and I think that really will have an impact.

Senator ALEXANDER. So immediately putting the spotlight on personal accountability for these crimes is something else that might have an immediate effect?

Mr. PRENDERGAST. Yes.

Senator ALEXANDER. Ms. Flint.

Ms. FLINT. Yes. The Government of Sudan only ever reacts, does anything, under pressure. It is not going to do anything if there is not a consistent increase in pressure. Even if there are already sanctions in existence, the mere fact of more being threatened will be effective. They will not move unless there is pressure.

Senator ALEXANDER. Well, let—excuse me; did you have something?

Mr. PRENDERGAST. No.

Senator ALEXANDER. Let me—first, Senator Feingold will be here in a moment and he will want to ask questions of both of you. But let me thank you for coming today and helping us do one of the things that you recommended, which is put the spotlight on this tragedy. I can assure you there are a number of Senators, both Democratic and Republican, who are deeply concerned about this. This was a subject of discussion today at our weekly Republican Senators luncheon, as an example, and I know that Senator Feingold and Senator Corzine and others, Senator Biden who was here today, feel the same way.

So your testimony today has done exactly what we have hoped. The administration testimony has also been very specific, I thought, and was candid. We will take this information and do our best to help put the spotlight on the tragedy and to see if we can help do it immediately.

So thank you for being here, and if you do not mind waiting for a few minutes I will invite you to come back when Senator Feingold comes.

If I could then ask the President's nominees for ambassador to come forward, we will begin that process.

[Whereupon, at 5:15 p.m., the hearing was recessed and the committee proceeded to other business, the hearing to reconvene at 5:45 p.m. the same day.]

Senator FEINGOLD [presiding]. Let me at this point recall the second Sudan panel.

I want to thank both of you for your very compelling testimony. I will review the transcript very closely.

Mr. Prendergast, before I go to some questions I want to thank you for raising in your testimony the additional issue of Sudan's relationship with the Lord's Resistance Army, a group that has terrorized the people and especially the children of northern Uganda for several years. I share your view that the United States needs to address this issue as part of a comprehensive Sudan policy and, joined by Chairman Alexander, I introduced legislation earlier this year stating plainly that the overall relationship between the Government of Sudan and the Government of the United States cannot improve until we have confidence that no element of the Sudanese Government is complicit in providing support to the LRA.

So thank you again for calling attention to this important issue. And Ms. Flint, I thank you for traveling some distance to be here today. Despite all the interruptions, I assure you that this hearing will have a real influence on our thinking and our actions and that many of us regard this as one of the most, if not the most, urgent situations in the world at this time.

For both of you, can either of you help the committee to understand the motives of the government of Khartoum as we look at its actions in Darfur? What is its purpose behind these atrocities and what is the government's ultimate intent?

Ms. Flint.

Ms. FLINT. I think that is difficult to answer because I think there is probably more than one intent. The government, successive governments, have supported the Arab-based militias of Darfur for more than a decade now. When the rebellion started, they were taken by surprise, I think, by the successes that the rebel movements had. Within weeks of taking up arms, they had captured a state capital, including a military airstrip, destroyed five military aircraft, captured a bunch of senior air force commanders.

The government was quite surprised and very quickly changed its tactics from attacking the rebels to attacking the civilians.

Darfur is, as you know, 100 percent Muslim. It is solidly Muslim. So this is not in any way a religious war. But of course, this is a government which is Arab-centric. There is an Arabist agenda here. There is also a large degree of racism. I think the war in the south has been for me far more than a religious war, a racist war.

So there are many, many, many different agendas going on here. And of course, the Janjaweed have their own agenda, which is land and loot.

Senator FEINGOLD. Mr. Prendergast, if you could answer that as well and just talk a little bit about whether you think the Government of Sudan is actually unified on its positions and policies regarding Darfur?

Mr. PRENDERGAST. I think that, to add to precisely what Julie just said, those are the first motives. They also want to drain the water to catch the fish. I think there is a long history of this government using these kinds of tactics in a number of parts of southern Sudan and central Sudan. Any time there is a rebellion or opposition, they go straight after the civilian population.

They have learned and honed these tactics over the years, so now the use of the Antonov bombers, the use of the attack helicopters, the use of ethnic militias, is the principal part of their strategy, of their military strategy. They very rarely engage armed rebel elements because it is so effective to clear the populations out of these areas, because then it denies the rebels the civilian base in which it can move around.

I think that we also have to understand that the government is trying to send a very clear message to every corner of Sudan that if anyone attempts, especially in northern Sudan, to try to overthrow this government, to try to challenge this government, this is the kind of reaction they are going to get. And that message has been delivered.

The government is definitely not unified on this. There are military and civilian elements within the government that are unalterably opposed to this kind of strategy. They did not mind when they were doing it to the southerners, but now they are doing it to people in Darfur, Muslim populations, and populations which—of course, Darfur is heavily represented in the center, especially in the military, so a number of people have been replaced, a number of high-level military officials have been jailed or killed and transferred.

So a lot has gone on internally over the last few months that has been highly destabilizing in the region. So you have a number of trends within the government over Darfur that are causing fissures at a time when they need unity to move forward on this agenda with respect to the SPLM.

Senator FEINGOLD. Thank you.

Ms. Flint, to what degree has the north-south peace process exacerbated feelings of disenfranchisement among parts of Sudanese society that are neither represented by the Government of Sudan nor by the SPLM? And how exactly are these parts of Sudanese society supposed to get a seat at the table and have a hand in determining their own future?

Ms. FLINT. I will talk about Darfur because that is where I have been. There is absolutely no doubt that the beginning of the Naivasha process gave impetus to the rebellion. The lesson of Naivasha was that the only way to be listened to was to carry arms. I believe that was the main reason why the rebellion began in February 2003, that unless you carried weapons you had no seat at the peace table, your complaints were not listened to.

I have not been there since the peace agreement was signed. I was there just before it was signed. But there was tremendous anxiety that this was an agreement being signed without them. Several people I spoke to on the phone after the signing of the agreement said the cease-fire agreement is not going to last; we are going to make sure that it does not, we are going to, if necessary, break the cease-fire to go back to have our voice heard. So I think in Darfur it has been extremely negative, both before and after the signing.

Senator FEINGOLD. Mr. Prendergast, we all agree that the situation in Darfur is urgent. What deadlines exist for action by the Sudanese Government that can give the international community a mechanism to hold them to account?

Mr. PRENDERGAST. Well, there really is not. It is bleeding on in a way that is quite disconcerting and I think the fact that there has not been a deadline introduced undermines the leverage that the international community might hold.

The fact that the Security Council has not acted yet, and we just talked a bit about that with Senator Alexander, the fact that the Security Council has not acted on Darfur and has not sent the kind of message that needs to be sent to the Sudanese Government, is simply emboldening them to continue to undertake the kind of obstruction and use of food as a weapon that Roger Winter was talking about earlier.

So I think there has to be this kind of urgency introduced, that if *x* does not happen then *y* is going to result. There has to be conditionality and there has to be pressures and threats that begin to be introduced into the discussion. In the absence of that, we are not going to have any leverage.

I understand that you are looking at legislation. We heard from Senator Biden a little while ago that there is some discussion about legislation. It is urgently important that we do not undertake a solely incentive-based strategy to try to bring these, to drag these guys along. Whether or not they get assistance, foreign assistance, when they are getting a billion dollars a year in oil income is irrelevant to their calculations. We need to be introducing very specific measures of accountability that we are threatening to use, and if multilaterally we cannot do it we will push it unilaterally until others go along with us, and I think that if we simply rely on incentives right now, as we have for the last 9 months, trying to drag these guys across the finish line in Naivasha, it is simply going to undermine our own capacity for additional leverage.

Senator FEINGOLD. Let me thank both of you and all the panelists. I regret that we did not have more time, and I also regret how convoluted the process was. But Chairman Alexander and I are committed to following through on these issues and we admire your work in this area.

That concludes the hearing.

[Whereupon, at 5:55 p.m., the committee adjourned, to reconvene subject to the call of the Chair.]

RESPONSES TO ADDITIONAL QUESTIONS SUBMITTED FOR THE RECORD

RESPONSES OF CHARLES R. SNYDER TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED BY SENATOR JOSEPH R. BIDEN, JR.

Question 1. According to The New York Times, the administration has begun a review of whether or not the violence in Darfur is genocide.

When did the genocide review begin, have you come to any conclusions, and what are the points of debate among lawyers as to whether or not what is happening in Darfur is genocide?

Answer. The violence in Darfur must stop, regardless of the label applied to it. The United States is seeking an immediate end to the killing and other atrocities and is taking action to achieve this objective. The United States has been among the most vocal countries in the international community to speak out against the violence taking place in Darfur. Measures to end the violence and suffering are imperative.

As the Secretary has indicated, the Department will continue to take firm action in connection with this crisis. We have not yet determined whether the violence in Darfur, which we have characterized as ethnic cleansing, constitutes "genocide." Based on what we know thus far, there has been widespread atrocities and suffering. We have been quite clear that what is occurring has involved attacks and atrocities against African civilians by the government supported Arab militias. As the Secretary has stated, we are keeping this situation under intense review to determine if the situation in Darfur is now or becomes genocide. Let me stress that, regardless of how the situation in Darfur is described, we are addressing it with extreme urgency with a view to stopping the violence and alleviating the suffering. The review of the situation in Darfur is ongoing and involves both factual and legal components.

Question 2. What is the administration doing to prevent genocide in Darfur as required by Article I of the Genocide Convention?

Answer. The United States has been pressing the Government of Sudan to stop the violence in Darfur. We are seeking an immediate end to the killing and other atrocities, the protection of civilian populations, facilitation of access to all affected populations, and the creation of conditions permitting the safe and secure return of people to their homes.

The United States helped organize three briefings on Darfur in the UN Security Council. Pressure from the first briefing led the Government of Sudan to agree to talks with the rebel groups in Chad and the subsequent agreement to a humanitarian ceasefire on April 8. Later briefings helped push the Government of Sudan to waive visa and travel permit requirements. The United States subsequently was instrumental in N'djamena, Chad in ensuring that the Government of Sudan and rebel leaders negotiated face-to-face. Additionally, in April of this, year the United States took a strong stand on Sudan at the UN Commission on Human Rights, supporting a condemnatory resolution to address the atrocities in Darfur (although a weaker decision was ultimately adopted by the Commission). The United States also voiced its opposition to the election of Sudan to the UN human rights body.

The resulting ceasefire has given way to some improvement in the security situation; but serious problems remain. Credible reporting indicates that the Jingaweit militias are continuing to perpetrate violence against civilians. The Government of Sudan has not yet taken all the critical measures necessary to facilitate the delivery of adequate assistance to populations in need.

In accordance with the ceasefire agreement, a monitoring group under the auspices of the African Union has begun to deploy to Darfur. Subsequent to the signing of the ceasefire agreement, the United States worked closely with the European Union and African Union to develop modalities for organizing the monitors and deploying the force. Americans will participate in this effort.

At U.S. insistence, a statement on Darfur was brought before the UNSC in May. In June, the U.S. ensured that UNSC 1547, which authorizes the formation of a UN special political mission in Sudan, also specifically express concern for the situation in Darfur.

The leaders of the G-8, at their Summit at Sea Island, declared their concern about the situation in Darfur.

We have told the Government of Sudan that we will seek additional action in the UN Security Council and other fora, and will consider further unilateral actions should it not take the necessary steps on Darfur. We have also stated clearly that we will not normalize relations—in the context of a north-south peace accord—un-

less the Government of Sudan takes the necessary steps to address the situation in Darfur.

To date, USAID has provided over $116 million in humanitarian assistance for the crisis in Darfur. USAID has mobilized a Disaster Assistance Response Team to go to Darfur to facilitate planning and delivery of assistance, but the Government of Sudan has thus far failed to issue all of the requested visas.

The situation remains under careful scrutiny of very senior Department officials, and we are constantly reviewing possible additional steps that would contribute to a satisfactory end to the crisis in Darfur.

Question 3. The CIA-sponsored Task Force on Political Instability is a group composed of academic experts and policy makers who carry out studies that are specifically designed to raise red flags about incidences of ethnic wars, disruptive regime change and genocide.

The task force has found that, "based on conditions that existed during historical incidences of genocide and politicide from 1955 to 2002, Sudan exhibits at least five of the six risk factors identified by the Task Forces as statistically significant predictors of genocide . . ."

Do State Department officials participate in the Task Force? Is the State Department aware of the above finding? How has the above finding influenced U.S. policy over the course of the past several months?

Answer. The Department is aware of the Task Force on Political Instability. It does not participate in the Task Force. The Department received a report of the Task Force's finding on Sudan in early June, 2004.

The Department of State has carefully focused on the situation in Darfur for several months. The President made a strong personal statement in February, 2004. The United States pressed the United Nations Commission on Human Rights for a strong resolution on Sudan at its meeting in March in Geneva. We have also pushed the UNSC to engage on the issue of Darfur, and secured adoption of a Presidential Statement on May 25.

We remain actively engaged in bilateral and multilateral efforts to end the violence, killing and atrocities in Darfur, to deploy an effective monitoring force, to ensure protection of civilian populations, to secure humanitarian access to all affected people, and to require the Government of Sudan to provide sufficient security to permit the safe return of all people to their homes.

The situation remains under careful scrutiny of very senior Department officials, and we are constantly reviewing possible additional steps that would contribute to a satisfactory end to the crisis in Darfur.

Question 4. State Department officials have stated that we will not normalize ties with Sudan until the situation in Darfur is resolved, and that we will not pursue peace in the south at the expense of the people of Darfur. It appears, however that we took the first step toward normalizing ties last month, when the Secretary of State informed us that Sudan was removed from the list of states not fully cooperating with U.S. anti-terrorism efforts. What specifically did Khartoum do over the course of the past year that they had not done before which merited their removal? Why, in the face of all that is going on in Darfur—aerial bombardment of civilians by the government, systematic, widespread rape of women and girls, and rampant murders and torture—did we decide that now was the appropriate time to remove Sudan from the list of states not fully cooperating with U.S. anti-terrorism efforts? Please include a classified annex if necessary.

Answer. Sudan has been very cooperative on matters related to the Global Fight against Terrorism. Details of the Sudanese government's cooperation may be found in the classified annex to this document.

The timing of our decision on Sudan was controlled by the provisions of Section 40A to the Arms Export Control Act (the Act), which requires a report to the Congress by May 15 on states "not cooperating fully with U.S. antiterrorism efforts." Genuine cooperation and a state's will to act are weighed along with a state's capabilities when making this determination.

The change of Sudan's status was based on the facts. The Sudanese government is aware that this action does not affect their continued status as a state sponsor of terrorism, including economic sanctions.

Our dialogue on the issue of state sponsorship continues, as do our concerns about the presence of HAMAS and Palestine Islamic Jihad in Sudan. We also continue to raise our concern regarding continued reports of GOS assistance to the Lord's Resistance Army.

[Deleted].

Question 5. Last week Secretary General Annan gave a report to the Security Council regarding the establishment of a peacekeeping mission to Sudan. How will the situation in Darfur affect a UN peacekeeping mission in support of the North-South Peace agreement? Did the administration's budget request for FY 2005 anticipate that such a mission for Sudan might be established and request contingency funding for it? Given the other missions which might be stood up over the course of the next twelve months, what sort of shape is our UN peacekeeping budget going to be in next year?

Answer. We continue to monitor the situation in Sudan. Once a comprehensive peace agreement is reached in Sudan, we expect to support establishment of a UN mandated monitoring mission there to monitor the parties' compliance with their commitments, and will formally inform the Congress of our intention through a Congressional Notification.

The Administration does not request contingency funds in the Contributions to International Peacekeeping Account (CIPA) budget for possible new UN peacekeeping missions. Out of necessity, the budget request for each year is put together long in advance of world events that may lead to a need for new UN peacekeeping missions. Regarding the 2005 CIPA budget, the Administration requested $650 million. With the creation of several new UN peacekeeping missions in FY 2004, as the Secretary has indicated in recent hearings before the House and the Senate, the budget is severely strained and we will need to consider all alternatives including possible supplemental funding.

Question 6. The President has appointed our current Special Envoy for Sudan, former Senator John Danforth, to serve as our Representative to the UN. Do we intend to appoint another Special Envoy for Sudan? When will that happen?

Answer. The President appointed former Senator Danforth to serve as his Special Envoy for Sudan in order to support the Norht-South peace process. The USG is engaged on Sudan at the highest levels. No decision has been made regarding whether or not the Special Envoy position will be maintained.

RESPONSES OF HON. ROGER P. WINTER TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED BY SENATOR JOSEPH R. BIDEN, JR.

Question 1. Who attended the Darfur pledging conference in Geneva, and how much did the conference generate? Who pledged what?

Answer. On 3 June, the United Nations and key humanitarian agencies met with representatives of 36 countries, including the main donor governments, the Government of Sudan, the African Union, the League of Arab States and the European Commission.

HIGH-LEVEL DONOR MEETING ON DARFUR, GENEVA, 3 JUNE 2004

Pledges announced for Darfur (Sudan) + Chad

Donor	Pledged in US$	Pledged to date*
Australia	0.00	5,643,070.00
Austria	245,098.00	245,098.00
Belgium	1,838,235.00	2,610,166.00
Canada	4,485,294.00	9,492,789.00
Denmark	1,200,000.00	3,109,268.00
European Commission	0.00	33,610,720.00
ECHO	12,254,902.00	22,649,270.00
Finland	0.00	1,340,896.00
France	2,818,627.00	4,098,075.00
Germany	3,063,725.00	7,582,365.00
Greece	245,098.00	245,098.00
Ireland	1,838,235.00	4,025,336.00
Italy	3,063,725.00	2,755,032.00
Japan	2,200,000.00	3,343,438.00
Lichtenstein	720,000.00	80,000.00
Luxembourg	0.00	118,000.00

Donor	Pledged in US$	Pledged to date*
Netherlands	6,127,451.00	7,979,701.00
New Zealand	0.00	1,910,886.00
Norway	5,500,000.00	10,423,784.00
Portugal	306,373.00	300,000.00
Saudi Arabia	0.00	204,490.00
Spain	612,745.00	600,000.00
Sweden	2,941,176.00	3,520,553.00
Switzerland	8,000,000.00	11,011,669.00
U.K.	0.00	61,964,879.00
USA**	188,500,000.00	283,900,000.00
Total	245,960,684.00	482,764,583.00

*Pledged or committed since 2003 (as of June 27, 2004).
**Spread through the end of 2005.

Source: U.N. Office for the Coordination of Humanitarian Affairs (OCHA) CAP Section based on verbal announcements and printed statements. OCHA has communicated that these numbers are subject to confirmation in writing. These are best estimates given a rapidly changing environment.

Question 2. The majority of the $188 million that Mr. Natsios pledged in Geneva comes from anticipated FY 2005 appropriations. How is the U.S. going to fulfill the pledge that Andrew Natsios made if Congress does not pass a 2005 foreign operations appropriations bill this year?

Answer. On June 3, 2004, Andrew Natsios pledged $188.4 million to the Darfur crisis, $48.4 million from FY2O04 resources and $140 million to come from FY2005 planned resources. This amount was in addition to the $95.5 million that had already been committed to Darfur as of May 27. This would bring the total USAID contribution to $283.9 million.

Responding to the Darfur crisis is among USAID's top priorities. If the Congress does not pass an FY2005 foreign operations appropriations bill this year, the United States hopes it could still make good on its pledge and that the FY2005 pledge could be accommodated in a Continuing Resolution.

Question 3. The World Food Program projects that assistance will be needed in Darfur for the next 18 months. If we assume that the security situation improves, which is a big if, how long can we expect emergency needs to exist in Darfur? How much money will we need during the 2005 fiscal year to meet them?

Answer. Even if security dramatically improves, the World Food Program's assessment, which reflects the loss of this year's agricultural season, represents a conservative assessment of the amount of time that we can expect emergency needs to exist. Eighteen months should be considered a minimum amount of time, with every month of ongoing insecurity adding to the length of time both food and other disaster assistance will be required.

In FY2005, a minimum of 420,000 metric tons of food assistance will be required in Darfur. This calculation is based on a continuing caseload of 2,000,000 people, and a scenario of increasing security and gradual returns of displaced people to their homes. The United States typically meets 75 percent of the food resources in Sudan. If the United States is to meet only 50 percent of this need, it must plan to allocate approximately $200,000,000 in Title II resources for Darfur alone.

Needs are also critical in other parts of the country where food assistance will be critically needed to support the peace agreement between the North and the South. If these needs are considered, an additional $130,000,000 in Title II assistance will be required in FY2005 to stabilize areas of internally displaced persons and refugee return and newly accessible conflict-affected areas in the South.

Question 4. Some of the reports coming out of Darfur indicate that internally displaced people are subject to attack and abuse by government sponsored Arab militias. What are we doing to protect internally displaced people living in camps? What more should we be doing?

Answer. Security and protection issues in Darfur are an overwhelming concern that the U.S. Government is attempting to address on a political and diplomatic level, as evidenced by Secretary Powell's recent visit to Khartoum and Darfur. A much larger international presence would have a mitigating effect on the violence.

The U.S. Government will continue to pressure the Sudanese Government to remove all obstacles to humanitarian access and to allow mandated human rights monitors into Darfur. We should also help ensure that the African Union ceasefire monitors are well-equipped and deployed in large numbers.

At the level of humanitarian assistance programs, the USAID Disaster Assistance Response Team (DART) has developed a draft protection strategy for Darfur, outlining a range of activities to improve protection for vulnerable communities. The goals of the program include reducing the risk to, and upholding basic rights of, internally displaced and other vulnerable civilians, as well as paving the way for holding perpetrators accountable for their crimes. USAID support includes activities in Darfur, Khartoum, neighboring Chad and the United States aimed at the following: (1) getting perpetrators to change abusive behavior by using information from incidents and trends as a pressure tool; (2) responding to the needs created by the abuses and preventing further violence through humanitarian programming; and (3) supporting the collection and analysis of testimonials, documentary evidence and physical data on incidents.

Specific activities in Darfur include medical and psycho-social treatment for rape survivors; alternative fuel to reduce incidents of rape and violence when collecting firewood; intelligent camp design; safety committees; family tracing; and training other humanitarian staff and local authorities in protection norms and principles. In Chad, USAID is sponsoring, together with the State Department, the interviewing of 1,200 refugees on the Chadian border to provide solid evidence of the nature of the atrocities. Given the sensitivity of protection issues in Darfur, more details can be provided to the Committee in a private session.